

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Children, Families &
2 Seniors Subcommittee

3 Representative Tomkow offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 25.385, Florida Statutes, is amended to
8 read:

9 25.385 Standards for instruction of circuit and county
10 court judges ~~in handling domestic violence cases.-~~

11 (1) The Florida Court Educational Council shall establish
12 standards for instruction of circuit and county court judges who
13 have responsibility for domestic violence cases, and the council
14 shall provide such instruction on a periodic and timely basis.

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

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16 ~~(a)~~ the term "domestic violence" has the meaning set forth
17 in s. 741.28.

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

20 (2) The Florida Court Educational Council shall establish
21 standards for instruction of circuit and county court judges who
22 have responsibility for dependency cases regarding the benefits
23 of a secure attachment with a primary caregiver, the importance
24 of a stable placement, and the impact of trauma on child
25 development. The council shall provide such instruction to the
26 circuit and county court judges handling dependency cases on a
27 periodic and timely basis.

28 Section 2. Subsection (1) and paragraph (a) of subsection
29 (9) of section 39.301, Florida Statutes, are amended to read:

30 39.301 Initiation of protective investigations.—

31 (1) (a) Upon receiving a report of known or suspected child
32 abuse, abandonment, or neglect, or that a child is in need of
33 supervision and care and has no parent, legal custodian, or
34 responsible adult relative immediately known and available to
35 provide supervision and care, the central abuse hotline shall
36 determine if the report requires an immediate onsite protective
37 investigation. For reports requiring an immediate onsite
38 protective investigation, the central abuse hotline shall
39 immediately notify the department's designated district staff
40 responsible for protective investigations to ensure that an

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41 onsite investigation is promptly initiated. For reports not
42 requiring an immediate onsite protective investigation, the
43 central abuse hotline shall notify the department's designated
44 district staff responsible for protective investigations in
45 sufficient time to allow for an investigation. At the time of
46 notification, the central abuse hotline shall also provide
47 information to district staff on any previous report concerning
48 a subject of the present report or any pertinent information
49 relative to the present report or any noted earlier reports.

50 (b) The department shall promptly notify the court of any
51 report to the central abuse hotline that is accepted for a
52 protective investigation and involves a child over whom the
53 court has jurisdiction.

54 (9) (a) For each report received from the central abuse
55 hotline and accepted for investigation, the department or the
56 sheriff providing child protective investigative services under
57 s. 39.3065, shall perform the following child protective
58 investigation activities to determine child safety:

59 1. Conduct a review of all relevant, available information
60 specific to the child and family and alleged maltreatment;
61 family child welfare history; local, state, and federal criminal
62 records checks; and requests for law enforcement assistance
63 provided by the abuse hotline. Based on a review of available
64 information, including the allegations in the current report, a
65 determination shall be made as to whether immediate consultation

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66 should occur with law enforcement, the Child Protection Team, a
67 domestic violence shelter or advocate, or a substance abuse or
68 mental health professional. Such consultations should include
69 discussion as to whether a joint response is necessary and
70 feasible. A determination shall be made as to whether the person
71 making the report should be contacted before the face-to-face
72 interviews with the child and family members.

73 2. Conduct face-to-face interviews with the child; other
74 siblings, if any; and the parents, legal custodians, or
75 caregivers.

76 3. Assess the child's residence, including a determination
77 of the composition of the family and household, including the
78 name, address, date of birth, social security number, sex, and
79 race of each child named in the report; any siblings or other
80 children in the same household or in the care of the same
81 adults; the parents, legal custodians, or caregivers; and any
82 other adults in the same household.

83 4. Determine whether there is any indication that any
84 child in the family or household has been abused, abandoned, or
85 neglected; the nature and extent of present or prior injuries,
86 abuse, or neglect, and any evidence thereof; and a determination
87 as to the person or persons apparently responsible for the
88 abuse, abandonment, or neglect, including the name, address,
89 date of birth, social security number, sex, and race of each
90 such person.

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91 5. Complete assessment of immediate child safety for each
92 child based on available records, interviews, and observations
93 with all persons named in subparagraph 2. and appropriate
94 collateral contacts, which may include other professionals. The
95 department's child protection investigators are hereby
96 designated a criminal justice agency for the purpose of
97 accessing criminal justice information to be used for enforcing
98 this state's laws concerning the crimes of child abuse,
99 abandonment, and neglect. This information shall be used solely
100 for purposes supporting the detection, apprehension,
101 prosecution, pretrial release, posttrial release, or
102 rehabilitation of criminal offenders or persons accused of the
103 crimes of child abuse, abandonment, or neglect and may not be
104 further disseminated or used for any other purpose.

105 6. Document the present and impending dangers to each
106 child based on the identification of inadequate protective
107 capacity through utilization of a standardized safety assessment
108 instrument. If present or impending danger is identified, the
109 child protective investigator must implement a safety plan or
110 take the child into custody. If present danger is identified and
111 the child is not removed, the child protective investigator
112 shall create and implement a safety plan before leaving the home
113 or the location where there is present danger. If impending
114 danger is identified, the child protective investigator shall
115 create and implement a safety plan as soon as necessary to

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116 protect the safety of the child. The child protective
117 investigator may modify the safety plan if he or she identifies
118 additional impending danger.

