

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                         (Y/N)  
ADOPTED AS AMENDED                         (Y/N)  
ADOPTED W/O OBJECTION                     (Y/N)  
FAILED TO ADOPT                             (Y/N)  
WITHDRAWN                                     (Y/N)  
OTHER                                          

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1 Committee/Subcommittee hearing bill: Health & Human Services  
2 Committee

3 Representative Stevenson offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (37) of section 39.01, Florida

8 Statutes, is amended to read:

9 39.01 Definitions.—When used in this chapter, unless the  
10 context otherwise requires:

11 (37) "Institutional child abuse or neglect" means  
12 situations of known or suspected child abuse or neglect in which  
13 the person allegedly perpetrating the child abuse or neglect is  
14 an employee of a public or private school, public or private day  
15 care center, residential home, institution, facility, or agency

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16 or any other person at such institution responsible for the  
17 child's care as defined in this section ~~subsection (54)~~.

18 Section 2. Paragraph (d) of subsection (2) of section  
19 39.4015, Florida Statutes, is amended to read:

20 39.4015 Family finding.—

21 (2) DEFINITIONS.—As used in this section, the term:

22 ~~(d) "Fictive kin" means an individual who is unrelated to~~  
23 ~~the child by either birth or marriage, but has such a close~~  
24 ~~emotional relationship with the child that he or she may be~~  
25 ~~considered part of the family.~~

26 Section 3. Paragraph (h) of subsection (8) of section  
27 39.402, Florida Statutes, is amended to read:

28 39.402 Placement in a shelter.—

29 (8)

30 (h) The order for placement of a child in shelter care  
31 must identify the parties present at the hearing and must  
32 contain written findings:

33 1. That placement in shelter care is necessary based on  
34 the criteria in subsections (1) and (2).

35 2. That placement in shelter care is in the best interest  
36 of the child.

37 3. That continuation of the child in the home is contrary  
38 to the welfare of the child because the home situation presents  
39 a substantial and immediate danger to the child's physical,

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40 mental, or emotional health or safety which cannot be mitigated  
41 by the provision of preventive services.

42 4. That based upon the allegations of the petition for  
43 placement in shelter care, there is probable cause to believe  
44 that the child is dependent or that the court needs additional  
45 time, which may not exceed 72 hours, in which to obtain and  
46 review documents pertaining to the family in order to  
47 appropriately determine the risk to the child.

48 5. That the department has made reasonable efforts to  
49 prevent or eliminate the need for removal of the child from the  
50 home. A finding of reasonable effort by the department to  
51 prevent or eliminate the need for removal may be made and the  
52 department is deemed to have made reasonable efforts to prevent  
53 or eliminate the need for removal if:

54 a. The first contact of the department with the family  
55 occurs during an emergency;

56 b. The appraisal of the home situation by the department  
57 indicates that the home situation presents a substantial and  
58 immediate danger to the child's physical, mental, or emotional  
59 health or safety which cannot be mitigated by the provision of  
60 preventive services;

61 c. The child cannot safely remain at home, either because  
62 there are no preventive services that can ensure the health and  
63 safety of the child or because, even with appropriate and

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64 available services being provided, the health and safety of the  
65 child cannot be ensured; or

66 d. The parent or legal custodian is alleged to have  
67 committed any of the acts listed as grounds for expedited  
68 termination of parental rights in s. 39.806(1)(f)-(i).

69 6. That the department has made reasonable efforts to keep  
70 siblings together if they are removed and placed in out-of-home  
71 care unless such placement is not in the best interest of each  
72 child. It is preferred that siblings be kept together in a  
73 foster home, if available. Other reasonable efforts shall  
74 include short-term placement in a group home with the ability to  
75 accommodate sibling groups if such a placement is available. The  
76 department shall report to the court its efforts to place  
77 siblings together unless the court finds that such placement is  
78 not in the best interest of a child or his or her sibling.

79 7. That the court notified the parents, relatives that are  
80 providing out-of-home care for the child, or legal custodians of  
81 the time, date, and location of the next dependency hearing and  
82 of the importance of the active participation of the parents,  
83 relatives that are providing out-of-home care for the child, or  
84 legal custodians in all proceedings and hearings.

85 8. That the court notified the parents or legal custodians  
86 of their right to counsel to represent them at the shelter  
87 hearing and at each subsequent hearing or proceeding, and the

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88 right of the parents to appointed counsel, pursuant to the  
89 procedures set forth in s. 39.013.

90 9. That the court notified relatives who are providing  
91 out-of-home care for a child as a result of the shelter petition  
92 being granted that they have the right to attend all subsequent  
93 hearings, to submit reports to the court, and to speak to the  
94 court regarding the child, if they so desire.

95 (10) That the department has placement and care  
96 responsibility for any child who is not placed in the care of a  
97 parent at the conclusion of the shelter hearing.

98 Section 4. Subsection (3) and paragraphs (g), (h), and (i)  
99 of subsection (6) of section 39.407, Florida Statutes, are  
100 amended to read:

101 39.407 Medical, psychiatric, and psychological examination  
102 and treatment of child; physical, mental, or substance abuse  
103 examination of person with or requesting child custody.—

104 (3)(a)1. Except as otherwise provided in subparagraph  
105 (b)1. or paragraph (e), before the department provides  
106 psychotropic medications to a child in its custody, the  
107 prescribing physician or a psychiatric nurse, as defined in s.  
108 394.455, who may prescribe controlled substances pursuant to s.  
109 464.012 shall attempt to obtain express and informed consent, as  
110 defined in s. 394.455(15) and as described in s. 394.459(3)(a),  
111 from the child's parent or legal guardian. The department must  
112 take steps necessary to facilitate the inclusion of the parent

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113 in the child's consultation with the physician or psychiatric  
114 nurse. However, if the parental rights of the parent have been  
115 terminated, the parent's location or identity is unknown or  
116 cannot reasonably be ascertained, or the parent declines to give  
117 express and informed consent, the department may, after  
118 consultation with the prescribing physician or psychiatric  
119 nurse, seek court authorization to provide the psychotropic  
120 medications to the child. Unless parental rights have been  
121 terminated and if it is possible to do so, the department shall  
122 continue to involve the parent in the decisionmaking process  
123 regarding the provision of psychotropic medications. If, at any  
124 time, a parent whose parental rights have not been terminated  
125 provides express and informed consent to the provision of a  
126 psychotropic medication, the requirements of this section that  
127 the department seek court authorization do not apply to that  
128 medication until such time as the parent no longer consents.

129 2. Any time the department seeks a medical evaluation to  
130 determine the need to initiate or continue a psychotropic  
131 medication for a child, the department must provide to the  
132 evaluating physician or psychiatric nurse all pertinent medical  
133 information known to the department concerning that child.

134 (b)1. If a child who is removed from the home under s.  
135 39.401 is receiving prescribed psychotropic medication at the  
136 time of removal and parental authorization to continue providing  
137 the medication cannot be obtained, the department may take

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138 possession of the remaining medication and may continue to  
139 provide the medication as prescribed until the shelter hearing,  
140 if it is determined that the medication is a current  
141 prescription for that child and the medication is in its  
142 original container.

143 2. If the department continues to provide the psychotropic  
144 medication to a child when parental authorization cannot be  
145 obtained, the department shall notify the parent or legal  
146 guardian as soon as possible that the medication is being  
147 provided to the child as provided in subparagraph 1. The child's  
148 official departmental record must include the reason parental  
149 authorization was not initially obtained and an explanation of  
150 why the medication is necessary for the child's well-being.

