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CS/HB 7099, Engrossed 1

2019 Legislature

1
 2 An act relating to child welfare; amending s. 39.01,
 3 F.S.; revising the definition of the term
 4 "institutional child abuse or neglect"; amending s.
 5 39.201, F.S.; requiring the central abuse hotline to
 6 accept certain reports or calls for investigation for
 7 children who do not live in this state; requiring the
 8 Department of Children and Families to initiate an
 9 investigation when a report is received from an
 10 emergency room physician; amending s. 39.303, F.S.;
 11 expanding the types of reports that the department
 12 must refer to Child Protection Teams; amending s.
 13 39.4015, F.S.; deleting the definition of the term
 14 "fictive kin"; amending s. 39.402, F.S.; requiring
 15 certain judicial orders to specify that the Department
 16 of Children and Families has placement and care
 17 responsibility for certain children; amending s.
 18 39.407, F.S.; authorizing psychiatric nurses to
 19 prescribe psychotropic medications to certain
 20 children; revising the time period within which a
 21 court must review a child's residential treatment
 22 plan; amending s. 39.5086, F.S.; removing a
 23 definition; amending s. 39.6225, F.S.; providing a
 24 definition; providing for the termination of
 25 guardianship assistance benefits under certain

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26 | circumstances; conforming provisions to changes made
27 | by the act; authorizing the department to adopt rules;
28 | amending s. 39.6251, F.S.; requiring a young adult in
29 | extended foster care to provide certain documentation
30 | or execute a consent for release of certain records;
31 | revising permanency goals for young adults in extended
32 | foster care; allowing return to care through the
33 | execution of a voluntary placement agreement;
34 | authorizing the department to adopt rules; amending s.
35 | 39.701, F.S.; revising the determinations a court must
36 | make to return a child to the custody of his or her
37 | parents; requiring the court to make certain orders
38 | when a young adult enters extended foster care;
39 | amending s. 402.56, F.S.; revising membership of the
40 | Children and Youth Cabinet; creating s. 402.57, F.S.;
41 | directing the department to establish a direct-support
42 | organization; providing responsibilities and
43 | requirements of the direct-support organization;
44 | providing for membership and term limits; providing
45 | for future repeal; amending s. 409.1451, F.S.;
46 | authorizing certain financial awards to be disregarded
47 | when applying for other federal assistance; amending
48 | s. 409.175, F.S.; revising definitions; revising
49 | provisions related to the licensure of family foster
50 | homes and certain child-caring and child-placing

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51 agencies; requiring the department to post certain
 52 information on its website; deleting required number
 53 of training hours for foster parents; amending s.
 54 409.903, F.S.; revising eligibility for Medicaid
 55 coverage for children eligible for the Guardianship
 56 Assistance Program; amending s. 409.991, F.S.;
 57 revising a definition; amending s. 414.045, F.S.;
 58 revising eligibility for child-only funding; amending
 59 s. 1009.25, F.S.; revising eligibility for tuition and
 60 fee exemptions; providing an effective date.

61

62 Be It Enacted by the Legislature of the State of Florida:

63

64 Section 1. Subsection (37) of section 39.01, Florida
 65 Statutes, is amended to read:

66 39.01 Definitions.—When used in this chapter, unless the
 67 context otherwise requires:

68 (37) "Institutional child abuse or neglect" means
 69 situations of known or suspected child abuse or neglect in which
 70 the person allegedly perpetrating the child abuse or neglect is
 71 an employee of a public or private school, public or private day
 72 care center, residential home, institution, facility, or agency
 73 or any other person at such institution responsible for the
 74 child's welfare ~~care~~ as defined in subsection (54).

75 Section 2. Paragraph (d) of subsection (2) of section

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76 | 39.201, Florida Statutes, is amended, and paragraph (1) is added
 77 | to that subsection, to read:

78 | 39.201 Mandatory reports of child abuse, abandonment, or
 79 | neglect; mandatory reports of death; central abuse hotline.—

80 | (2)

81 | (d) If the report is of an instance of known or suspected
 82 | child abuse, abandonment, or neglect which ~~that~~ occurred out of
 83 | state and the alleged perpetrator and the child alleged to be a
 84 | victim live out of state, the central abuse hotline may ~~shall~~
 85 | not accept the report or call for investigation unless the child
 86 | is currently being evaluated in a medical facility in this
 87 | state.

88 | 1. If the child is currently being evaluated in a medical
 89 | facility in this state, the central abuse hotline shall accept
 90 | the report or call for investigation and shall transfer the
 91 | information on the report or call to the appropriate state or
 92 | country.

93 | 2. If the child is not currently being evaluated in a
 94 | medical facility in this state, the central abuse hotline, ~~but~~
 95 | shall transfer the information on the report to or call to the
 96 | appropriate state or country.

97 | (1) The department shall initiate an investigation when it
 98 | receives a report from an emergency room physician.

99 | Section 3. Paragraph (i) is added to subsection (4) of
 100 | section 39.303, Florida Statutes, to read:

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101 39.303 Child Protection Teams and sexual abuse treatment
102 programs; services; eligible cases.—

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

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

110 Section 4. Paragraph (d) of subsection (2) of section
111 39.4015, Florida Statutes, is amended to read:

112 39.4015 Family finding.—

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

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

118 Section 5. Paragraph (h) of subsection (8) of section
119 39.402, Florida Statutes, is amended to read:

120 39.402 Placement in a shelter.—

121 (8)

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

125 1. That placement in shelter care is necessary based on

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126 | the criteria in subsections (1) and (2).

127 | 2. That placement in shelter care is in the best interest
128 | of the child.

129 | 3. That continuation of the child in the home is contrary
130 | to the welfare of the child because the home situation presents
131 | a substantial and immediate danger to the child's physical,
132 | mental, or emotional health or safety which cannot be mitigated
133 | by the provision of preventive services.

134 | 4. That based upon the allegations of the petition for
135 | placement in shelter care, there is probable cause to believe
136 | that the child is dependent or that the court needs additional
137 | time, which may not exceed 72 hours, in which to obtain and
138 | review documents pertaining to the family in order to
139 | appropriately determine the risk to the child.

140 | 5. That the department has made reasonable efforts to
141 | prevent or eliminate the need for removal of the child from the
142 | home. A finding of reasonable effort by the department to
143 | prevent or eliminate the need for removal may be made and the
144 | department is deemed to have made reasonable efforts to prevent
145 | or eliminate the need for removal if:

146 | a. The first contact of the department with the family
147 | occurs during an emergency;

148 | b. The appraisal of the home situation by the department
149 | indicates that the home situation presents a substantial and
150 | immediate danger to the child's physical, mental, or emotional

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151 health or safety which cannot be mitigated by the provision of
 152 preventive services;

153 c. The child cannot safely remain at home, either because
 154 there are no preventive services that can ensure the health and
 155 safety of the child or because, even with appropriate and
 156 available services being provided, the health and safety of the
 157 child cannot be ensured; or

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

161 6. That the department has made reasonable efforts to keep
 162 siblings together if they are removed and placed in out-of-home
 163 care unless such placement is not in the best interest of each
 164 child. It is preferred that siblings be kept together in a
 165 foster home, if available. Other reasonable efforts shall
 166 include short-term placement in a group home with the ability to
 167 accommodate sibling groups if such a placement is available. The
 168 department shall report to the court its efforts to place
 169 siblings together unless the court finds that such placement is
 170 not in the best interest of a child or his or her sibling.