119 a. If the child protective investigator implements a
120 safety plan, the plan must be specific, sufficient, feasible,
121 and sustainable in response to the realities of the present or
122 impending danger. A safety plan may be an in-home plan or an
123 out-of-home plan, or a combination of both. A safety plan may
124 include tasks or responsibilities for a parent, caregiver, or
125 legal custodian. However, a safety plan may not rely on
126 promissory commitments by the parent, caregiver, or legal
127 custodian who is currently not able to protect the child or on
128 services that are not available or will not result in the safety
129 of the child. A safety plan may not be implemented if for any
130 reason the parents, guardian, or legal custodian lacks the
131 capacity or ability to comply with the plan. If the department
132 is not able to develop a plan that is specific, sufficient,
133 feasible, and sustainable, the department shall file a shelter
134 petition. A child protective investigator shall implement
135 separate safety plans for the perpetrator of domestic violence,
136 if the investigator, using reasonable efforts, can locate the
137 perpetrator to implement a safety plan, and for the parent who
138 is a victim of domestic violence as defined in s. 741.28.
139 Reasonable efforts to locate a perpetrator include, but are not
140 limited to, a diligent search pursuant to the same requirements

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141 as in s. 39.503. If the perpetrator of domestic violence is not
142 the parent, guardian, or legal custodian of any child in the
143 home and if the department does not intend to file a shelter
144 petition or dependency petition that will assert allegations
145 against the perpetrator as a parent of a child in the home, the
146 child protective investigator shall seek issuance of an
147 injunction authorized by s. 39.504 to implement a safety plan
148 for the perpetrator and impose any other conditions to protect
149 the child. The safety plan for the parent who is a victim of
150 domestic violence may not be shared with the perpetrator. If any
151 party to a safety plan fails to comply with the safety plan
152 resulting in the child being unsafe, the department shall file a
153 shelter petition.

154 b. The child protective investigator shall collaborate
155 with the community-based care lead agency in the development of
156 the safety plan as necessary to ensure that the safety plan is
157 specific, sufficient, feasible, and sustainable. The child
158 protective investigator shall identify services necessary for
159 the successful implementation of the safety plan. The child
160 protective investigator and the community-based care lead agency
161 shall mobilize service resources to assist all parties in
162 complying with the safety plan. The community-based care lead
163 agency shall prioritize safety plan services to families who
164 have multiple risk factors, including, but not limited to, two
165 or more of the following:

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- 166 (I) The parent or legal custodian is of young age;
- 167 (II) The parent or legal custodian, or an adult currently
168 living in or frequently visiting the home, has a history of
169 substance abuse, mental illness, or domestic violence;
- 170 (III) The parent or legal custodian, or an adult currently
171 living in or frequently visiting the home, has been previously
172 found to have physically or sexually abused a child;
- 173 (IV) The parent or legal custodian or an adult currently
174 living in or frequently visiting the home has been the subject
175 of multiple allegations by reputable reports of abuse or
176 neglect;
- 177 (V) The child is physically or developmentally disabled;
178 or
- 179 (VI) The child is 3 years of age or younger.
- 180 c. The child protective investigator shall monitor the
181 implementation of the plan to ensure the child's safety until
182 the case is transferred to the lead agency at which time the
183 lead agency shall monitor the implementation.
- 184 d. The department may file a petition for shelter or
185 dependency without a new child protective investigation or the
186 concurrence of the child protective investigator if the child is
187 unsafe but for the use of a safety plan and the parent or
188 caregiver has not sufficiently increased protective capacities
189 within 90 days after the transfer of the safety plan to the lead
190 agency.

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191 Section 3. Subsection (1) of section 39.522, Florida
192 Statutes, is amended, and subsection (4) is added to that
193 section, to read:

194 39.522 Postdisposition change of custody.—The court may
195 change the temporary legal custody or the conditions of
196 protective supervision at a postdisposition hearing, without the
197 necessity of another adjudicatory hearing.

198 (1) (a) At any time before a child is residing in the
199 permanent placement approved at the permanency hearing, a child
200 who has been placed in the child's own home under the protective
201 supervision of an authorized agent of the department, in the
202 home of a relative, in the home of a legal custodian, or in some
203 other place may be brought before the court by the department or
204 by any other interested person, upon the filing of a motion
205 alleging a need for a change in the conditions of protective
206 supervision or the placement. If the parents or other legal
207 custodians deny the need for a change, the court shall hear all
208 parties in person or by counsel, or both. Upon the admission of
209 a need for a change or after such hearing, the court shall enter
210 an order changing the placement, modifying the conditions of
211 protective supervision, or continuing the conditions of
212 protective supervision as ordered. The standard for changing
213 custody of the child shall be the best interests ~~interest~~ of the
214 child. When determining whether a change of legal custody or
215 placement is in ~~applying this standard, the court shall consider~~

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216 ~~the continuity of the child's placement in the same out-of-home~~
217 ~~residence as a factor when determining the best interests of the~~
218 ~~child,~~ the court shall consider:

219 1. The child's age.

220 2. The physical, mental, and emotional health benefits to
221 the child by remaining in his or her current placement or moving
222 to the proposed placement.

223 3. The stability and longevity of the child's current
224 placement.

225 4. The established bonded relationship between the child
226 and the current or proposed caregiver.

227 5. The reasonable preference of the child, if the court
228 has found that the child is of sufficient intelligence,
229 understanding, and experience to express a preference.