151 3. If the department is advised by a physician licensed  
152 under chapter 458 or chapter 459 or a psychiatric nurse, as  
153 defined in s.394.455, who may prescribe controlled substances  
154 pursuant to s. 464.012 that the child should continue the  
155 psychotropic medication and parental authorization has not been  
156 obtained, the department shall request court authorization at  
157 the shelter hearing to continue to provide the psychotropic  
158 medication and shall provide to the court any information in its  
159 possession in support of the request. Any authorization granted  
160 at the shelter hearing may extend only until the arraignment  
161 hearing on the petition for adjudication of dependency or 28  
162 days following the date of removal, whichever occurs sooner.

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163 4. Before filing the dependency petition, the department  
164 shall ensure that the child is evaluated by a physician licensed  
165 under chapter 458 or chapter 459 or a psychiatric nurse, as  
166 defined in s. 394.455, who may prescribe controlled substances  
167 pursuant to s. 464.012 to determine whether it is appropriate to  
168 continue the psychotropic medication. If, as a result of the  
169 evaluation, the department seeks court authorization to continue  
170 the psychotropic medication, a motion for such continued  
171 authorization shall be filed at the same time as the dependency  
172 petition, within 21 days after the shelter hearing.

173 (c) Except as provided in paragraphs (b) and (e), the  
174 department must file a motion seeking the court's authorization  
175 to initially provide or continue to provide psychotropic  
176 medication to a child in its legal custody. The motion must be  
177 supported by a written report prepared by the department which  
178 describes the efforts made to enable the prescribing physician  
179 or psychiatric nurse as defined in s. 394.455, who may prescribe  
180 controlled substances pursuant to s. 464.012 to obtain express  
181 and informed consent for providing the medication to the child  
182 and other treatments considered or recommended for the child. In  
183 addition, the motion must be supported by the prescribing  
184 physician's or psychiatric nurse's signed medical report  
185 providing:

186 1. The name of the child, the name and range of the dosage  
187 of the psychotropic medication, and that there is a need to

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188 prescribe psychotropic medication to the child based upon a  
189 diagnosed condition for which such medication is being  
190 prescribed.

191 2. A statement indicating that the physician has reviewed  
192 all medical information concerning the child which has been  
193 provided.

194 3. A statement indicating that the psychotropic  
195 medication, at its prescribed dosage, is appropriate for  
196 treating the child's diagnosed medical condition, as well as the  
197 behaviors and symptoms the medication, at its prescribed dosage,  
198 is expected to address.

199 4. An explanation of the nature and purpose of the  
200 treatment; the recognized side effects, risks, and  
201 contraindications of the medication; drug-interaction  
202 precautions; the possible effects of stopping the medication;  
203 and how the treatment will be monitored, followed by a statement  
204 indicating that this explanation was provided to the child if  
205 age appropriate and to the child's caregiver.

206 5. Documentation addressing whether the psychotropic  
207 medication will replace or supplement any other currently  
208 prescribed medications or treatments; the length of time the  
209 child is expected to be taking the medication; and any  
210 additional medical, mental health, behavioral, counseling, or  
211 other services that the prescribing physician or psychiatric  
212 nurse recommends.

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213 (d)1. The department must notify all parties of the  
214 proposed action taken under paragraph (c) in writing or by  
215 whatever other method best ensures that all parties receive  
216 notification of the proposed action within 48 hours after the  
217 motion is filed. If any party objects to the department's  
218 motion, that party shall file the objection within 2 working  
219 days after being notified of the department's motion. If any  
220 party files an objection to the authorization of the proposed  
221 psychotropic medication, the court shall hold a hearing as soon  
222 as possible before authorizing the department to initially  
223 provide or to continue providing psychotropic medication to a  
224 child in the legal custody of the department. At such hearing  
225 and notwithstanding s. 90.803, the medical report described in  
226 paragraph (c) is admissible in evidence. The prescribing  
227 physician or psychiatric nurse, as defined in s. 394.455, who  
228 may prescribe controlled substances pursuant to s. 464.012 need  
229 not attend the hearing or testify unless the court specifically  
230 orders such attendance or testimony, or a party subpoenas the  
231 physician or psychiatric nurse to attend the hearing or provide  
232 testimony. If, after considering any testimony received, the  
233 court finds that the department's motion and the physician's or  
234 psychiatric nurse's medical report meet the requirements of this  
235 subsection and that it is in the child's best interests, the  
236 court may order that the department provide or continue to  
237 provide the psychotropic medication to the child without

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238 additional testimony or evidence. At any hearing held under this  
239 paragraph, the court shall further inquire of the department as  
240 to whether additional medical, mental health, behavioral,  
241 counseling, or other services are being provided to the child by  
242 the department which the prescribing physician or psychiatric  
243 nurse considers to be necessary or beneficial in treating the  
244 child's medical condition and which the physician or psychiatric  
245 nurse recommends or expects to provide to the child in concert  
246 with the medication. The court may order additional medical  
247 consultation, including consultation with the MedConsult line at  
248 the University of Florida, if available, or require the  
249 department to obtain a second opinion within a reasonable  
250 timeframe as established by the court, not to exceed 21 calendar  
251 days, after such order based upon consideration of the best  
252 interests of the child. The department must make a referral for  
253 an appointment for a second opinion with a physician within 1  
254 working day. The court may not order the discontinuation of  
255 prescribed psychotropic medication if such order is contrary to  
256 the decision of the prescribing physician or psychiatric nurse  
257 unless the court first obtains an opinion from a licensed  
258 psychiatrist, if available, or, if not available, a physician  
259 licensed under chapter 458 or chapter 459, stating that more  
260 likely than not, discontinuing the medication would not cause  
261 significant harm to the child. If, however, the prescribing  
262 psychiatrist specializes in mental health care for children and

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263 adolescents, the court may not order the discontinuation of  
264 prescribed psychotropic medication unless the required opinion  
265 is also from a psychiatrist who specializes in mental health  
266 care for children and adolescents. The court may also order the  
267 discontinuation of prescribed psychotropic medication if a  
268 child's treating physician, licensed under chapter 458 or  
269 chapter 459, states that continuing the prescribed psychotropic  
270 medication would cause significant harm to the child due to a  
271 diagnosed nonpsychiatric medical condition.

272 2. The burden of proof at any hearing held under this  
273 paragraph shall be by a preponderance of the evidence.

274 (e)1. If the child's prescribing physician or psychiatric  
275 nurse, as defined in s. 394.455, who may prescribe controlled  
276 substances pursuant to s. 464.012 certifies in the signed  
277 medical report required in paragraph (c) that delay in providing  
278 a prescribed psychotropic medication would more likely than not  
279 cause significant harm to the child, the medication may be  
280 provided in advance of the issuance of a court order. In such  
281 event, the medical report must provide the specific reasons why  
282 the child may experience significant harm and the nature and the  
283 extent of the potential harm. The department must submit a  
284 motion seeking continuation of the medication and the  
285 physician's medical report to the court, the child's guardian ad  
286 litem, and all other parties within 3 working days after the  
287 department commences providing the medication to the child. The

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288 department shall seek the order at the next regularly scheduled  
289 court hearing required under this chapter, or within 30 days  
290 after the date of the prescription, whichever occurs sooner. If  
291 any party objects to the department's motion, the court shall  
292 hold a hearing within 7 days.

293 2. Psychotropic medications may be administered in advance  
294 of a court order in hospitals, crisis stabilization units, and  
295 in statewide inpatient psychiatric programs. Within 3 working  
296 days after the medication is begun, the department must seek  
297 court authorization as described in paragraph (c).