171 7. That the court notified the parents, relatives that are
 172 providing out-of-home care for the child, or legal custodians of
 173 the time, date, and location of the next dependency hearing and
 174 of the importance of the active participation of the parents,
 175 relatives that are providing out-of-home care for the child, or

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176 | legal custodians in all proceedings and hearings.

177 | 8. That the court notified the parents or legal custodians
 178 | of their right to counsel to represent them at the shelter
 179 | hearing and at each subsequent hearing or proceeding, and the
 180 | right of the parents to appointed counsel, pursuant to the
 181 | procedures set forth in s. 39.013.

182 | 9. That the court notified relatives who are providing
 183 | out-of-home care for a child as a result of the shelter petition
 184 | being granted that they have the right to attend all subsequent
 185 | hearings, to submit reports to the court, and to speak to the
 186 | court regarding the child, if they so desire.

187 | 10. That the department has placement and care
 188 | responsibility for any child who is not placed in the care of a
 189 | parent at the conclusion of the shelter hearing.

190 | Section 6. Subsection (3) and paragraphs (g), (h), and (i)
 191 | of subsection (6) of section 39.407, Florida Statutes, are
 192 | amended to read:

193 | 39.407 Medical, psychiatric, and psychological examination
 194 | and treatment of child; physical, mental, or substance abuse
 195 | examination of person with or requesting child custody.—

196 | (3) (a) 1. Except as otherwise provided in subparagraph
 197 | (b) 1. or paragraph (e), before the department provides
 198 | psychotropic medications to a child in its custody, the
 199 | prescribing physician or a psychiatric nurse, as defined in s.
 200 | 394.455, shall attempt to obtain express and informed consent,

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201 as defined in s. 394.455(15) and as described in s.
202 394.459(3)(a), from the child's parent or legal guardian. The
203 department must take steps necessary to facilitate the inclusion
204 of the parent in the child's consultation with the physician or
205 psychiatric nurse, as defined in s. 394.455. However, if the
206 parental rights of the parent have been terminated, the parent's
207 location or identity is unknown or cannot reasonably be
208 ascertained, or the parent declines to give express and informed
209 consent, the department may, after consultation with the
210 prescribing physician or psychiatric nurse, as defined in s.
211 394.455, seek court authorization to provide the psychotropic
212 medications to the child. Unless parental rights have been
213 terminated and if it is possible to do so, the department shall
214 continue to involve the parent in the decisionmaking process
215 regarding the provision of psychotropic medications. If, at any
216 time, a parent whose parental rights have not been terminated
217 provides express and informed consent to the provision of a
218 psychotropic medication, the requirements of this section that
219 the department seek court authorization do not apply to that
220 medication until such time as the parent no longer consents.

221 2. Any time the department seeks a medical evaluation to
222 determine the need to initiate or continue a psychotropic
223 medication for a child, the department must provide to the
224 evaluating physician or psychiatric nurse, as defined in s.
225 394.455, all pertinent medical information known to the

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226 | department concerning that child.

227 | (b)1. If a child who is removed from the home under s.
 228 | 39.401 is receiving prescribed psychotropic medication at the
 229 | time of removal and parental authorization to continue providing
 230 | the medication cannot be obtained, the department may take
 231 | possession of the remaining medication and may continue to
 232 | provide the medication as prescribed until the shelter hearing,
 233 | if it is determined that the medication is a current
 234 | prescription for that child and the medication is in its
 235 | original container.

236 | 2. If the department continues to provide the psychotropic
 237 | medication to a child when parental authorization cannot be
 238 | obtained, the department shall notify the parent or legal
 239 | guardian as soon as possible that the medication is being
 240 | provided to the child as provided in subparagraph 1. The child's
 241 | official departmental record must include the reason parental
 242 | authorization was not initially obtained and an explanation of
 243 | why the medication is necessary for the child's well-being.

244 | 3. If the department is advised by a physician licensed
 245 | under chapter 458 or chapter 459 or a psychiatric nurse, as
 246 | defined in s. 394.455, that the child should continue the
 247 | psychotropic medication and parental authorization has not been
 248 | obtained, the department shall request court authorization at
 249 | the shelter hearing to continue to provide the psychotropic
 250 | medication and shall provide to the court any information in its

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251 possession in support of the request. Any authorization granted
252 at the shelter hearing may extend only until the arraignment
253 hearing on the petition for adjudication of dependency or 28
254 days following the date of removal, whichever occurs sooner.

255 4. Before filing the dependency petition, the department
256 shall ensure that the child is evaluated by a physician licensed
257 under chapter 458 or chapter 459 or a psychiatric nurse, as
258 defined in s. 394.455, to determine whether it is appropriate to
259 continue the psychotropic medication. If, as a result of the
260 evaluation, the department seeks court authorization to continue
261 the psychotropic medication, a motion for such continued
262 authorization shall be filed at the same time as the dependency
263 petition, within 21 days after the shelter hearing.

264 (c) Except as provided in paragraphs (b) and (e), the
265 department must file a motion seeking the court's authorization
266 to initially provide or continue to provide psychotropic
267 medication to a child in its legal custody. The motion must be
268 supported by a written report prepared by the department which
269 describes the efforts made to enable the prescribing physician
270 or psychiatric nurse, as defined in s. 394.455, to obtain
271 express and informed consent for providing the medication to the
272 child and other treatments considered or recommended for the
273 child. In addition, the motion must be supported by the
274 prescribing physician's or psychiatric nurse's signed medical
275 report providing:

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276 | 1. The name of the child, the name and range of the dosage
277 | of the psychotropic medication, and that there is a need to
278 | prescribe psychotropic medication to the child based upon a
279 | diagnosed condition for which such medication is being
280 | prescribed.

281 | 2. A statement indicating that the physician or
282 | psychiatric nurse, as defined in s. 394.455, has reviewed all
283 | medical information concerning the child which has been
284 | provided.

285 | 3. A statement indicating that the psychotropic
286 | medication, at its prescribed dosage, is appropriate for
287 | treating the child's diagnosed medical condition, as well as the
288 | behaviors and symptoms the medication, at its prescribed dosage,
289 | is expected to address.

290 | 4. An explanation of the nature and purpose of the
291 | treatment; the recognized side effects, risks, and
292 | contraindications of the medication; drug-interaction
293 | precautions; the possible effects of stopping the medication;
294 | and how the treatment will be monitored, followed by a statement
295 | indicating that this explanation was provided to the child if
296 | age appropriate and to the child's caregiver.