230 6. The recommendation of the child's current caregiver.

231 7. The recommendation of the child's guardian ad litem, if
232 one has been appointed.

233 8. The child's previous and current relationship with a
234 sibling, if the change of legal custody or placement will
235 separate or reunite siblings.

236 9. The likelihood of the child attaining permanency in the
237 current or proposed placement.

238 10. Any other relevant factors.

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239 (b) If the child is not placed in foster care, then the
240 new placement for the child must meet the home study criteria
241 and court approval under ~~pursuant to~~ this chapter.

242 (4) In cases where the issue before the court is whether to
243 place a child in out-of-home care after the child was placed in
244 the child's own home with an in-home safety plan or the child
245 was reunified with a parent or caregiver with an in-home safety
246 plan, the court must consider the factors in (1)(a) and, at a
247 minimum, the following additional factors in making its
248 determination whether to place the child in out-of-home care:

249 1. The circumstances that caused the child's dependency
250 and other subsequently identified issues.

251 2. The length of time the child has been placed in the
252 home with an in-home safety plan.

253 3. The parent's or caregiver's current level of protective
254 capacities.

255 4. The level of increase, if any, in the parent's or
256 caregiver's protective capacities since the child's placement in
257 the home based on the length of time the child has been placed
258 in the home.

259
260 The court shall additionally evaluate the child's permanency
261 goal and change the permanency goal as needed if doing so would
262 be in the best interests of the child. If the court changes the

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263 permanency goal, the case plan shall be amended pursuant to s.
264 39.6013(5).

265 Section 4. Subsection (5) of section 39.6011, Florida
266 Statutes, is amended to read:

267 39.6011 Case plan development.—

268 (5) The case plan must describe all of the following:

269 (a) The role of the foster parents or caregivers ~~legal~~
270 ~~custodians~~ when developing the services that are to be provided
271 to the child, foster parents, or caregivers. ~~legal custodians;~~

272 (b) The responsibility of the parents and caregivers to
273 work together to successfully implement the case plan, how the
274 case manager will assist the parents and caregivers in
275 developing a productive relationship that includes meaningful
276 communication and mutual support, and the ability of the parents
277 or caregivers to notify the court or the case manager if
278 ineffective communication takes place that negatively impacts
279 the child.

280 (c) ~~(b)~~ The responsibility of the case manager to forward a
281 relative's request to receive notification of all proceedings
282 and hearings submitted under ~~pursuant to~~ s. 39.301(14)(b) to the
283 attorney for the department. ~~†~~

284 (d) ~~(e)~~ The minimum number of face-to-face meetings to be
285 held each month between the parents and the department's family
286 services counselors to review the progress of the plan, to
287 eliminate barriers to progress, and to resolve conflicts or

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288 | disagreements between parents and caregivers, service providers,
289 | or any other professional assisting the parents in the
290 | completion of the case plan.~~;~~ and

291 | ~~(e)-(d)~~ The parent's responsibility for financial support
292 | of the child, including, but not limited to, health insurance
293 | and child support. The case plan must list the costs associated
294 | with any services or treatment that the parent and child are
295 | expected to receive which are the financial responsibility of
296 | the parent. The determination of child support and other
297 | financial support shall be made independently of any
298 | determination of indigency under s. 39.013.

299 | Section 5. Paragraph (b) of subsection (1) and paragraphs
300 | (a) and (c) of subsection (2) of section 39.701, Florida
301 | Statutes, are amended to read:

302 | 39.701 Judicial review.—

303 | (1) GENERAL PROVISIONS.—

304 | (b)1. The court shall retain jurisdiction over a child
305 | returned to his or her parents for a minimum period of 6 months
306 | following the reunification, but, at that time, based on a
307 | report of the social service agency and the guardian ad litem,
308 | if one has been appointed, and any other relevant factors, the
309 | court shall make a determination as to whether supervision by
310 | the department and the court's jurisdiction shall continue or be
311 | terminated.

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312 2. Notwithstanding subparagraph 1., the court must retain
313 jurisdiction over a child if the child is placed in the home
314 with a parent or caregiver with an in-home safety plan and such
315 safety plan remains necessary for the child to reside safely in
316 the home.

317 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
318 AGE.—

319 (a) Social study report for judicial review.—Before every
320 judicial review hearing or citizen review panel hearing, the
321 social service agency shall make an investigation and social
322 study concerning all pertinent details relating to the child and
323 shall furnish to the court or citizen review panel a written
324 report that includes, but is not limited to:

325 1. A description of the type of placement the child is in
326 at the time of the hearing, including the safety of the child
327 and the continuing necessity for and appropriateness of the
328 placement.

329 2. Documentation of the diligent efforts made by all
330 parties to the case plan to comply with each applicable
331 provision of the plan.

332 3. The amount of fees assessed and collected during the
333 period of time being reported.

334 4. The services provided to the foster family or caregiver
335 ~~legal custodian~~ in an effort to address the needs of the child
336 as indicated in the case plan.