298 (f)1. The department shall fully inform the court of the  
299 child's medical and behavioral status as part of the social  
300 services report prepared for each judicial review hearing held  
301 for a child for whom psychotropic medication has been prescribed  
302 or provided under this subsection. As a part of the information  
303 provided to the court, the department shall furnish copies of  
304 all pertinent medical records concerning the child which have  
305 been generated since the previous hearing. On its own motion or  
306 on good cause shown by any party, including any guardian ad  
307 litem, attorney, or attorney ad litem who has been appointed to  
308 represent the child or the child's interests, the court may  
309 review the status more frequently than required in this  
310 subsection.

311 2. The court may, in the best interests of the child,  
312 order the department to obtain a medical opinion addressing

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313 whether the continued use of the medication under the  
314 circumstances is safe and medically appropriate.

315 (g) The department shall adopt rules to ensure that  
316 children receive timely access to clinically appropriate  
317 psychotropic medications. These rules must include, but need not  
318 be limited to, the process for determining which adjunctive  
319 services are needed, the uniform process for facilitating the  
320 prescribing physician's or psychiatric nurse's ability to obtain  
321 the express and informed consent of a child's parent or  
322 guardian, the procedures for obtaining court authorization for  
323 the provision of a psychotropic medication, the frequency of  
324 medical monitoring and reporting on the status of the child to  
325 the court, how the child's parents will be involved in the  
326 treatment-planning process if their parental rights have not  
327 been terminated, and how caretakers are to be provided  
328 information contained in the physician's or psychiatric nurse's  
329 signed medical report. The rules must also include uniform forms  
330 to be used in requesting court authorization for the use of a  
331 psychotropic medication and provide for the integration of each  
332 child's treatment plan and case plan. The department must begin  
333 the formal rulemaking process within 90 days after the effective  
334 date of this act.

335 (6) Children who are in the legal custody of the  
336 department may be placed by the department, without prior  
337 approval of the court, in a residential treatment center

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338 licensed under s. 394.875 or a hospital licensed under chapter  
339 395 for residential mental health treatment only pursuant to  
340 this section or may be placed by the court in accordance with an  
341 order of involuntary examination or involuntary placement  
342 entered pursuant to s. 394.463 or s. 394.467. All children  
343 placed in a residential treatment program under this subsection  
344 must have a guardian ad litem appointed.

345 (g)1. The department must submit, at the beginning of each  
346 month, to the court having jurisdiction over the child, a  
347 written report regarding the child's progress toward achieving  
348 the goals specified in the individualized plan of treatment.

349 2. The court must conduct a hearing to review the status  
350 of the child's residential treatment plan no later than 60 days  
351 ~~3 months~~ after the child's admission to the residential  
352 treatment program. An independent review of the child's progress  
353 toward achieving the goals and objectives of the treatment plan  
354 must be completed by a qualified evaluator and submitted to the  
355 court before its 60-day ~~3-month~~ review.

356 3. For any child in residential treatment at the time a  
357 judicial review is held pursuant to s. 39.701, the child's  
358 continued placement in residential treatment must be a subject  
359 of the judicial review.

360 4. If at any time the court determines that the child is  
361 not suitable for continued residential treatment, the court  
362 shall order the department to place the child in the least

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363 restrictive setting that is best suited to meet his or her  
364 needs.

365 (h) After the initial 60-day ~~3-month~~ review, the court  
366 must conduct a review of the child's residential treatment plan  
367 every 90 days.

368 (i) The department must adopt rules for implementing  
369 timeframes for the completion of suitability assessments by  
370 qualified evaluators and a procedure that includes timeframes  
371 for completing the 60-day ~~3-month~~ independent review by the  
372 qualified evaluators of the child's progress toward achieving  
373 the goals and objectives of the treatment plan which review must  
374 be submitted to the court. The Agency for Health Care  
375 Administration must adopt rules for the registration of  
376 qualified evaluators, the procedure for selecting the evaluators  
377 to conduct the reviews required under this section, and a  
378 reasonable, cost-efficient fee schedule for qualified  
379 evaluators.

380 Section 5. Paragraph (a) of subsection (1) and paragraph  
381 (a) of subsection (2) of section 39.5085, Florida Statutes, are  
382 amended to read:

383 39.5085 Relative Caregiver Program.—

384 (1) It is the intent of the Legislature in enacting this  
385 section to:

386 (a) Provide for the establishment of procedures and  
387 protocols that serve to advance the continued safety of children



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388 by acknowledging the valued resource uniquely available through  
389 grandparents, relatives of children, and specified nonrelatives  
390 of children pursuant to subparagraph ~~(2)(a)3~~ (2)(b)3.

391 (2)(a) The Department of Children and Families shall  
392 establish, operate, and implement the Relative Caregiver Program  
393 by rule of the department. Relatives and nonrelatives who are  
394 caring for a child and do not meet the eligibility requirements  
395 for Level I licensure under s. 409.175 may apply for the  
396 Relative Caregiver Program. The Relative Caregiver Program  
397 shall, within the limits of available funding, provide financial  
398 assistance to:

399 1. Relatives who are within the fifth degree by blood or  
400 marriage to the parent or stepparent of a child and who are  
401 caring full-time for that dependent child in the role of  
402 substitute parent as a result of a court's determination of  
403 child abuse, neglect, or abandonment and subsequent placement  
404 with the relative under this chapter.

405 2. Relatives who are within the fifth degree by blood or  
406 marriage to the parent or stepparent of a child and who are  
407 caring full-time for that dependent child, and a dependent half-  
408 brother or half-sister of that dependent child, in the role of  
409 substitute parent as a result of a court's determination of  
410 child abuse, neglect, or abandonment and subsequent placement  
411 with the relative under this chapter.

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412 3. Nonrelatives who are willing to assume custody and care  
413 of a dependent child in the role of substitute parent as a  
414 result of a court's determination of child abuse, neglect, or  
415 abandonment and subsequent placement with the nonrelative  
416 caregiver under this chapter. The court must find that a  
417 proposed placement under this subparagraph is in the best  
418 interest of the child.

419 4. A relative or nonrelative caregiver, but the relative  
420 or nonrelative caregiver may not receive a Relative Caregiver  
421 Program payment if the parent or stepparent of the child resides  
422 in the home. However, a relative or nonrelative may receive the  
423 Relative Caregiver Program payment for a minor parent who is in  
424 his or her care, as well as for the minor parent's child, if  
425 both children have been adjudicated dependent and meet all other  
426 eligibility requirements. If the caregiver is currently  
427 receiving the payment, the Relative Caregiver Program payment  
428 must be terminated no later than the first of the following  
429 month after the parent or stepparent moves into the home,  
430 allowing for 10-day notice of adverse action.

431  
432 The placement may be court-ordered temporary legal custody to  
433 the relative or nonrelative under protective supervision of the  
434 department pursuant to s. 39.521(1)(c)3., or court-ordered  
435 placement in the home of a relative or nonrelative as a  
436 permanency option under s. 39.6221 or s. 39.6231 or under former

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437 s. 39.622 if the placement was made before July 1, 2006. The  
438 Relative Caregiver Program shall offer financial assistance to  
439 caregivers who would be unable to serve in that capacity without  
440 the caregiver payment because of financial burden, thus exposing  
441 the child to the trauma of placement in a shelter or in foster  
442 care.

443 Section 6. Subsection (1) of section 39.5086, Florida  
444 Statutes, is amended to read:

445 39.5086 Kinship navigator programs.—

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

447 ~~(a) "Fictive kin" has the same meaning as provided in s.~~

448 ~~39.4015(2)(d).~~

449 (a) ~~(b)~~ "Kinship care" means the full-time care of a child  
450 placed in out-of-home care by the court in the home of a  
451 relative or fictive kin.

452 (b) ~~(c)~~ "Kinship navigator program" means a program  
453 designed to ensure that kinship caregivers are provided with  
454 necessary resources for the preservation of the family.