297 | 5. Documentation addressing whether the psychotropic
298 | medication will replace or supplement any other currently
299 | prescribed medications or treatments; the length of time the
300 | child is expected to be taking the medication; and any

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301 additional medical, mental health, behavioral, counseling, or
302 other services that the prescribing physician or psychiatric
303 nurse, as defined in s. 394.455, recommends.

304 (d)1. The department must notify all parties of the
305 proposed action taken under paragraph (c) in writing or by
306 whatever other method best ensures that all parties receive
307 notification of the proposed action within 48 hours after the
308 motion is filed. If any party objects to the department's
309 motion, that party shall file the objection within 2 working
310 days after being notified of the department's motion. If any
311 party files an objection to the authorization of the proposed
312 psychotropic medication, the court shall hold a hearing as soon
313 as possible before authorizing the department to initially
314 provide or to continue providing psychotropic medication to a
315 child in the legal custody of the department. At such hearing
316 and notwithstanding s. 90.803, the medical report described in
317 paragraph (c) is admissible in evidence. The prescribing
318 physician or psychiatric nurse, as defined in s. 394.455, does
319 not need to ~~not~~ attend the hearing or testify unless the court
320 specifically orders such attendance or testimony, or a party
321 subpoenas the physician or psychiatric nurse, as defined in s.
322 394.455, to attend the hearing or provide testimony. If, after
323 considering any testimony received, the court finds that the
324 department's motion and the physician's or the psychiatric
325 nurse's medical report meet the requirements of this subsection

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326 | and that it is in the child's best interests, the court may
327 | order that the department provide or continue to provide the
328 | psychotropic medication to the child without additional
329 | testimony or evidence. At any hearing held under this paragraph,
330 | the court shall further inquire of the department as to whether
331 | additional medical, mental health, behavioral, counseling, or
332 | other services are being provided to the child by the department
333 | which the prescribing physician or psychiatric nurse, as defined
334 | in s. 394.455, considers to be necessary or beneficial in
335 | treating the child's medical condition and which the physician
336 | or psychiatric nurse, as defined in s. 394.455, recommends or
337 | expects to provide to the child in concert with the medication.
338 | The court may order additional medical consultation, including
339 | consultation with the MedConsult line at the University of
340 | Florida, if available, or require the department to obtain a
341 | second opinion within a reasonable timeframe as established by
342 | the court, not to exceed 21 calendar days, after such order
343 | based upon consideration of the best interests of the child. The
344 | department must make a referral for an appointment for a second
345 | opinion with a physician or psychiatric nurse, as defined in s.
346 | 394.455, within 1 working day. The court may not order the
347 | discontinuation of prescribed psychotropic medication if such
348 | order is contrary to the decision of the prescribing physician
349 | or psychiatric nurse, as defined in s. 394.455, unless the court
350 | first obtains an opinion from a licensed psychiatrist, if

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351 available, or, if not available, a physician licensed under
352 chapter 458 or chapter 459, stating that more likely than not,
353 discontinuing the medication would not cause significant harm to
354 the child. If, however, the prescribing psychiatrist specializes
355 in mental health care for children and adolescents, the court
356 may not order the discontinuation of prescribed psychotropic
357 medication unless the required opinion is also from a
358 psychiatrist who specializes in mental health care for children
359 and adolescents. The court may also order the discontinuation of
360 prescribed psychotropic medication if a child's treating
361 physician, licensed under chapter 458 or chapter 459, or
362 psychiatric nurse, as defined in s. 394.455, states that
363 continuing the prescribed psychotropic medication would cause
364 significant harm to the child due to a diagnosed nonpsychiatric
365 medical condition.

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

368 (e)1. If the child's prescribing physician or psychiatric
369 nurse, as defined in s. 394.455, certifies in the signed medical
370 report required in paragraph (c) that delay in providing a
371 prescribed psychotropic medication would more likely than not
372 cause significant harm to the child, the medication may be
373 provided in advance of the issuance of a court order. In such
374 event, the medical report must provide the specific reasons why
375 the child may experience significant harm and the nature and the

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376 | extent of the potential harm. The department must submit a
377 | motion seeking continuation of the medication and the
378 | physician's or psychiatric nurse's medical report to the court,
379 | the child's guardian ad litem, and all other parties within 3
380 | working days after the department commences providing the
381 | medication to the child. The department shall seek the order at
382 | the next regularly scheduled court hearing required under this
383 | chapter, or within 30 days after the date of the prescription,
384 | whichever occurs sooner. If any party objects to the
385 | department's motion, the court shall hold a hearing within 7
386 | days.

387 | 2. Psychotropic medications may be administered in advance
388 | of a court order in hospitals, crisis stabilization units, and
389 | in statewide inpatient psychiatric programs. Within 3 working
390 | days after the medication is begun, the department must seek
391 | court authorization as described in paragraph (c).

392 | (f)1. The department shall fully inform the court of the
393 | child's medical and behavioral status as part of the social
394 | services report prepared for each judicial review hearing held
395 | for a child for whom psychotropic medication has been prescribed
396 | or provided under this subsection. As a part of the information
397 | provided to the court, the department shall furnish copies of
398 | all pertinent medical records concerning the child which have
399 | been generated since the previous hearing. On its own motion or
400 | on good cause shown by any party, including any guardian ad

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401 litem, attorney, or attorney ad litem who has been appointed to
402 represent the child or the child's interests, the court may
403 review the status more frequently than required in this
404 subsection.

405 2. The court may, in the best interests of the child,
406 order the department to obtain a medical opinion addressing
407 whether the continued use of the medication under the
408 circumstances is safe and medically appropriate.

409 (g) The department shall adopt rules to ensure that
410 children receive timely access to clinically appropriate
411 psychotropic medications. These rules must include, but need not
412 be limited to, the process for determining which adjunctive
413 services are needed, the uniform process for facilitating the
414 prescribing physician's or psychiatric nurse's ability to obtain
415 the express and informed consent of a child's parent or
416 guardian, the procedures for obtaining court authorization for
417 the provision of a psychotropic medication, the frequency of
418 medical monitoring and reporting on the status of the child to
419 the court, how the child's parents will be involved in the
420 treatment-planning process if their parental rights have not
421 been terminated, and how caretakers are to be provided
422 information contained in the physician's or psychiatric nurse's
423 signed medical report. The rules must also include uniform forms
424 to be used in requesting court authorization for the use of a
425 psychotropic medication and provide for the integration of each

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426 | child's treatment plan and case plan. The department must begin
 427 | the formal rulemaking process within 90 days after the effective
 428 | date of this act.

429 | (6) Children who are in the legal custody of the
 430 | department may be placed by the department, without prior
 431 | approval of the court, in a residential treatment center
 432 | licensed under s. 394.875 or a hospital licensed under chapter
 433 | 395 for residential mental health treatment only pursuant to
 434 | this section or may be placed by the court in accordance with an
 435 | order of involuntary examination or involuntary placement
 436 | entered pursuant to s. 394.463 or s. 394.467. All children
 437 | placed in a residential treatment program under this subsection
 438 | must have a guardian ad litem appointed.