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- 337 5. A statement that either:
- 338 a. The parent, though able to do so, did not comply
- 339 substantially with the case plan, and the agency
- 340 recommendations;
- 341 b. The parent did substantially comply with the case plan;
- 342 or
- 343 c. The parent has partially complied with the case plan,
- 344 with a summary of additional progress needed and the agency
- 345 recommendations.
- 346 6. A statement from the foster parent or caregiver ~~legal~~
- 347 ~~custodian~~ providing any material evidence concerning the well-
- 348 being of the child, the impact of any services provided to the
- 349 child, the working relationship between the parents and
- 350 caregivers, and the return of the child to the ~~parent or~~
- 351 parents.
- 352 7. A statement concerning the frequency, duration, and
- 353 results of the parent-child visitation, if any, and the agency
- 354 and caregiver recommendations for an expansion or restriction of
- 355 future visitation.
- 356 8. The number of times a child has been removed from his
- 357 or her home and placed elsewhere, the number and types of
- 358 placements that have occurred, and the reason for the changes in
- 359 placement.

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360 9. The number of times a child's educational placement has
361 been changed, the number and types of educational placements
362 which have occurred, and the reason for any change in placement.

363 10. If the child has reached 13 years of age but is not
364 yet 18 years of age, a statement from the caregiver on the
365 progress the child has made in acquiring independent living
366 skills.

367 11. Copies of all medical, psychological, and educational
368 records that support the terms of the case plan and that have
369 been produced concerning the parents or any caregiver since the
370 last judicial review hearing.

371 12. Copies of the child's current health, mental health,
372 and education records as identified in s. 39.6012.

373 (c) *Review determinations.*—The court and any citizen
374 review panel shall take into consideration the information
375 contained in the social services study and investigation and all
376 medical, psychological, and educational records that support the
377 terms of the case plan; testimony by the social services agency,
378 the parent, the foster parent or caregiver ~~legal custodian~~, the
379 guardian ad litem or surrogate parent for educational
380 decisionmaking if one has been appointed for the child, and any
381 other person deemed appropriate; and any relevant and material
382 evidence submitted to the court, including written and oral
383 reports to the extent of their probative value. These reports
384 and evidence may be received by the court in its effort to

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385 determine the action to be taken with regard to the child and
386 may be relied upon to the extent of their probative value, even
387 though not competent in an adjudicatory hearing. In its
388 deliberations, the court and any citizen review panel shall seek
389 to determine:

390 1. If the parent was advised of the right to receive
391 assistance from any person or social service agency in the
392 preparation of the case plan.

393 2. If the parent has been advised of the right to have
394 counsel present at the judicial review or citizen review
395 hearings. If not so advised, the court or citizen review panel
396 shall advise the parent of such right.

397 3. If a guardian ad litem needs to be appointed for the
398 child in a case in which a guardian ad litem has not previously
399 been appointed or if there is a need to continue a guardian ad
400 litem in a case in which a guardian ad litem has been appointed.

401 4. Who holds the rights to make educational decisions for
402 the child. If appropriate, the court may refer the child to the
403 district school superintendent for appointment of a surrogate
404 parent or may itself appoint a surrogate parent under the
405 Individuals with Disabilities Education Act and s. 39.0016.

406 5. The compliance or lack of compliance of all parties
407 with applicable items of the case plan, including the parents'
408 compliance with child support orders.

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409 6. The compliance or lack of compliance with a visitation
410 contract between the parent and the social service agency for
411 contact with the child, including the frequency, duration, and
412 results of the parent-child visitation and the reason for any
413 noncompliance.

414 7. The frequency, kind, and duration of contacts among
415 siblings who have been separated during placement, as well as
416 any efforts undertaken to reunite separated siblings if doing so
417 is in the best interests ~~interest~~ of the child.

418 8. The compliance or lack of compliance of the parent in
419 meeting specified financial obligations pertaining to the care
420 of the child, including the reason for failure to comply, if
421 applicable.

422 9. Whether the child is receiving safe and proper care
423 according to s. 39.6012, including, but not limited to, the
424 appropriateness of the child's current placement, including
425 whether the child is in a setting that is as family-like and as
426 close to the parent's home as possible, consistent with the
427 child's best interests and special needs, and including
428 maintaining stability in the child's educational placement, as
429 documented by assurances from the community-based care lead
430 agency ~~provider~~ that:

431 a. The placement of the child takes into account the
432 appropriateness of the current educational setting and the

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433 proximity to the school in which the child is enrolled at the
434 time of placement.

435 b. The community-based care lead agency has coordinated
436 with appropriate local educational agencies to ensure that the
437 child remains in the school in which the child is enrolled at
438 the time of placement.

439 10. A projected date likely for the child's return home or
440 other permanent placement.

441 11. When appropriate, the basis for the unwillingness or
442 inability of the parent to become a party to a case plan. The
443 court and the citizen review panel shall determine if the
444 efforts of the social service agency to secure party
445 participation in a case plan were sufficient.

446 12. For a child who has reached 13 years of age but is not
447 yet 18 years of age, the adequacy of the child's preparation for
448 adulthood and independent living. For a child who is 15 years of
449 age or older, the court shall determine if appropriate steps are
450 being taken for the child to obtain a driver license or
451 learner's driver license.

452 13. If amendments to the case plan are required.
453 Amendments to the case plan must be made under s. 39.6013.

454 14. If the parents and caregivers have developed a
455 productive relationship that includes meaningful communication
456 and mutual support.