455 (c) ~~(d)~~ "Relative" means an individual who is caring full  
456 time for a child placed in out-of-home care by the court and  
457 who:

458 1. Is related to the child within the fifth degree by  
459 blood or marriage to the parent or stepparent of the child; or

460 2. Is related to a half-sibling of that child within the  
461 fifth degree by blood or marriage to the parent or stepparent.

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462 Section 7. Paragraph (c) of subsection 1, paragraph (b) of  
463 subsection (2), subsections (6) and (10) of section 39.6225,  
464 Florida Statutes, are amended, and subsection (15) is added to  
465 that section to read:

466 39.6225 Guardianship Assistance Program.—

467 (1) The department shall establish and operate the  
468 Guardianship Assistance Program to provide guardianship  
469 assistance payments to relatives as defined in this section,  
470 ~~next of kin, and fictive kin~~ who meet the eligibility  
471 requirements established in this section. For purposes of  
472 administering the program, the term:

473 (c) "Relative" means fictive kin as defined in s. 39.01,  
474 relative as defined in s. 39.01, or next of kin as defined in s.  
475 39.01.

476 (2) To approve an application for the program, the  
477 department shall determine that all of the following  
478 requirements have been met:

479 (b) The court has granted legal custody to the guardian  
480 pursuant to s. 39.6221 ~~s. 39.521 or s. 39.522~~.

481 (6) Guardianship assistance benefits shall be terminated  
482 if:

483 (a) The child has attained 18 years of age, or the child  
484 has attained 21 years of age if he or she meets the requirements  
485 of subsection (9); ~~is absent from the home of the guardian for a~~  
486 ~~period of at least 60 consecutive calendar days, unless the~~

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487 ~~child:~~

488 ~~1. Is absent due to medical care, school attendance,~~  
489 ~~runaway status, or detention in a Department of Juvenile Justice~~  
490 ~~facility; and~~

491 ~~2. Continues to be under the care and custody of the~~  
492 ~~guardian.~~

493 (b) The child has not attained 18 years of age and the  
494 guardian is no longer legally responsible for the support of the  
495 child; or ~~The court modifies the placement of the child and the~~  
496 ~~guardian is no longer eligible to receive guardianship~~  
497 ~~assistance benefits~~

498 (c) The child no longer receives support from the  
499 guardian.

500 (10) The case plan must describe the following for each  
501 child with a permanency goal of permanent guardianship in which  
502 the guardian is pursuing ~~in receipt of~~ guardianship assistance  
503 ~~payments:~~

504 (a) The manner in which the child meets program  
505 eligibility requirements.

506 (b) The manner in which the department determined that  
507 reunification or adoption is not appropriate.

508 (c) Efforts to discuss adoption with the child's permanent  
509 guardian.

510 (d) Efforts to discuss guardianship assistance with the  
511 child's parent or the reasons why efforts were not made.

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512 (e) The reasons why a permanent placement with the  
513 prospective guardian is in the best interest of the child.

514 (f) The reasons why the child is separated from his or her  
515 siblings during placement, if applicable.

516 (g) Efforts to consult the child, if the child is 14 years  
517 of age or older, regarding the permanent guardianship  
518 arrangement.

519 (15) The department may adopt rules necessary to  
520 administer this section.

521 Section 8. Subsections (2) and (3), paragraph (a) of  
522 subsection (4), and subsection (6) of section 39.6251, Florida  
523 Statutes, are amended, and subsection (10) is added that  
524 section, to read:

525 39.6251 Continuing care for young adults.—

526 (2) The primary goal for a child in care is permanency. A  
527 child who is living in licensed care on his or her 18th birthday  
528 and who has not achieved permanency under s. 39.621 is eligible  
529 to remain in licensed care under the jurisdiction of the court  
530 and in the care of the department. A child is eligible to remain  
531 in licensed care if he or she is:

532 (a) Completing secondary education or a program leading to  
533 an equivalent credential;

534 (b) Enrolled in an institution that provides postsecondary  
535 or vocational education;

536 (c) Participating in a program or activity designed to

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537 promote or eliminate barriers to employment;

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

539 (e) Unable to participate in programs or activities listed  
540 in paragraphs (a)-(d) full time due to a physical, intellectual,  
541 emotional, or psychiatric condition that limits participation.  
542 Any such barrier to participation must be supported by  
543 documentation in the child's case file or school or medical  
544 records of a physical, intellectual, or psychiatric condition  
545 that impairs the child's ability to perform one or more life  
546 activities.

547

548 The young adult must furnish documentation to the department or  
549 lead agency of his or her participation in one of the programs  
550 or activities listed in paragraphs (a)-(d), or his or her  
551 inability to participate in one of the programs or activities as  
552 provided in paragraph (e), or authorize the release of his or  
553 her records to the department or lead agency.

554 (3) The permanency goal for a young adult who chooses to  
555 remain in care past his or her 18th birthday is to transition to  
556 independence from licensed care to independent living.

557 (4) (a) The young adult must reside in a supervised living  
558 environment that is approved by the department or a community-  
559 based care lead agency. The young adult shall live  
560 independently, but in an environment in which he or she is  
561 provided supervision, case management, and supportive services

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562 by the department or lead agency. Such an environment must offer  
563 developmentally appropriate freedom and responsibility to  
564 prepare the young adult for adulthood. For the purposes of this  
565 subsection, a supervised living arrangement may include a  
566 licensed foster home, licensed group home, college dormitory,  
567 shared housing, apartment, or another housing arrangement if the  
568 arrangement is approved by the community-based care lead agency  
569 and is acceptable to the young adult, ~~with first choice being a~~  
570 ~~licensed foster home~~. A young adult may continue to reside with  
571 the same licensed foster family or group care provider with whom  
572 he or she was residing at the time he or she reached the age of  
573 18 years.

574 (6) A young adult who is between the ages of 18 and 21 and  
575 who has left care may return to care by applying to the  
576 community-based care lead agency for readmission through the  
577 execution of a voluntary placement agreement. The community-  
578 based care lead agency shall readmit the young adult if he or  
579 she continues to meet the eligibility requirements in this  
580 section.

581 (a) The department shall develop a standard procedure and  
582 application packet for readmission to care to be used by all  
583 community-based care lead agencies.

584 (b) Within 30 days after the young adult has been  
585 readmitted to care, the community-based care lead agency shall  
586 assign a case manager to update the case plan and the transition

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587 plan and to arrange for the required services. Updates to the  
588 case plan and the transition plan and arrangements for the  
589 required services shall be undertaken in consultation with the  
590 young adult. The department shall petition the court to  
591 reinstate jurisdiction over the young adult. Notwithstanding s.  
592 39.013(2), the court shall resume jurisdiction over the young  
593 adult if the department establishes that he or she continues to  
594 meet the eligibility requirements in this section.

595 (10) The department shall adopt rules to administer this  
596 section.

597 Section 9. Paragraph (d) of subsection (2) of section  
598 39.701, Florida Statutes, is amended, and paragraphs (f) and (g)  
599 are added to subsection (4) of that section, to read:

600 39.701 Judicial review.—

601 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF  
602 AGE.—

603 (d) Orders.—

604 1. Based upon the criteria set forth in paragraph (c) and  
605 the recommended order of the citizen review panel, if any, the  
606 court shall determine whether ~~or not~~ the social service agency  
607 shall initiate proceedings to have a child declared a dependent  
608 child, return the child to the parent, continue the child in  
609 out-of-home care for a specified period of time, or initiate  
610 termination of parental rights proceedings for subsequent  
611 placement in an adoptive home. Amendments to the case plan must

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612 be prepared as provided ~~prescribed~~ in s. 39.6013. If the court  
613 finds that the prevention or reunification efforts of the  
614 department will allow the child to remain safely at home or be  
615 safely returned to the home, the court shall allow the child to  
616 remain in or return to the home after making a specific finding  
617 of fact that the reasons for the creation of the case plan have  
618 been remedied to the extent that the child's safety, well-being,  
619 and physical, mental, and emotional health will not be  
620 endangered.