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

443 | 2. The court must conduct a hearing to review the status
 444 | of the child's residential treatment plan no later than 60 days
 445 | ~~3 months~~ after the child's admission to the residential
 446 | treatment program. An independent review of the child's progress
 447 | toward achieving the goals and objectives of the treatment plan
 448 | must be completed by a qualified evaluator and submitted to the
 449 | court before its 60-day ~~3-month~~ review.

450 | 3. For any child in residential treatment at the time a

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451 judicial review is held pursuant to s. 39.701, the child's
452 continued placement in residential treatment must be a subject
453 of the judicial review.

454 4. If at any time the court determines that the child is
455 not suitable for continued residential treatment, the court
456 shall order the department to place the child in the least
457 restrictive setting that is best suited to meet his or her
458 needs.

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

462 (i) The department must adopt rules for implementing
463 timeframes for the completion of suitability assessments by
464 qualified evaluators and a procedure that includes timeframes
465 for completing the 60-day ~~3-month~~ independent review by the
466 qualified evaluators of the child's progress toward achieving
467 the goals and objectives of the treatment plan which review must
468 be submitted to the court. The Agency for Health Care
469 Administration must adopt rules for the registration of
470 qualified evaluators, the procedure for selecting the evaluators
471 to conduct the reviews required under this section, and a
472 reasonable, cost-efficient fee schedule for qualified
473 evaluators.

474 Section 7. Subsection (1) of section 39.5086, Florida
475 Statutes, is amended to read:

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476 | 39.5086 Kinship navigator programs.—
 477 | (1) DEFINITIONS.—As used in this section, the term:
 478 | ~~(a) "Fictive kin" has the same meaning as provided in s.~~
 479 | ~~39.4015(2)(d).~~
 480 | (a)~~(b)~~ "Kinship care" means the full-time care of a child
 481 | placed in out-of-home care by the court in the home of a
 482 | relative or fictive kin.
 483 | (b)~~(e)~~ "Kinship navigator program" means a program
 484 | designed to ensure that kinship caregivers are provided with
 485 | necessary resources for the preservation of the family.
 486 | (c)~~(d)~~ "Relative" means an individual who is caring full
 487 | time for a child placed in out-of-home care by the court and
 488 | who:
 489 | 1. Is related to the child within the fifth degree by
 490 | blood or marriage to the parent or stepparent of the child; or
 491 | 2. Is related to a half-sibling of that child within the
 492 | fifth degree by blood or marriage to the parent or stepparent.
 493 | Section 8. Subsection (1), paragraph (b) of subsection
 494 | (2), and subsections (6) and (10) of section 39.6225, Florida
 495 | Statutes, are amended, and subsection (15) is added to that
 496 | section, to read:
 497 | 39.6225 Guardianship Assistance Program.—
 498 | (1) The department shall establish and operate the
 499 | Guardianship Assistance Program to provide guardianship
 500 | assistance payments to relatives, ~~next of kin, and fictive kin~~

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501 who meet the eligibility requirements established in this
 502 section. For purposes of administering the program, the term:

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

505 (b) "Relative" means fictive kin, relative, or next of kin
 506 as those terms are defined in s. 39.01.

507 (c) ~~(b)~~ "Young adult" means an individual who has attained
 508 18 years of age but who has not attained 21 years of age.

509 (2) To approve an application for the program, the
 510 department shall determine that all of the following
 511 requirements have been met:

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

514 (6) Guardianship assistance benefits shall be terminated
 515 if:

516 (a) The child has attained 18 years of age, or the child
 517 has attained 21 years of age if he or she meets the requirements
 518 of subsection (9); is absent from the home of the guardian for a
 519 period of at least 60 consecutive calendar days, unless the
 520 child:

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

524 ~~2. Continues to be under the care and custody of the~~
 525 ~~guardian.~~

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526 (b) The child has not attained 18 years of age and the
 527 guardian is no longer legally responsible for the support of the
 528 child; ~~The court modifies the placement of the child and the~~
 529 ~~guardian is no longer eligible to receive guardianship~~
 530 ~~assistance benefits~~

531 (c) The child no longer receives support from the
 532 guardian.

533 (10) The case plan must describe the following for each
 534 child with a permanency goal of permanent guardianship in which
 535 the guardian is pursuing ~~in receipt of~~ guardianship assistance
 536 ~~payments:~~

537 (a) The manner in which the child meets program
 538 eligibility requirements.

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

541 (c) Efforts to discuss adoption with the child's permanent
 542 guardian.

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

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

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

549 (g) Efforts to consult the child, if the child is 14 years
 550 of age or older, regarding the permanent guardianship

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551 arrangement.

552 (15) The department may adopt rules necessary to
 553 administer this section.

554 Section 9. Subsections (2) and (3), paragraph (a) of
 555 subsection (4), and subsection (6) of section 39.6251, Florida
 556 Statutes, are amended, and subsection (10) is added to that
 557 section, to read:

558 39.6251 Continuing care for young adults.—

559 (2) The primary goal for a child in care is permanency. A
 560 child who is living in licensed care on his or her 18th birthday
 561 and who has not achieved permanency under s. 39.621 is eligible
 562 to remain in licensed care under the jurisdiction of the court
 563 and in the care of the department. A child is eligible to remain
 564 in licensed care if he or she is:

565 (a) Completing secondary education or a program leading to
 566 an equivalent credential;

567 (b) Enrolled in an institution that provides postsecondary
 568 or vocational education;

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

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

572 (e) Unable to participate in programs or activities listed
 573 in paragraphs (a)-(d) full time due to a physical, intellectual,
 574 emotional, or psychiatric condition that limits participation.

575 Any such barrier to participation must be supported by

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576 | documentation in the child's case file or school or medical
 577 | records of a physical, intellectual, or psychiatric condition
 578 | that impairs the child's ability to perform one or more life
 579 | activities.

580 |

581 | The young adult must furnish documentation to the department or
 582 | lead agency of his or her participation in one of the programs
 583 | or activities listed in paragraphs (a)-(d), or his or her
 584 | inability to participate in one of the programs or activities as
 585 | provided in paragraph (e), or authorize the release of his or
 586 | her records to the department or lead agency.

587 | (3) The permanency goal for a young adult who chooses to
 588 | remain in care past his or her 18th birthday is to transition to
 589 | independence ~~from licensed care to independent living.~~

590 | (4) (a) The young adult must reside in a supervised living
 591 | environment that is approved by the department or a community-
 592 | based care lead agency. The young adult shall live
 593 | independently, but in an environment in which he or she is
 594 | provided supervision, case management, and supportive services
 595 | by the department or lead agency. Such an environment must offer
 596 | developmentally appropriate freedom and responsibility to
 597 | prepare the young adult for adulthood. For the purposes of this
 598 | subsection, a supervised living arrangement may include a
 599 | licensed foster home, licensed group home, college dormitory,
 600 | shared housing, apartment, or another housing arrangement if the

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601 arrangement is approved by the community-based care lead agency
602 and is acceptable to the young adult, ~~with first choice being a~~
603 ~~licensed foster home~~. A young adult may continue to reside with
604 the same licensed foster family or group care provider with whom
605 he or she was residing at the time he or she reached the age of
606 18 years.