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457 Section 6. Section 409.1415, Florida Statutes, is created
458 to read:

459 409.1415 Parenting partnerships for children in out-of-
460 home care.-

461 (1) LEGISLATIVE FINDINGS AND INTENT.-

462 (a) The Legislature finds that reunification is the most
463 common outcome for children in out-of-home care and that foster
464 parents are one of the most important resources to help children
465 reunify with their families.

466 (b) The Legislature further finds that the most successful
467 foster parents understand that their role goes beyond supporting
468 the children in their care to supporting the children's
469 families, as a whole, and that children and their families
470 benefit when foster and birth parents are supported by an agency
471 culture that encourages a meaningful partnership between them
472 and provides quality support.

473 (c) Therefore, in keeping with national trends, it is the
474 intent of the Legislature to bring birth parents and foster
475 parents together in order to build strong relationships that
476 lead to more successful reunifications and more stability for
477 children being fostered in out-of-home care.

478 (2) PARENTING PARTNERSHIPS.-

479 (a) General provisions.-In order to ensure that children
480 in out-of-home care achieve legal permanency as soon as
481 possible, to reduce the likelihood that they will re-enter care

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482 or that other children in the family are abused or neglected or
483 enter out-of-home care, and to ensure that families are fully
484 prepared to resume custody of their children, the department and
485 community-based care lead agencies shall develop and support
486 relationships between foster families and the legal parents of
487 children in out-of-home care to the extent that it is safe and
488 in the child's best interest, by:

489 1. Facilitating telephone communication between the foster
490 parent and the birth or legal parent as soon as possible after
491 the child is placed in the home.

492 2. Facilitating and attending an in-person meeting between
493 the foster parent and the birth or legal parent within 2 weeks
494 after placement.

495 3. Developing and supporting a plan for birth or legal
496 parents to participate in medical appointments, educational and
497 extra-curricular activities, and other events involving the
498 child.

499 4. Facilitating participation by the foster parent in
500 visitation between the birth parent and child.

501 5. Involving the foster parent in planning meetings with
502 the birth parent.

503 6. Developing and implementing effective transition plans
504 for the child's return home or placement in any other living
505 environment.

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506 7. Supporting continued contact between the foster family
507 and the child after the child returns home or moves to another
508 permanent living arrangement.

509 8. Supporting continued connection with the birth parent
510 after adoption.

511 (b) Responsibilities.—To ensure that a child in out-of-
512 home care receives support for healthy development which gives
513 him or her the best possible opportunity for success, foster
514 parents, birth parents, the department, community-based care
515 lead agency staff, and other agency staff, as applicable, shall
516 work cooperatively in a respectful partnership by adhering to
517 the following requirements:

518 1. All members of the partnership must interact and
519 communicate professionally with one another, must share all
520 relevant information promptly, and must respect the
521 confidentiality of all information related to a child and his or
522 her family.

523 2. Caregivers, the family, the department, community-based
524 care lead agency staff, and other agency staff must participate
525 in developing a case plan for the child and family, and all
526 members of the team must work together to implement the plan.
527 Caregivers must participate in all team meetings or court
528 hearings related to the child's care and future plans. The
529 department, community-based care lead agency staff, and other
530 agency staff must support and facilitate caregiver participation

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531 through timely notification of such meetings and hearings and an
532 inclusive process, and by providing alternative methods for
533 participation for caregivers who cannot be physically present at
534 a meeting or hearing.

535 3. Excellent parenting is a reasonable expectation of
536 caregivers. Caregivers must provide, and the department,
537 community-based care lead agency staff, and other agency staff
538 must support, excellent parenting. "Excellent parenting" means a
539 loving commitment to the child and the child's safety and well-
540 being; appropriate supervision and positive methods of
541 discipline; encouragement of the child's strengths; respect for
542 the child's individuality and likes and dislikes; providing
543 opportunities to develop the child's interests and skills; being
544 aware of the impact of trauma on behavior; facilitating equal
545 participation of the child in family life; involving the child
546 within his or her community; and a commitment to enable the
547 child to lead a normal life.

548 4. Children in out-of-home care may be placed only with a
549 caregiver who has the ability to care for the child, is willing
550 to accept responsibility for providing care, and is willing and
551 able to learn about and be respectful of the child's culture,
552 religion, and ethnicity; special physical or psychological
553 needs; any circumstances unique to the child; and family
554 relationships. The department, the community-based care lead
555 agency, and other agencies must provide a caregiver with all

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556 available information necessary to assist the caregiver in
557 determining whether he or she is able to appropriately care for
558 a particular child.

559 5. A caregiver must have access to and take advantage of
560 all training that he or she needs to improve his or her skills
561 in parenting a child who has experienced trauma due to neglect,
562 abuse, or separation from home; to meet the child's special
563 needs; and to work effectively with child welfare agencies, the
564 courts, the schools, and other community and governmental
565 agencies.

566 6. The department, community-based care lead agency staff,
567 and other agency staff must provide caregivers with the services
568 and support they need to enable them to provide quality care for
569 the child.

570 7. Once a family accepts the responsibility of caring for
571 a child, the child may be removed from that family only if the
572 family is clearly unable to care for him or her safely or
573 legally, when the child and his or her biological family are
574 reunified, when the child is being placed in a legally permanent
575 home in accordance with a case plan or court order, or when the
576 removal is demonstrably in the best interests of the child.