621 2. The court shall return the child to the custody of his  
622 or her ~~the~~ parents at any time it determines that the  
623 circumstances which caused the out-of-home placement, and issues  
624 subsequently identified, have been remedied to the extent that  
625 return of the child to the home with an in-home safety plan  
626 prepared or approved by the department ~~that they have~~  
627 ~~substantially complied with the case plan, if the court is~~  
628 ~~satisfied that reunification~~ will not be detrimental to the  
629 child's safety, well-being, and physical, mental, and emotional  
630 health.

631 3. If, in the opinion of the court, the social service  
632 agency has not complied with its obligations as specified in the  
633 written case plan, the court may find the social service agency  
634 in contempt, shall order the social service agency to submit its  
635 plans for compliance with the agreement, and shall require the  
636 social service agency to show why the child could not safely be

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637 returned to the home of the parents.

638 4. If, at any judicial review, the court finds that the  
639 parents have failed to substantially comply with the case plan  
640 to the degree that further reunification efforts are without  
641 merit and not in the best interest of the child, on its own  
642 motion, the court may order the filing of a petition for  
643 termination of parental rights, regardless of whether ~~or not~~ the  
644 time period as contained in the case plan for substantial  
645 compliance has expired.

646 5. Within 6 months after the date that the child was  
647 placed in shelter care, the court shall conduct a judicial  
648 review hearing to review the child's permanency goal as  
649 identified in the case plan. At the hearing the court shall make  
650 findings regarding the likelihood of the child's reunification  
651 with the parent or legal custodian. In making such findings, the  
652 court shall consider the level of the parent or legal  
653 custodian's compliance with the case plan and demonstrated  
654 change in protective capacities compared to that necessary to  
655 achieve timely reunification within 12 months after the removal  
656 of the child from the home. The court shall also consider the  
657 frequency, duration, manner, and level of engagement of the  
658 parent or legal custodian's visitation with the child in  
659 compliance with the case plan. If the court makes a written  
660 finding that it is not likely that the child will be reunified  
661 with the parent or legal custodian within 12 months after the

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662 child was removed from the home, the department must file with  
663 the court, and serve on all parties, a motion to amend the case  
664 plan under s. 39.6013 and declare that it will use concurrent  
665 planning for the case plan. The department must file the motion  
666 within 10 business days after receiving the written finding of  
667 the court. The department must attach the proposed amended case  
668 plan to the motion. If concurrent planning is already being  
669 used, the case plan must document the efforts the department is  
670 taking to complete the concurrent goal.

671 6. The court may issue a protective order in assistance,  
672 or as a condition, of any other order made under this part. In  
673 addition to the requirements included in the case plan, the  
674 protective order may set forth requirements relating to  
675 reasonable conditions of behavior to be observed for a specified  
676 period of time by a person or agency who is before the court;  
677 and the order may require any person or agency to make periodic  
678 reports to the court containing such information as the court in  
679 its discretion may prescribe.

680 7. If, at any judicial review, the court determines that  
681 the child shall remain in out-of-home care in a placement other  
682 than with a parent, the court shall order that the department  
683 has placement and care responsibility for the child.

684 (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—  
685 During each period of time that a young adult remains in foster  
686 care, the court shall review the status of the young adult at

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687 least every 6 months and must hold a permanency review hearing  
688 at least annually.

689 (f) If the young adult elects to voluntarily leave  
690 extended foster care for the sole purpose of ending a removal  
691 episode and immediately thereafter executes a voluntary  
692 placement agreement with the department to reenroll in extended  
693 foster care, the court shall enter an order finding that the  
694 prior removal episode has ended. Under these circumstances, the  
695 court maintains jurisdiction and a petition to reinstate  
696 jurisdiction as provided in s. 39.6251(6)(b) is not required.

697 (g)1. When a young adult enters extended foster care by  
698 executing a voluntary placement agreement, the court shall enter  
699 an order within 180 days after execution of the agreement that  
700 determines whether the placement is in the best interest of the  
701 young adult. For purposes of this paragraph, a placement may  
702 include a licensed foster home, licensed group home, college  
703 dormitory, shared housing, apartment, or another housing  
704 arrangement, if the arrangement is approved by the community-  
705 based care lead agency and is acceptable to the young adult.

706 2. When a young adult is in extended foster care, each  
707 judicial review order shall provide that the department has  
708 placement and care responsibility for the young adult.

709 3. When a young adult is in extended foster care, the  
710 court shall enter an order at least every 12 months that

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711 includes a finding of whether the department has made reasonable  
712 efforts to finalize the permanency plan currently in effect.

713 Section 10. Subsection (4) of section 402.56, Florida  
714 Statutes, is amended to read:

715 402.56 Children's cabinet; organization; responsibilities;  
716 annual report.—

717 (4) MEMBERS.—The cabinet shall consist of 16 members  
718 including the Governor and the following persons:

719 (a)1. The Secretary of Children and Families;

720 2. The Secretary of Juvenile Justice;

721 3. The director of the Agency for Persons with  
722 Disabilities;

723 4. The director of the Office of Early Learning;

724 5. The State Surgeon General;

725 6. The Secretary of Health Care Administration;

726 7. The Commissioner of Education;

727 8. The director of the Statewide Guardian Ad Litem Office;

728 9. ~~The director~~ A representative of the Office of Adoption  
729 and Child Protection;

730 10. A superintendent of schools, appointed by the  
731 Governor; and

732 11. Five members who represent children and youth advocacy  
733 organizations and who are not service providers, appointed by  
734 the Governor.

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735 (b) The President of the Senate, the Speaker of the House  
736 of Representatives, the Chief Justice of the Supreme Court, the  
737 Attorney General, and the Chief Financial Officer, or their  
738 appointed designees, shall serve as ex officio members of the  
739 cabinet.

740 (c) The Governor or the Governor's designee shall serve as  
741 the chair of the cabinet.

742 (d) Nongovernmental members of the cabinet shall serve  
743 without compensation, but are entitled to receive per diem and  
744 travel expenses in accordance with s. 112.061 while in  
745 performance of their duties.

746 Section 11. Section 402.57, Florida Statutes, is created  
747 to read:

748 402.57 Direct Support Organization.-

749 (1) The Department of Children and Families shall  
750 establish a direct-support organization to assist the Children  
751 and Youth Cabinet established in s. 402.56 in carrying out its  
752 purposes and responsibilities primarily regarding fostering  
753 public awareness of children and youth issues and developing new  
754 partners in the effort to serve children and youth by raising  
755 money; submitting requests for and receiving grants from the  
756 Federal Government, the state or its political subdivisions,  
757 private foundations, and individuals; and making expenditures to  
758 or for the benefit of the cabinet. The sole purpose for the

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759 direct-support organization is to support the cabinet. Such a  
760 direct-support organization is an organization that is:

761 (a) Incorporated under chapter 617 and approved by the  
762 Department of State as a Florida corporation not for profit;

763 (b) Organized and operated to make expenditures to or for  
764 the benefit of the cabinet; and

765 (c) Approved by the department to be operating for the  
766 benefit of and in a manner consistent with the goals of the  
767 cabinet and in the best interest of the state.