607 (6) A young adult who is between the ages of 18 and 21 and
608 who has left care may return to care by applying to the
609 community-based care lead agency for readmission through the
610 execution of a voluntary placement agreement. The community-
611 based care lead agency shall readmit the young adult if he or
612 she continues to meet the eligibility requirements in this
613 section.

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

617 (b) Within 30 days after the young adult has been
618 readmitted to care, the community-based care lead agency shall
619 assign a case manager to update the case plan and the transition
620 plan and to arrange for the required services. Updates to the
621 case plan and the transition plan and arrangements for the
622 required services shall be undertaken in consultation with the
623 young adult. The department shall petition the court to
624 reinstate jurisdiction over the young adult. Notwithstanding s.
625 39.013(2), the court shall resume jurisdiction over the young

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626 adult if the department establishes that he or she continues to
 627 meet the eligibility requirements in this section.

628 (10) The department shall adopt rules to administer this
 629 section.

630 Section 10. Paragraph (d) of subsection (2) of section
 631 39.701, Florida Statutes, is amended, and paragraphs (f) and (g)
 632 are added to subsection (4) of that section, to read:

633 39.701 Judicial review.—

634 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
 635 AGE.—

636 (d) Orders.—

637 1. Based upon the criteria set forth in paragraph (c) and
 638 the recommended order of the citizen review panel, if any, the
 639 court shall determine whether ~~or not~~ the social service agency
 640 shall initiate proceedings to have a child declared a dependent
 641 child, return the child to the parent, continue the child in
 642 out-of-home care for a specified period of time, or initiate
 643 termination of parental rights proceedings for subsequent
 644 placement in an adoptive home. Amendments to the case plan must
 645 be prepared as provided ~~prescribed~~ in s. 39.6013. If the court
 646 finds that the prevention or reunification efforts of the
 647 department will allow the child to remain safely at home or be
 648 safely returned to the home, the court shall allow the child to
 649 remain in or return to the home after making a specific finding
 650 of fact that the reasons for the creation of the case plan have

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651 | been remedied to the extent that the child's safety, well-being,
652 | and physical, mental, and emotional health will not be
653 | endangered.

654 | 2. The court shall return the child to the custody of his
655 | or her ~~the~~ parents at any time it determines that the
656 | circumstances that caused the out-of-home placement, and any
657 | issues subsequently identified, have been remedied to the extent
658 | that returning the child to the home with an in-home safety plan
659 | prepared or approved by the department ~~they have substantially~~
660 | ~~complied with the case plan, if the court is satisfied that~~
661 | ~~reunification~~ will not be detrimental to the child's safety,
662 | well-being, and physical, mental, and emotional health.

663 | 3. If, in the opinion of the court, the social service
664 | agency has not complied with its obligations as specified in the
665 | written case plan, the court may find the social service agency
666 | in contempt, shall order the social service agency to submit its
667 | plans for compliance with the agreement, and shall require the
668 | social service agency to show why the child could not safely be
669 | returned to the home of the parents.

670 | 4. If, at any judicial review, the court finds that the
671 | parents have failed to substantially comply with the case plan
672 | to the degree that further reunification efforts are without
673 | merit and not in the best interest of the child, on its own
674 | motion, the court may order the filing of a petition for
675 | termination of parental rights, regardless of ~~or not~~ the

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676 | time period as contained in the case plan for substantial
677 | compliance has expired.

678 | 5. Within 6 months after the date that the child was
679 | placed in shelter care, the court shall conduct a judicial
680 | review hearing to review the child's permanency goal as
681 | identified in the case plan. At the hearing the court shall make
682 | findings regarding the likelihood of the child's reunification
683 | with the parent or legal custodian. In making such findings, the
684 | court shall consider the level of the parent or legal
685 | custodian's compliance with the case plan and demonstrated
686 | change in protective capacities compared to that necessary to
687 | achieve timely reunification within 12 months after the removal
688 | of the child from the home. The court shall also consider the
689 | frequency, duration, manner, and level of engagement of the
690 | parent or legal custodian's visitation with the child in
691 | compliance with the case plan. If the court makes a written
692 | finding that it is not likely that the child will be reunified
693 | with the parent or legal custodian within 12 months after the
694 | child was removed from the home, the department must file with
695 | the court, and serve on all parties, a motion to amend the case
696 | plan under s. 39.6013 and declare that it will use concurrent
697 | planning for the case plan. The department must file the motion
698 | within 10 business days after receiving the written finding of
699 | the court. The department must attach the proposed amended case
700 | plan to the motion. If concurrent planning is already being

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701 used, the case plan must document the efforts the department is
 702 taking to complete the concurrent goal.

703 6. The court may issue a protective order in assistance,
 704 or as a condition, of any other order made under this part. In
 705 addition to the requirements included in the case plan, the
 706 protective order may set forth requirements relating to
 707 reasonable conditions of behavior to be observed for a specified
 708 period of time by a person or agency who is before the court;
 709 and the order may require any person or agency to make periodic
 710 reports to the court containing such information as the court in
 711 its discretion may prescribe.

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

716 (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—
 717 During each period of time that a young adult remains in foster
 718 care, the court shall review the status of the young adult at
 719 least every 6 months and must hold a permanency review hearing
 720 at least annually.

721 (f) If the young adult elects to voluntarily leave
 722 extended foster care for the sole purpose of ending a removal
 723 episode and immediately thereafter executes a voluntary
 724 placement agreement with the department to reenroll in extended
 725 foster care, the court shall enter an order finding that the

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726 prior removal episode has ended. Under these circumstances, the
727 court maintains jurisdiction and a petition to reinstate
728 jurisdiction as provided in s. 39.6251(6)(b) is not required.

729 (g)1. When a young adult enters extended foster care by
730 executing a voluntary placement agreement, the court shall enter
731 an order within 180 days after execution of the agreement that
732 determines whether the placement is in the best interest of the
733 young adult. For purposes of this paragraph, a placement may
734 include a licensed foster home, licensed group home, college
735 dormitory, shared housing, apartment, or another housing
736 arrangement, if the arrangement is approved by the community-
737 based care lead agency and is acceptable to the young adult.

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

741 3. When a young adult is in extended foster care, the
742 court shall enter an order at least every 12 months that
743 includes a finding of whether the department has made reasonable
744 efforts to finalize the permanency plan currently in effect.

745 Section 11. Paragraph (a) of subsection (4) of section
746 402.56, Florida Statutes, is amended to read:

747 402.56 Children's cabinet; organization; responsibilities;
748 annual report.—

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

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- 751 (a)1. The Secretary of Children and Families;
 752 2. The Secretary of Juvenile Justice;
 753 3. The director of the Agency for Persons with
 754 Disabilities;
 755 4. The director of the Office of Early Learning;
 756 5. The State Surgeon General;
 757 6. The Secretary of Health Care Administration;
 758 7. The Commissioner of Education;
 759 8. The director of the Statewide Guardian Ad Litem Office;
 760 9. A representative ~~The director~~ of the Office of Adoption
 761 and Child Protection;
 762 10. A superintendent of schools, appointed by the
 763 Governor; and
 764 11. Five members who represent children and youth advocacy
 765 organizations and who are not service providers, appointed by
 766 the Governor.