577 8. If a child must leave the caregiver's home for one of
578 the reasons stated in subparagraph 7., and in the absence of an
579 unforeseeable emergency, the transition must be accomplished
580 according to a plan that involves cooperation and sharing of

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581 information among all persons involved, respects the child's
582 developmental stage and psychological needs, ensures the child
583 has all of his or her belongings, allows for a gradual
584 transition from the caregiver's home, and, if possible, allows
585 for continued contact with the caregiver after the child leaves.

586 9. When the plan for a child includes reunification,
587 caregivers and agency staff must work together to assist the
588 biological parents in improving their ability to care for and
589 protect their children and to provide continuity for the child.

590 10. A caregiver must respect and support the child's ties
591 to his or her biological family including parents, siblings, and
592 extended family members and must assist the child in visitation
593 and other forms of communication. The department, community-
594 based care lead agency staff, and other agency staff must
595 provide caregivers with the information, guidance, training, and
596 support necessary for fulfilling this responsibility.

597 11. A caregiver must work in partnership with the
598 department, community-based care lead agency staff, and other
599 agency staff to obtain and maintain records that are important
600 to the child's well-being including, but not limited to, child
601 resource records, medical records, school records, photographs,
602 and records of special events and achievements.

603 12. A caregiver must effectively advocate for a child in
604 his or her care with the child welfare system, the court, and
605 community agencies, including schools, child care providers,

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606 health and mental health providers, and employers. The
607 department, community-based care lead agency staff, and other
608 agency staff must support a caregiver in effectively advocating
609 for a child and may not retaliate against the caregiver as a
610 result of this advocacy.

611 13. A caregiver must be as fully involved in the child's
612 medical, psychological, and dental care as he or she would be
613 for his or her biological child. Agency staff must support and
614 facilitate such participation. Caregivers, the department,
615 community-based care lead agency staff, and other agency staff
616 must share information with each other about the child's health
617 and well-being.

618 14. A caregiver must support a child's school success,
619 including, when possible, maintaining school stability by
620 participating in school activities and meetings, including
621 individual education plan meetings; assisting with school
622 assignments; supporting tutoring programs; meeting with teachers
623 and working with an educational surrogate, if one has been
624 appointed; and encouraging the child's participation in
625 extracurricular activities. Agency staff must facilitate this
626 participation and must be kept informed of the child's progress
627 and needs.

628 15. Caseworkers and caseworker supervisors must mediate
629 disagreements that occur between foster parents and birth
630 parents.

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631 (c) Residential group homes.—All caregivers employed by
632 residential group homes must meet the same education, training,
633 and background and other screening requirements as foster
634 parents and must adhere to the requirements in paragraph (b).

635 (3) RULEMAKING.—The department shall adopt by rule
636 procedures to administer this section.

637 Section 7. Section 409.145, Florida Statutes, is amended
638 to read:

639 409.145 Care of children; ~~quality parenting~~; "reasonable
640 and prudent parent" standard.—The child welfare system of the
641 department shall operate as a coordinated community-based system
642 of care which empowers all caregivers for children in foster
643 care to provide quality parenting, including approving or
644 disapproving a child's participation in activities based on the
645 caregiver's assessment using the "reasonable and prudent parent"
646 standard.

647 (1) SYSTEM OF CARE.—The department shall develop,
648 implement, and administer a coordinated community-based system
649 of care for children who are found to be dependent and their
650 families. This system of care must be directed toward the
651 following goals:

652 (a) Prevention of separation of children from their
653 families.

654 (b) Intervention to allow children to remain safely in
655 their own homes.

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656 (c) Reunification of families who have had children
657 removed from their care.

658 (d) Safety for children who are separated from their
659 families by providing alternative emergency or longer-term
660 parenting arrangements.

661 (e) Focus on the well-being of children through emphasis
662 on maintaining educational stability and providing timely health
663 care.

664 (f) Permanency for children for whom reunification with
665 their families is not possible or is not in the best interest of
666 the child.

667 (g) The transition to independence and self-sufficiency
668 for older children who remain in foster care through
669 adolescence.

670 ~~(2) QUALITY PARENTING. A child in foster care shall be~~
671 ~~placed only with a caregiver who has the ability to care for the~~
672 ~~child, is willing to accept responsibility for providing care,~~
673 ~~and is willing and able to learn about and be respectful of the~~
674 ~~child's culture, religion and ethnicity, special physical or~~
675 ~~psychological needs, any circumstances unique to the child, and~~
676 ~~family relationships. The department, the community-based care~~
677 ~~lead agency, and other agencies shall provide such caregiver~~
678 ~~with all available information necessary to assist the caregiver~~
679 ~~in determining whether he or she is able to appropriately care~~
680 ~~for a particular child.~~

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681 ~~(a) Roles and responsibilities of caregivers. A caregiver~~
682 ~~shall:~~

683 ~~1. Participate in developing the case plan for the child~~
684 ~~and his or her family and work with others involved in his or~~
685 ~~her care to implement this plan. This participation includes the~~
686 ~~caregiver's involvement in all team meetings or court hearings~~
687 ~~related to the child's care.~~

688 ~~2. Complete all training needed to improve skills in~~
689 ~~parenting a child who has experienced trauma due to neglect,~~
690 ~~abuse, or separation from home, to meet the child's special~~
691 ~~needs, and to work effectively with child welfare agencies, the~~
692 ~~court, the schools, and other community and governmental~~
693 ~~agencies.~~