768 (2) The board of directors of the direct-support  
769 organization shall consist of seven members. Each member of the  
770 board of directors shall be appointed to a 4-year term, except  
771 that the terms of the initial appointees shall be for either 2  
772 years or 4 years in order to achieve staggered terms. The board  
773 of directors of the direct-support organization shall be  
774 appointed by the Governor.

775 (3) The direct-support organization shall operate under  
776 written contract with the department.

777 (4) All moneys received by the direct-support organization  
778 shall be deposited into an account of the direct-support  
779 organization and shall be used by the organization in a manner  
780 consistent with the goals of the cabinet.

781 (5) This section is repealed October 1, 2024, unless  
782 reviewed and saved from repeal by the Legislature.



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783 Section 12. Subsections (9) and (10) of section 409.1451,  
784 Florida Statutes, are renumbered as subsections (10) and (11),  
785 respectively, paragraph (b) of subsection (2) is amended, and a  
786 new subsection (9) is added to that section, to read:

787 409.1451 The Road-to-Independence Program.—

788 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

789 (b) The amount of the financial assistance shall be as  
790 follows:

791 1. For a young adult who does not remain in foster care  
792 and is attending a postsecondary school as provided in s.  
793 1009.533, the amount is \$1,256 monthly.

794 2. For a young adult who remains in foster care, is  
795 attending a postsecondary school, as provided in s. 1009.533,  
796 and continues to reside in a licensed foster home, the amount is  
797 the established room and board rate for foster parents. This  
798 takes the place of the payment provided for in s. 409.145(4).

799 3. For a young adult who remains in foster care, but  
800 temporarily resides away from a licensed foster home for  
801 purposes of attending a postsecondary school as provided in s.  
802 1009.533, the amount is \$1,256 monthly. This takes the place of  
803 the payment provided for in s. 409.145(4).

804 4. For a young adult who remains in foster care, is  
805 attending a postsecondary school as provided in s. 1009.533, and  
806 continues to reside in a licensed group home, the amount is  
807 negotiated between the community-based care lead agency and the

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808 licensed group home provider.

809 5. For a young adult who remains in foster care, but  
810 temporarily resides away from a licensed group home for purposes  
811 of attending a postsecondary school as provided in s. 1009.533,  
812 the amount is \$1,256 monthly. This takes the place of a  
813 negotiated room and board rate.

814 ~~6. The amount of the award may be disregarded for purposes~~  
815 ~~of determining the eligibility for, or the amount of, any other~~  
816 ~~federal or federally supported assistance.~~

817 ~~6.7.~~ A young adult is eligible to receive financial  
818 assistance during the months when he or she is enrolled in a  
819 postsecondary educational institution.

820 (9) FINANCIAL ASSISTANCE FOR YOUNG ADULTS RECEIVING  
821 SERVICES.—Financial awards to young adults receiving services  
822 under subsections (2) and (3) and s. 39.6251 may be disregarded  
823 for purposes of determining the eligibility for, or the amount  
824 of, any other federal or federally supported assistance for  
825 which the department is required to determine eligibility for  
826 the program.

827 Section 13. Paragraphs (e), (j), and (m) of subsection  
828 (2), paragraph (b) of subsection (5), paragraphs (b) and (c) of  
829 subsection (6), subsection (7), paragraph (b) of subsection (9),  
830 paragraphs (b) and (c) of subsection (12), and paragraphs (b)  
831 and (d) of subsection (14) of section 409.175, Florida Statutes,  
832 are amended to read:

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833 409.175 Licensure of family foster homes, residential  
834 child-caring agencies, and child-placing agencies; public  
835 records exemption.-

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

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

843 (j) "Personnel" means all owners, operators, employees,  
844 and volunteers working in a child-placing agency, ~~family foster~~  
845 ~~home,~~ or residential child-caring agency who may be employed by  
846 or do volunteer work for a person, corporation, or agency that  
847 holds a license as a child-placing agency or a residential  
848 child-caring agency, but the term does not include those who do  
849 not work on the premises where child care is furnished and have  
850 no direct contact with a child or have no contact with a child  
851 outside of the presence of the child's parent or guardian. For  
852 purposes of screening, the term includes any member, over the  
853 age of 12 years, of the family of the owner or operator or any  
854 person other than a client, over the age of 12 years, residing  
855 with the owner or operator if the agency ~~or family foster home~~  
856 is located in or adjacent to the home of the owner or operator  
857 or if the family member of, or person residing with, the owner

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858 or operator has any direct contact with the children. Members of  
859 the family of the owner or operator, or persons residing with  
860 the owner or operator, who are between the ages of 12 years and  
861 18 years are not required to be fingerprinted, but must be  
862 screened for delinquency records. For purposes of screening, the  
863 term also includes owners, operators, employees, and volunteers  
864 working in summer day camps, or summer 24-hour camps providing  
865 care for children. A volunteer who assists on an intermittent  
866 basis for less than 10 hours per month shall not be included in  
867 the term "personnel" for the purposes of screening if a person  
868 who meets the screening requirement of this section is always  
869 present and has the volunteer in his or her line of sight.

870 (m) "Screening" means the act of assessing the background  
871 of personnel or level II through level V family foster homes and  
872 includes, but is not limited to, employment history checks as  
873 provided in chapter 435, using the level 2 standards for  
874 screening set forth in that chapter.

875 (5) The department shall adopt and amend rules for the  
876 levels of licensed care associated with the licensure of family  
877 foster homes, residential child-caring agencies, and child-  
878 placing agencies. The rules may include criteria to approve  
879 waivers to licensing requirements when applying for a child-  
880 specific license.

881 (b) The requirements for licensure and operation of family  
882 foster homes, residential child-caring agencies, and child-

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883 placing agencies shall include:

884 1. The operation, conduct, and maintenance of these homes  
885 and agencies and the responsibility which they assume for  
886 children served and the evidence of need for that service.

887 2. The provision of food, clothing, educational  
888 opportunities, services, equipment, and individual supplies to  
889 assure the healthy physical, emotional, and mental development  
890 of the children served.

891 3. The appropriateness, safety, cleanliness, and general  
892 adequacy of the premises, including fire prevention and health  
893 standards, to provide for the physical comfort, care, and well-  
894 being of the children served.

895 4. The ratio of staff to children required to provide  
896 adequate care and supervision of the children served and, in the  
897 case of family foster homes, the maximum number of children in  
898 the home.

899 5. The good moral character based upon screening,  
900 education, training, and experience requirements for personnel  
901 and family foster homes.

902 6. The department may grant exemptions from  
903 disqualification from working with children or the  
904 developmentally disabled as provided in s. 435.07.

905 7. The provision of preservice and inservice training for  
906 all foster parents and agency staff.

907 8. Satisfactory evidence of financial ability to provide

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908 care for the children in compliance with licensing requirements.

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

912 10. The provision for parental involvement to encourage  
913 preservation and strengthening of a child's relationship with  
914 the family.

915 11. The transportation safety of children served.

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

918 13. Provisions to safeguard the legal rights of children  
919 served.

920 (6)

921 (b) Upon application, the department shall conduct a  
922 licensing study based on its licensing rules; shall inspect the  
923 home or the agency and the records, including financial records,  
924 of the agency; and shall interview the applicant. The department  
925 may authorize a licensed child-placing agency to conduct the  
926 licensing study of a family foster home to be used exclusively  
927 by that agency and to verify to the department that the home  
928 meets the licensing requirements established by the department.  
929 The department shall post on its website a list of the agencies  
930 authorized to conduct such studies. Upon certification by a  
931 licensed child-placing agency that a family foster home meets  
932 the licensing requirements and upon receipt of a letter from a

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933 community-based care lead agency in the service area where the  
934 home will be licensed which indicates that the family foster  
935 home meets the criteria established by the lead agency, the  
936 department shall issue the license. A letter from the lead  
937 agency is not required if the lead agency where the proposed  
938 home is located is directly supervising foster homes in the same  
939 service area.