767 Section 12. Section 402.57, Florida Statutes, is created
 768 to read:

769 402.57 Direct-support organization.—

770 (1) The Department of Children and Families shall
 771 establish a direct-support organization to assist the Children
 772 and Youth Cabinet established in s. 402.56 in carrying out its
 773 purposes and responsibilities, primarily regarding fostering
 774 public awareness of children and youth issues and developing new
 775 partners in the effort to serve children and youth by raising

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776 money; submitting requests for and receiving grants from the
 777 Federal Government, the state or its political subdivisions,
 778 private foundations, and individuals; and making expenditures to
 779 or for the benefit of the cabinet. The sole purpose for the
 780 direct-support organization is to support the cabinet. The
 781 direct-support organization must be:

782 (a) Incorporated under chapter 617 and approved by the
 783 Department of State as a Florida corporation not for profit.

784 (b) Organized and operated to make expenditures to or for
 785 the benefit of the cabinet.

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

789 (2) The board of directors of the direct-support
 790 organization shall consist of seven members appointed by the
 791 Governor. Each member of the board of directors shall be
 792 appointed to a 4-year term. However, for the purpose of
 793 providing staggered terms, the initial appointments shall be for
 794 either 2 years or 4 years, as determined by the Governor.

795 (3) The direct-support organization shall operate under a
 796 written contract with the department.

797 (4) All moneys received by the direct-support organization
 798 must be deposited into an account of the direct-support
 799 organization and shall be used in a manner consistent with the
 800 goals of the cabinet.

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

803 Section 13. Subsections (9) and (10) of section 409.1451,
 804 Florida Statutes, are renumbered as subsections (10) and (11),
 805 respectively, paragraph (b) of subsection (2) is amended, and a
 806 new subsection (9) is added to that section, to read:

807 409.1451 The Road-to-Independence Program.—

808 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

809 (b) The amount of the financial assistance shall be as
 810 follows:

811 1. For a young adult who does not remain in foster care
 812 and is attending a postsecondary school as provided in s.
 813 1009.533, the amount is \$1,256 monthly.

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

819 3. For a young adult who remains in foster care, but
 820 temporarily resides away from a licensed foster home for
 821 purposes of attending a postsecondary school as provided in s.
 822 1009.533, the amount is \$1,256 monthly. This takes the place of
 823 the payment provided for in s. 409.145(4).

824 4. For a young adult who remains in foster care, is
 825 attending a postsecondary school as provided in s. 1009.533, and

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826 continues to reside in a licensed group home, the amount is
 827 negotiated between the community-based care lead agency and the
 828 licensed group home provider.

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

834 ~~6. The amount of the award may be disregarded for purposes~~
 835 ~~of determining the eligibility for, or the amount of, any other~~
 836 ~~federal or federally supported assistance.~~

837 ~~6.7.~~ A young adult is eligible to receive financial
 838 assistance during the months when he or she is enrolled in a
 839 postsecondary educational institution.

840 (9) FINANCIAL ASSISTANCE FOR YOUNG ADULTS RECEIVING
 841 SERVICES.—Financial awards to young adults receiving services
 842 under subsections (2) and (3) and s. 39.6251 may be disregarded
 843 for purposes of determining the eligibility for, or the amount
 844 of, any other federal or federally supported assistance for
 845 which the department is required to determine eligibility for
 846 the program.

847 Section 14. Paragraphs (e), (j), and (m) of subsection
 848 (2), paragraph (b) of subsection (5), paragraphs (b) and (c) of
 849 subsection (6), subsection (7), paragraph (b) of subsection (9),
 850 paragraphs (b) and (c) of subsection (12), and paragraphs (b)

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851 and (d) of subsection (14) of section 409.175, Florida Statutes,
 852 are amended to read:

853 409.175 Licensure of family foster homes, residential
 854 child-caring agencies, and child-placing agencies; public
 855 records exemption.—

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

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

863 (j) "Personnel" means all owners, operators, employees,
 864 and volunteers working in a child-placing agency, ~~family foster~~
 865 ~~home,~~ or residential child-caring agency who may be employed by
 866 or do volunteer work for a person, corporation, or agency that
 867 holds a license as a child-placing agency or a residential
 868 child-caring agency, but the term does not include those who do
 869 not work on the premises where child care is furnished and have
 870 no direct contact with a child or have no contact with a child
 871 outside of the presence of the child's parent or guardian. For
 872 purposes of screening, the term includes any member, over the
 873 age of 12 years, of the family of the owner or operator or any
 874 person other than a client, over the age of 12 years, residing
 875 with the owner or operator if the agency ~~or family foster home~~

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876 is located in or adjacent to the home of the owner or operator
877 or if the family member of, or person residing with, the owner
878 or operator has any direct contact with the children. Members of
879 the family of the owner or operator, or persons residing with
880 the owner or operator, who are between the ages of 12 years and
881 18 years are not required to be fingerprinted, but must be
882 screened for delinquency records. For purposes of screening, the
883 term also includes owners, operators, employees, and volunteers
884 working in summer day camps, or summer 24-hour camps providing
885 care for children. A volunteer who assists on an intermittent
886 basis for less than 10 hours per month shall not be included in
887 the term "personnel" for the purposes of screening if a person
888 who meets the screening requirement of this section is always
889 present and has the volunteer in his or her line of sight.

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

895 (5) The department shall adopt and amend rules for the
896 levels of licensed care associated with the licensure of family
897 foster homes, residential child-caring agencies, and child-
898 placing agencies. The rules may include criteria to approve
899 waivers to licensing requirements when applying for a child-
900 specific license.

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901 (b) The requirements for licensure and operation of family
 902 foster homes, residential child-caring agencies, and child-
 903 placing agencies shall include:

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

907 2. The provision of food, clothing, educational
 908 opportunities, services, equipment, and individual supplies to
 909 assure the healthy physical, emotional, and mental development
 910 of the children served.

911 3. The appropriateness, safety, cleanliness, and general
 912 adequacy of the premises, including fire prevention and health
 913 standards, to provide for the physical comfort, care, and well-
 914 being of the children served.

915 4. The ratio of staff to children required to provide
 916 adequate care and supervision of the children served and, in the
 917 case of family foster homes, the maximum number of children in
 918 the home.

919 5. The good moral character based upon screening,
 920 education, training, and experience requirements for personnel
 921 and family foster homes.

922 6. The department may grant exemptions from
 923 disqualification from working with children or the
 924 developmentally disabled as provided in s. 435.07.

925 7. The provision of preservice and inservice training for

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926 | all foster parents and agency staff.

927 | 8. Satisfactory evidence of financial ability to provide
928 | care for the children in compliance with licensing requirements.