694 ~~3. Respect and support the child's ties to members of his~~
695 ~~or her biological family and assist the child in maintaining~~
696 ~~allowable visitation and other forms of communication.~~

697 ~~4. Effectively advocate for the child in the caregiver's~~
698 ~~care with the child welfare system, the court, and community~~
699 ~~agencies, including the school, child care, health and mental~~
700 ~~health providers, and employers.~~

701 ~~5. Participate fully in the child's medical,~~
702 ~~psychological, and dental care as the caregiver would for his or~~
703 ~~her biological child.~~

704 ~~6. Support the child's educational success by~~
705 ~~participating in activities and meetings associated with the~~

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706 ~~child's school or other educational setting, including~~
707 ~~Individual Education Plan meetings and meetings with an~~
708 ~~educational surrogate if one has been appointed, assisting with~~
709 ~~assignments, supporting tutoring programs, and encouraging the~~
710 ~~child's participation in extracurricular activities.~~

711 ~~a. Maintaining educational stability for a child while in~~
712 ~~out-of-home care by allowing the child to remain in the school~~
713 ~~or educational setting that he or she attended before entry into~~
714 ~~out-of-home care is the first priority, unless not in the best~~
715 ~~interest of the child.~~

716 ~~b. If it is not in the best interest of the child to~~
717 ~~remain in his or her school or educational setting upon entry~~
718 ~~into out-of-home care, the caregiver must work with the case~~
719 ~~manager, guardian ad litem, teachers and guidance counselors,~~
720 ~~and educational surrogate if one has been appointed to determine~~
721 ~~the best educational setting for the child. Such setting may~~
722 ~~include a public school that is not the school of origin, a~~
723 ~~private school pursuant to s. 1002.42, a virtual instruction~~
724 ~~program pursuant to s. 1002.45, or a home education program~~
725 ~~pursuant to s. 1002.41.~~

726 ~~7. Work in partnership with other stakeholders to obtain~~
727 ~~and maintain records that are important to the child's well-~~
728 ~~being, including child resource records, medical records, school~~
729 ~~records, photographs, and records of special events and~~
730 ~~achievements.~~

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731 ~~8. Ensure that the child in the caregiver's care who is~~
732 ~~between 13 and 17 years of age learns and masters independent~~
733 ~~living skills.~~

734 ~~9. Ensure that the child in the caregiver's care is aware~~
735 ~~of the requirements and benefits of the Road to Independence~~
736 ~~Program.~~

737 ~~10. Work to enable the child in the caregiver's care to~~
738 ~~establish and maintain naturally occurring mentoring~~
739 ~~relationships.~~

740 ~~(b) Roles and responsibilities of the department, the~~
741 ~~community based care lead agency, and other agency staff. The~~
742 ~~department, the community-based care lead agency, and other~~
743 ~~agency staff shall:~~

744 ~~1. Include a caregiver in the development and~~
745 ~~implementation of the case plan for the child and his or her~~
746 ~~family. The caregiver shall be authorized to participate in all~~
747 ~~team meetings or court hearings related to the child's care and~~
748 ~~future plans. The caregiver's participation shall be facilitated~~
749 ~~through timely notification, an inclusive process, and~~
750 ~~alternative methods for participation for a caregiver who cannot~~
751 ~~be physically present.~~

752 ~~2. Develop and make available to the caregiver the~~
753 ~~information, services, training, and support that the caregiver~~
754 ~~needs to improve his or her skills in parenting children who~~
755 ~~have experienced trauma due to neglect, abuse, or separation~~

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756 ~~from home, to meet these children's special needs, and to~~
757 ~~advocate effectively with child welfare agencies, the courts,~~
758 ~~schools, and other community and governmental agencies.~~

759 ~~3. Provide the caregiver with all information related to~~
760 ~~services and other benefits that are available to the child.~~

761 ~~4. Show no prejudice against a caregiver who desires to~~
762 ~~educate at home a child placed in his or her home through the~~
763 ~~child welfare system.~~

764 ~~(c) *Transitions.*~~

765 ~~1. Once a caregiver accepts the responsibility of caring~~
766 ~~for a child, the child will be removed from the home of that~~
767 ~~caregiver only if:~~

768 ~~a. The caregiver is clearly unable to safely or legally~~
769 ~~care for the child;~~

770 ~~b. The child and his or her biological family are~~
771 ~~reunified;~~

772 ~~c. The child is being placed in a legally permanent home~~
773 ~~pursuant to the case plan or a court order; or~~

774 ~~d. The removal is demonstrably in the child's best~~
775 ~~interest.~~

776 ~~2. In the absence of an emergency, if a child leaves the~~
777 ~~caregiver's home for a reason provided under subparagraph 1.,~~
778 ~~the transition must be accomplished according to a plan that~~
779 ~~involves cooperation and sharing of information among all~~
780 ~~persons involved, respects the child's developmental stage and~~

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781 ~~psychological needs, ensures the child has all of his or her~~
782 ~~belongings, allows for a gradual transition from the caregiver's~~
783 ~~home and, if possible, for continued contact with the caregiver~~
784 ~~after the child leaves.~~