940 (c) A licensed family foster home, child-placing agency,  
941 or residential child-caring agency which applies for renewal of  
942 its license shall submit to the department a list of personnel  
943 or household members who have worked or resided on a continuous  
944 basis at the applicant family foster home or agency since  
945 submitting fingerprints to the department, identifying those for  
946 whom a written assurance of compliance was provided by the  
947 department and identifying those personnel or household members  
948 who have recently begun working or residing at the family foster  
949 home or agency and are awaiting the results of the required  
950 fingerprint check, along with the date of the submission of  
951 those fingerprints for processing. The department shall by rule  
952 determine the frequency of requests to the Department of Law  
953 Enforcement to run state criminal records checks for such  
954 personnel or household members except for those personnel or  
955 household members awaiting the results of initial fingerprint  
956 checks for employment at the applicant family foster home or  
957 agency.

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958           ~~(7)(a) The department may extend a license expiration date~~  
959 ~~once for a period of up to 30 days. However, the department may~~  
960 ~~not extend a license expiration date more than once during a~~  
961 ~~licensure period. The department may issue a provisional license~~  
962 ~~to an applicant who is unable to conform to the licensing~~  
963 ~~requirements at the time of the study, but who is believed able~~  
964 ~~to meet the licensing requirements within the time allowed by~~  
965 ~~the provisional license. The issuance of a provisional license~~  
966 ~~shall be contingent upon the submission to the department of an~~  
967 ~~acceptable written plan to overcome the deficiency by the~~  
968 ~~expiration date of the provisional license.~~

969           ~~(b) A provisional license may be issued when the applicant~~  
970 ~~fails to meet licensing requirements in matters that are not of~~  
971 ~~immediate danger to the children and the agency has submitted a~~  
972 ~~corrective action plan which is approved by the department. A~~  
973 ~~provisional license may be issued if the screening material has~~  
974 ~~been timely submitted; however, a provisional license may not be~~  
975 ~~issued unless the applicant is in compliance with the~~  
976 ~~requirements in this section for screening of personnel.~~

977           ~~(c) A provisional license shall not be issued for a period~~  
978 ~~in excess of 1 year and shall not be subject to renewal; and it~~  
979 ~~may be suspended if periodic inspection by the department~~  
980 ~~indicates that insufficient progress has been made toward~~  
981 ~~compliance with the requirements.~~

982           (9)

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983 (b) Any of the following actions by a family foster home  
984 or its household members or an agency or its personnel is a  
985 ground for denial, suspension, or revocation of a license:

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

988 2. A violation of ~~the provisions of~~ this section or of  
989 licensing rules adopted ~~promulgated~~ pursuant to this section.

990 3. Noncompliance with the requirements for good moral  
991 character as specified in paragraph (5) (b).

992 4. Failure to dismiss personnel or remove a household  
993 member found in noncompliance with requirements for good moral  
994 character.

995 5. Failure to comply with the requirements of ss. 63.0422  
996 and 790.335.

997 (12)

998 (b) It is unlawful for any person, agency, family foster  
999 home, summer day camp, or summer 24-hour camp providing care for  
1000 children to:

1001 1. Willfully or intentionally fail to comply with the  
1002 requirements for the screening of personnel and family foster  
1003 homes or the dismissal of personnel or removal of household  
1004 members found not to be in compliance with the requirements for  
1005 good moral character as specified in paragraph (5) (b).

1006 2. Use information from the criminal records obtained  
1007 under this section for any purpose other than screening a person

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1008 for employment as specified in this section or to release such  
1009 information to any other person for any purpose other than  
1010 screening for employment as specified in this section.

1011 (c) It is unlawful for any person, agency, family foster  
1012 home, summer day camp, or summer 24-hour camp providing care for  
1013 children to use information from the juvenile records of any  
1014 person obtained under this section for any purpose other than  
1015 screening for employment as specified in this section or to  
1016 release information from such records to any other person for  
1017 any purpose other than screening for employment as specified in  
1018 this section.

1019 (14)

1020 (b) As a condition of licensure, foster parents shall  
1021 successfully complete ~~a minimum of 21 hours of~~ preservice  
1022 training. The preservice training shall be uniform statewide and  
1023 shall include, but not be limited to, such areas as:

- 1024 1. Orientation regarding agency purpose, objectives,  
1025 resources, policies, and services;
- 1026 2. Role of the foster parent as a treatment team member;
- 1027 3. Transition of a child into and out of foster care,  
1028 including issues of separation, loss, and attachment;
- 1029 4. Management of difficult child behavior that can be  
1030 intensified by placement, by prior abuse or neglect, and by  
1031 prior placement disruptions;
- 1032 5. Prevention of placement disruptions;

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1033 6. Care of children at various developmental levels,  
1034 including appropriate discipline; and

1035 7. Effects of foster parenting on the family of the foster  
1036 parent.

1037 (d) Before ~~Prior to~~ licensure renewal, each level ~~II~~  
1038 ~~through level V~~ foster parent must ~~shall~~ successfully complete ~~8~~  
1039 ~~hours of inservice training. Each level I foster parent shall~~  
1040 ~~successfully complete 4 hours of inservice training.~~ Periodic  
1041 time-limited training courses shall be made available for  
1042 selective use by foster parents. Such inservice training shall  
1043 include subjects affecting the daily living experiences of  
1044 foster parenting as a foster parent. For a foster parent  
1045 participating in the required inservice training, the department  
1046 shall reimburse such parent for travel expenditures and, if both  
1047 parents in a home are attending training or if the absence of  
1048 the parent would leave the children without departmentally  
1049 approved adult supervision, the department shall make provision  
1050 for child care or shall reimburse the foster parents for child  
1051 care purchased by the parents for children in their care.

1052 Section 14. Subsection (4) of section 409.903, Florida  
1053 Statutes, is amended to read:

1054 409.903 Mandatory payments for eligible persons.—The  
1055 agency shall make payments for medical assistance and related  
1056 services on behalf of the following persons who the department,  
1057 or the Social Security Administration by contract with the

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1058 Department of Children and Families, determines to be eligible,  
1059 subject to the income, assets, and categorical eligibility tests  
1060 set forth in federal and state law. Payment on behalf of these  
1061 Medicaid eligible persons is subject to the availability of  
1062 moneys and any limitations established by the General  
1063 Appropriations Act or chapter 216.

1064 (4) A child who is eligible under Title IV-E of the Social  
1065 Security Act for subsidized board payments, foster care, or  
1066 adoption subsidies, and a child for whom the state has assumed  
1067 temporary or permanent responsibility and who does not qualify  
1068 for Title IV-E assistance but is in foster care, shelter or  
1069 emergency shelter care, or subsidized adoption. This category  
1070 includes:

1071 (a) A young adult who is eligible to receive services  
1072 under s. 409.1451, until the young adult reaches 21 years of  
1073 age, without regard to any income, resource, or categorical  
1074 eligibility test that is otherwise required.

1075 ~~(b) This category also includes~~ A person who as a child  
1076 was eligible under Title IV-E of the Social Security Act for  
1077 foster care or the state-provided foster care and who is a  
1078 participant in the Road-to-Independence Program.

1079 (c) A child who is eligible for the Guardianship  
1080 Assistance Program as provided in s. 39.6225.