929 | 9. The maintenance by the agency of records pertaining to
930 | admission, progress, health, and discharge of children served,
931 | including written case plans and reports to the department.

932 | 10. The provision for parental involvement to encourage
933 | preservation and strengthening of a child's relationship with
934 | the family.

935 | 11. The transportation safety of children served.

936 | 12. The provisions for safeguarding the cultural,
937 | religious, and ethnic values of a child.

938 | 13. Provisions to safeguard the legal rights of children
939 | served.

940 | (6)

941 | (b) Upon application, the department shall conduct a
942 | licensing study based on its licensing rules; shall inspect the
943 | home or the agency and the records, including financial records,
944 | of the agency; and shall interview the applicant. The department
945 | may authorize a licensed child-placing agency to conduct the
946 | licensing study of a family foster home to be used exclusively
947 | by that agency and to verify to the department that the home
948 | meets the licensing requirements established by the department.
949 | The department shall post on its website a list of the agencies
950 | authorized to conduct such studies. Upon certification by a

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951 licensed child-placing agency that a family foster home meets
952 the licensing requirements and upon receipt of a letter from a
953 community-based care lead agency in the service area where the
954 home will be licensed which indicates that the family foster
955 home meets the criteria established by the lead agency, the
956 department shall issue the license. A letter from the lead
957 agency is not required if the lead agency where the proposed
958 home is located is directly supervising foster homes in the same
959 service area.

960 (c) A licensed family foster home, child-placing agency,
961 or residential child-caring agency which applies for renewal of
962 its license shall submit to the department a list of personnel
963 or household members who have worked or resided on a continuous
964 basis at the applicant family foster home or agency since
965 submitting fingerprints to the department, identifying those for
966 whom a written assurance of compliance was provided by the
967 department and identifying those personnel or household members
968 who have recently begun working or residing at the family foster
969 home or agency and are awaiting the results of the required
970 fingerprint check, along with the date of the submission of
971 those fingerprints for processing. The department shall by rule
972 determine the frequency of requests to the Department of Law
973 Enforcement to run state criminal records checks for such
974 personnel or household members except for those personnel or
975 household members awaiting the results of initial fingerprint

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976 | checks for employment at the applicant family foster home or
977 | agency.

978 | (7)(a) The department may extend a license expiration date
979 | once for a period of up to 30 days. However, the department may
980 | not extend a license expiration date more than once during a
981 | licensure period. ~~The department may issue a provisional license~~
982 | ~~to an applicant who is unable to conform to the licensing~~
983 | ~~requirements at the time of the study, but who is believed able~~
984 | ~~to meet the licensing requirements within the time allowed by~~
985 | ~~the provisional license. The issuance of a provisional license~~
986 | ~~shall be contingent upon the submission to the department of an~~
987 | ~~acceptable written plan to overcome the deficiency by the~~
988 | ~~expiration date of the provisional license.~~

989 | (b) ~~A provisional license may be issued when the applicant~~
990 | ~~fails to meet licensing requirements in matters that are not of~~
991 | ~~immediate danger to the children and the agency has submitted a~~
992 | ~~corrective action plan which is approved by the department. A~~
993 | ~~provisional license may be issued if the screening material has~~
994 | ~~been timely submitted; however, a provisional license may not be~~
995 | ~~issued unless the applicant is in compliance with the~~
996 | ~~requirements in this section for screening of personnel.~~

997 | (c) ~~A provisional license shall not be issued for a period~~
998 | ~~in excess of 1 year and shall not be subject to renewal; and it~~
999 | ~~may be suspended if periodic inspection by the department~~
1000 | ~~indicates that insufficient progress has been made toward~~

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1001 ~~compliance with the requirements.~~

1002 (9)

1003 (b) Any of the following actions by a family foster home
 1004 or its household members or an agency or its personnel is a
 1005 ground for denial, suspension, or revocation of a license:

1006 1. An intentional or negligent act materially affecting
 1007 the health or safety of children in the home or agency.

1008 2. A violation of ~~the provisions of~~ this section or of
 1009 licensing rules adopted ~~promulgated~~ pursuant to this section.

1010 3. Noncompliance with the requirements for good moral
 1011 character as specified in paragraph (5) (b).

1012 4. Failure to dismiss personnel or remove a household
 1013 member found in noncompliance with requirements for good moral
 1014 character.

1015 5. Failure to comply with the requirements of ss. 63.0422
 1016 and 790.335.

1017 (12)

1018 (b) It is unlawful for any person, agency, family foster
 1019 home, summer day camp, or summer 24-hour camp providing care for
 1020 children to:

1021 1. Willfully or intentionally fail to comply with the
 1022 requirements for the screening of personnel and family foster
 1023 homes or the dismissal of personnel or removal of household
 1024 members found not to be in compliance with the requirements for
 1025 good moral character as specified in paragraph (5) (b).

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1026 2. Use information from the criminal records obtained
 1027 under this section for any purpose other than screening a person
 1028 for employment as specified in this section or to release such
 1029 information to any other person for any purpose other than
 1030 screening for employment as specified in this section.

1031 (c) It is unlawful for any person, agency, family foster
 1032 home, summer day camp, or summer 24-hour camp providing care for
 1033 children to use information from the juvenile records of any
 1034 person obtained under this section for any purpose other than
 1035 screening for employment as specified in this section or to
 1036 release information from such records to any other person for
 1037 any purpose other than screening for employment as specified in
 1038 this section.

1039 (14)

1040 (b) As a condition of licensure, foster parents shall
 1041 successfully complete ~~a minimum of 21 hours of~~ preservice
 1042 training. The preservice training shall be uniform statewide and
 1043 shall include, but not be limited to, such areas as:

- 1044 1. Orientation regarding agency purpose, objectives,
 1045 resources, policies, and services;
- 1046 2. Role of the foster parent as a treatment team member;
- 1047 3. Transition of a child into and out of foster care,
 1048 including issues of separation, loss, and attachment;
- 1049 4. Management of difficult child behavior that can be
 1050 intensified by placement, by prior abuse or neglect, and by

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1051 prior placement disruptions;

1052 5. Prevention of placement disruptions;

1053 6. Care of children at various developmental levels,

1054 including appropriate discipline; and

1055 7. Effects of foster parenting on the family of the foster

1056 parent.

1057 (d) Before ~~Prior to~~ licensure renewal, each level ~~II~~

1058 ~~through level V~~ foster parent must ~~shall~~ successfully complete ~~8~~

1059 ~~hours of~~ inservice training. ~~Each level I foster parent shall~~

1060 ~~successfully complete 4 hours of inservice training.~~ Periodic

1061 time-limited training courses shall be made available for

1062 selective use by foster parents. Such inservice training shall

1063 include subjects affecting the daily living experiences of

1064 foster parenting as a foster parent. For a foster parent

1065 participating in the required inservice training, the department

1066 shall reimburse such parent for travel expenditures and, if both

1067 parents in a home are attending training or if the absence of

1068 the parent would leave the children without departmentally

1069 approved adult supervision, the department shall make provision

1070 for child care or shall reimburse the foster parents for child

1071 care purchased by the parents for children in their care.