1081 Section 15. Paragraph (a) of subsection (1) of section  
1082 409.991, Florida Statutes, is amended to read:

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1083 409.991 Allocation of funds for community-based care lead  
1084 agencies.—

1085 (1) As used in this section, the term:

1086 (a) "Core services funds" means all funds allocated to  
1087 community-based care lead agencies operating under contract with  
1088 the department pursuant to s. 409.987, with the following  
1089 exceptions:

- 1090 1. Funds appropriated for independent living;
- 1091 2. Funds appropriated for maintenance adoption subsidies;
- 1092 3. Funds allocated by the department for protective  
1093 investigations training;
- 1094 4. Nonrecurring funds;
- 1095 5. Designated mental health wrap-around services funds;

1096 ~~and~~

1097 6. Funds for special projects for a designated community-  
1098 based care lead agency; and

1099 7. Funds appropriated for the Guardianship Assistance  
1100 Program under s. 39.6225.

1101 Section 16. Paragraph (b) of subsection (1) of section  
1102 414.045, Florida Statutes, is amended to read:

1103 414.045 Cash assistance program.—Cash assistance families  
1104 include any families receiving cash assistance payments from the  
1105 state program for temporary assistance for needy families as  
1106 defined in federal law, whether such funds are from federal  
1107 funds, state funds, or commingled federal and state funds. Cash

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1108 assistance families may also include families receiving cash  
1109 assistance through a program defined as a separate state  
1110 program.

1111 (1) For reporting purposes, families receiving cash  
1112 assistance shall be grouped into the following categories. The  
1113 department may develop additional groupings in order to comply  
1114 with federal reporting requirements, to comply with the data-  
1115 reporting needs of the board of directors of CareerSource  
1116 Florida, Inc., or to better inform the public of program  
1117 progress.

1118 (b) Child-only cases.—Child-only cases include cases that  
1119 do not have an adult or teen head of household as defined in  
1120 federal law. Such cases include:

1121 1. Children in the care of caretaker relatives, if the  
1122 caretaker relatives choose to have their needs excluded in the  
1123 calculation of the amount of cash assistance.

1124 2. Families in the Relative Caregiver Program as provided  
1125 in s. 39.5085.

1126 3. Families in which the only parent in a single-parent  
1127 family or both parents in a two-parent family receive  
1128 supplemental security income (SSI) benefits under Title XVI of  
1129 the Social Security Act, as amended. To the extent permitted by  
1130 federal law, individuals receiving SSI shall be excluded as  
1131 household members in determining the amount of cash assistance,  
1132 and such cases shall not be considered families containing an

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1133 adult. Parents or caretaker relatives who are excluded from the  
1134 cash assistance group due to receipt of SSI may choose to  
1135 participate in work activities. An individual whose ability to  
1136 participate in work activities is limited who volunteers to  
1137 participate in work activities shall be assigned to work  
1138 activities consistent with such limitations. An individual who  
1139 volunteers to participate in a work activity may receive child  
1140 care or support services consistent with such participation.

1141 4. Families in which the only parent in a single-parent  
1142 family or both parents in a two-parent family are not eligible  
1143 for cash assistance due to immigration status or other  
1144 limitation of federal law. To the extent required by federal  
1145 law, such cases shall not be considered families containing an  
1146 adult.

1147 5. To the extent permitted by federal law and subject to  
1148 appropriations, special needs children who have been adopted  
1149 pursuant to s. 409.166 and whose adopting family qualifies as a  
1150 needy family under the state program for temporary assistance  
1151 for needy families. Notwithstanding any provision to the  
1152 contrary in s. 414.075, s. 414.085, or s. 414.095, a family  
1153 shall be considered a needy family if:

1154 a. The family is determined by the department to have an  
1155 income below 200 percent of the federal poverty level;

1156 b. The family meets the requirements of s. 414.095(2) and  
1157 (3) related to residence, citizenship, or eligible noncitizen

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1158 status; and

1159 c. The family provides any information that may be  
1160 necessary to meet federal reporting requirements specified under  
1161 Part A of Title IV of the Social Security Act.

1162 6. Families in the Guardianship Assistance Program as  
1163 provided in s. 39.6225.

1164  
1165 Families described in subparagraph 1., subparagraph 2., or  
1166 subparagraph 3. may receive child care assistance or other  
1167 supports or services so that the children may continue to be  
1168 cared for in their own homes or in the homes of relatives. Such  
1169 assistance or services may be funded from the temporary  
1170 assistance for needy families block grant to the extent  
1171 permitted under federal law and to the extent funds have been  
1172 provided in the General Appropriations Act.

1173 Section 17. Section 35. Paragraph (d) of subsection (1) of  
1174 section 1009.25, Florida Statutes, is amended to read:

1175 1009.25 Fee exemptions.—

1176 (1) The following students are exempt from the payment of  
1177 tuition and fees, including lab fees, at a school district that  
1178 provides workforce education programs, Florida College System  
1179 institution, or state university:

1180 (d) A student who is or was at the time he or she reached  
1181 18 years of age in the custody of a relative or nonrelative  
1182 under s. 39.5085 or s. 39.6225 or who was adopted from the

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1183 Department of Children and Families after May 5, 1997. Such  
1184 exemption includes fees associated with enrollment in applied  
1185 academics for adult education instruction. The exemption remains  
1186 valid until the student reaches 28 years of age.

1187 Section 18. This act shall take effect July 1, 2019.  
1188

1189 -----  
1190 **T I T L E A M E N D M E N T**

1191 Remove everything before the enacting clause and insert:  
1192 An act relating to child welfare; amending ss. 39.01 and  
1193 39.4015, F.S.; revising definitions; amending s. 39.402, F.S.;  
1194 requiring certain judicial orders to specify that the Department  
1195 of Children and Families has placement and care responsibility  
1196 for certain children; amending s. 39.407, F.S.; authorizing  
1197 psychiatric nurses to prescribe psychotropic medications to  
1198 certain children; revising the time period within which a court  
1199 must review a child's residential treatment plan; amending s.  
1200 39.5085, F.S.; revising eligibility for the Relative Caregiver  
1201 Program; amending s. 39.5086, F.S.; removing a definition;  
1202 amending s. 39.6225, F.S.; adding a definition; providing for  
1203 the termination of guardianship assistance benefits under  
1204 certain circumstances; conforming provisions to changes made by  
1205 the act; authorizing the department to adopt rules; amending s.  
1206 39.6251, F.S.; requiring a young adult in extended foster care  
1207 to provide certain documentation or execute a consent for

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1208 release of certain records; revising permanency goals for young  
1209 adults in extended foster care; allowing return to care through  
1210 the execution of a voluntary placement agreement; authorizing  
1211 the department to adopt rules; amending s. 39.701, F.S.;  
1212 revising when a court must return a child to the custody of his  
1213 or her parents after making certain determinations; requiring  
1214 the court to make certain orders when a young adult enters  
1215 extended foster care; amending s. 402.56, F.S.; allowing a  
1216 representative from the Office of Adoption and Child Protection  
1217 to be appointed as cabinet member; creating s. 402.57, F.S.;  
1218 establishing a direct-support organization; amending s.  
1219 409.1451, F.S.; authorizing certain financial awards to be  
1220 disregarded when applying for other federal assistance; amending  
1221 s. 409.175, F.S.; revising definitions; revising provisions  
1222 related to the licensure of family foster homes and certain  
1223 child-caring and child-placing agencies; requiring the  
1224 department to post certain information on its website; deleting  
1225 required numbers of training hours for foster parents; amending  
1226 s. 409.903, F.S.; revising eligibility for Medicaid coverage for  
1227 children eligible for the Guardianship Assistance Program;  
1228 amending s. 409.991, F.S.; revising a definition; amending s.  
1229 414.045, F.S.; revising eligibility for child-only funding;  
1230 amending s. 1009.25, F.S.; revising eligibility for tuition and  
1231 fee exemptions; providing an effective date.

1232

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