1072 Section 15. Subsection (4) of section 409.903, Florida

1073 Statutes, is amended to read:

1074 409.903 Mandatory payments for eligible persons.—The

1075 agency shall make payments for medical assistance and related

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1076 | services on behalf of the following persons who the department,
 1077 | or the Social Security Administration by contract with the
 1078 | Department of Children and Families, determines to be eligible,
 1079 | subject to the income, assets, and categorical eligibility tests
 1080 | set forth in federal and state law. Payment on behalf of these
 1081 | Medicaid eligible persons is subject to the availability of
 1082 | moneys and any limitations established by the General
 1083 | Appropriations Act or chapter 216.

1084 | (4) A child who is eligible under Title IV-E of the Social
 1085 | Security Act for subsidized board payments, foster care, or
 1086 | adoption subsidies, and a child for whom the state has assumed
 1087 | temporary or permanent responsibility and who does not qualify
 1088 | for Title IV-E assistance but is in foster care, shelter or
 1089 | emergency shelter care, or subsidized adoption. This category
 1090 | includes:

1091 | (a) A young adult who is eligible to receive services
 1092 | under s. 409.1451, until the young adult reaches 21 years of
 1093 | age, without regard to any income, resource, or categorical
 1094 | eligibility test that is otherwise required.

1095 | (b) ~~This category also includes~~ A person who as a child
 1096 | was eligible under Title IV-E of the Social Security Act for
 1097 | foster care or the state-provided foster care and who is a
 1098 | participant in the Road-to-Independence Program.

1099 | (c) A child who is eligible for the Guardianship
 1100 | Assistance Program as provided in s. 39.6225.

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1101 Section 16. Paragraph (a) of subsection (1) of section
 1102 409.991, Florida Statutes, is amended to read:

1103 409.991 Allocation of funds for community-based care lead
 1104 agencies.—

1105 (1) As used in this section, the term:

1106 (a) "Core services funds" means all funds allocated to
 1107 community-based care lead agencies operating under contract with
 1108 the department pursuant to s. 409.987, with the following
 1109 exceptions:

- 1110 1. Funds appropriated for independent living;
- 1111 2. Funds appropriated for maintenance adoption subsidies;
- 1112 3. Funds allocated by the department for protective
- 1113 investigations training;
- 1114 4. Nonrecurring funds;
- 1115 5. Designated mental health wrap-around services funds;

1116 ~~and~~

1117 6. Funds for special projects for a designated community-
 1118 based care lead agency; and

1119 7. Funds appropriated for the Guardianship Assistance
 1120 Program under s. 39.6225.

1121 Section 17. Paragraph (b) of subsection (1) of section
 1122 414.045, Florida Statutes, is amended to read:

1123 414.045 Cash assistance program.—Cash assistance families
 1124 include any families receiving cash assistance payments from the
 1125 state program for temporary assistance for needy families as

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1126 defined in federal law, whether such funds are from federal
 1127 funds, state funds, or commingled federal and state funds. Cash
 1128 assistance families may also include families receiving cash
 1129 assistance through a program defined as a separate state
 1130 program.

1131 (1) For reporting purposes, families receiving cash
 1132 assistance shall be grouped into the following categories. The
 1133 department may develop additional groupings in order to comply
 1134 with federal reporting requirements, to comply with the data-
 1135 reporting needs of the board of directors of CareerSource
 1136 Florida, Inc., or to better inform the public of program
 1137 progress.

1138 (b) Child-only cases.—Child-only cases include cases that
 1139 do not have an adult or teen head of household as defined in
 1140 federal law. Such cases include:

1141 1. Children in the care of caretaker relatives, if the
 1142 caretaker relatives choose to have their needs excluded in the
 1143 calculation of the amount of cash assistance.

1144 2. Families in the Relative Caregiver Program as provided
 1145 in s. 39.5085.

1146 3. Families in which the only parent in a single-parent
 1147 family or both parents in a two-parent family receive
 1148 supplemental security income (SSI) benefits under Title XVI of
 1149 the Social Security Act, as amended. To the extent permitted by
 1150 federal law, individuals receiving SSI shall be excluded as

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1151 household members in determining the amount of cash assistance,
 1152 and such cases shall not be considered families containing an
 1153 adult. Parents or caretaker relatives who are excluded from the
 1154 cash assistance group due to receipt of SSI may choose to
 1155 participate in work activities. An individual whose ability to
 1156 participate in work activities is limited who volunteers to
 1157 participate in work activities shall be assigned to work
 1158 activities consistent with such limitations. An individual who
 1159 volunteers to participate in a work activity may receive child
 1160 care or support services consistent with such participation.

1161 4. Families in which the only parent in a single-parent
 1162 family or both parents in a two-parent family are not eligible
 1163 for cash assistance due to immigration status or other
 1164 limitation of federal law. To the extent required by federal
 1165 law, such cases shall not be considered families containing an
 1166 adult.

1167 5. To the extent permitted by federal law and subject to
 1168 appropriations, special needs children who have been adopted
 1169 pursuant to s. 409.166 and whose adopting family qualifies as a
 1170 needy family under the state program for temporary assistance
 1171 for needy families. Notwithstanding any provision to the
 1172 contrary in s. 414.075, s. 414.085, or s. 414.095, a family
 1173 shall be considered a needy family if:

1174 a. The family is determined by the department to have an
 1175 income below 200 percent of the federal poverty level;

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1176 b. The family meets the requirements of s. 414.095(2) and
 1177 (3) related to residence, citizenship, or eligible noncitizen
 1178 status; and

1179 c. The family provides any information that may be
 1180 necessary to meet federal reporting requirements specified under
 1181 Part A of Title IV of the Social Security Act.

1182 6. Families in the Guardianship Assistance Program as
 1183 provided in s. 39.6225.

1184
 1185 Families described in subparagraph 1., subparagraph 2., or
 1186 subparagraph 3. may receive child care assistance or other
 1187 supports or services so that the children may continue to be
 1188 cared for in their own homes or in the homes of relatives. Such
 1189 assistance or services may be funded from the temporary
 1190 assistance for needy families block grant to the extent
 1191 permitted under federal law and to the extent funds have been
 1192 provided in the General Appropriations Act.

1193 Section 18. Paragraph (d) of subsection (1) of section
 1194 1009.25, Florida Statutes, is amended to read:

1195 1009.25 Fee exemptions.—

1196 (1) The following students are exempt from the payment of
 1197 tuition and fees, including lab fees, at a school district that
 1198 provides workforce education programs, Florida College System
 1199 institution, or state university:

1200 (d) A student who is or was at the time he or she reached

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1201 18 years of age in the custody of a relative or nonrelative
1202 under s. 39.5085 or s. 39.6225 or who was adopted from the
1203 Department of Children and Families after May 5, 1997. Such
1204 exemption includes fees associated with enrollment in applied
1205 academics for adult education instruction. The exemption remains
1206 valid until the student reaches 28 years of age.

1207 Section 19. This act shall take effect July 1, 2019.