785 ~~(d) Information sharing. Whenever a foster home or~~
786 ~~residential group home assumes responsibility for the care of a~~
787 ~~child, the department and any additional providers shall make~~
788 ~~available to the caregiver as soon as is practicable all~~
789 ~~relevant information concerning the child. Records and~~
790 ~~information that are required to be shared with caregivers~~
791 ~~include, but are not limited to:~~

792 ~~1. Medical, dental, psychological, psychiatric, and~~
793 ~~behavioral history, as well as ongoing evaluation or treatment~~
794 ~~needs;~~

795 ~~2. School records;~~

796 ~~3. Copies of his or her birth certificate and, if~~
797 ~~appropriate, immigration status documents;~~

798 ~~4. Consents signed by parents;~~

799 ~~5. Comprehensive behavioral assessments and other social~~
800 ~~assessments;~~

801 ~~6. Court orders;~~

802 ~~7. Visitation and case plans;~~

803 ~~8. Guardian ad litem reports;~~

804 ~~9. Staffing forms; and~~

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805 ~~10. Judicial or citizen review panel reports and~~
806 ~~attachments filed with the court, except confidential medical,~~
807 ~~psychiatric, and psychological information regarding any party~~
808 ~~or participant other than the child.~~

809 ~~(e) Caregivers employed by residential group homes. All~~
810 ~~caregivers in residential group homes shall meet the same~~
811 ~~education, training, and background and other screening~~
812 ~~requirements as foster parents.~~

813 ~~(2)-(3) REASONABLE AND PRUDENT PARENT STANDARD.-~~

814 (a) *Definitions.*-As used in this subsection, the term:

815 1. "Age-appropriate" means an activity or item that is
816 generally accepted as suitable for a child of the same
817 chronological age or level of maturity. Age appropriateness is
818 based on the development of cognitive, emotional, physical, and
819 behavioral capacity which is typical for an age or age group.

820 2. "Caregiver" means a person with whom the child is
821 placed in out-of-home care, or a designated official for a group
822 care facility licensed by the department under s. 409.175.

823 3. "Reasonable and prudent parent" standard means the
824 standard of care used by a caregiver in determining whether to
825 allow a child in his or her care to participate in
826 extracurricular, enrichment, and social activities. This
827 standard is characterized by careful and thoughtful parental
828 decisionmaking that is intended to maintain a child's health,

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829 safety, and best interest while encouraging the child's
830 emotional and developmental growth.

831 (b) *Application of standard of care.*—

832 1. Every child who comes into out-of-home care pursuant to
833 this chapter is entitled to participate in age-appropriate
834 extracurricular, enrichment, and social activities.

835 2. Each caregiver shall use the reasonable and prudent
836 parent standard in determining whether to give permission for a
837 child living in out-of-home care to participate in
838 extracurricular, enrichment, or social activities. When using
839 the reasonable and prudent parent standard, the caregiver must
840 consider:

841 a. The child's age, maturity, and developmental level to
842 maintain the overall health and safety of the child.

843 b. The potential risk factors and the appropriateness of
844 the extracurricular, enrichment, or social activity.

845 c. The best interest of the child, based on information
846 known by the caregiver.

847 d. The importance of encouraging the child's emotional and
848 developmental growth.

849 e. The importance of providing the child with the most
850 family-like living experience possible.

851 f. The behavioral history of the child and the child's
852 ability to safely participate in the proposed activity.

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853 (c) *Verification of services delivered.*—The department and
 854 each community-based care lead agency shall verify that private
 855 agencies providing out-of-home care services to dependent
 856 children have policies in place which are consistent with this
 857 section and that these agencies promote and protect the ability
 858 of dependent children to participate in age-appropriate
 859 extracurricular, enrichment, and social activities.

860 (d) *Limitation of liability.*—A caregiver is not liable for
 861 harm caused to a child who participates in an activity approved
 862 by the caregiver, provided that the caregiver has acted in
 863 accordance with the reasonable and prudent parent standard. This
 864 paragraph may not be interpreted as removing or limiting any
 865 existing liability protection afforded by law.

866 ~~(3)-(4)~~ FOSTER CARE ROOM AND BOARD RATES.—

867 (a) Effective July 1, 2018, room and board rates shall be
 868 paid to foster parents as follows:

Monthly Foster Care Rate

0-5 Years Age	6-12 Years Age	13-21 Years Age
\$457.95	\$469.68	\$549.74

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872 (b) Each January, foster parents shall receive an annual
873 cost of living increase. The department shall calculate the new
874 room and board rate increase equal to the percentage change in
875 the Consumer Price Index for All Urban Consumers, U.S. City
876 Average, All Items, not seasonally adjusted, or successor
877 reports, for the preceding December compared to the prior
878 December as initially reported by the United States Department
879 of Labor, Bureau of Labor Statistics. The department shall make
880 available the adjusted room and board rates annually.

881 (c) Effective July 1, 2019, foster parents of level I
882 family foster homes, as defined in s. 409.175(5) (a) shall
883 receive a room and board rate of \$333.

884 (d) Effective July 1, 2019, the foster care room and board
885 rate for level II family foster homes as defined in s.
886 409.175(5) (a) shall be the same as the new rate established for
887 family foster homes as of January 1, 2019.

888 (e) Effective January 1, 2020, paragraph (b) shall only
889 apply to level II through level V family foster homes, as
890 defined in s. 409.175(5) (a).

891 (f) The amount of the monthly foster care room and board
892 rate may be increased upon agreement among the department, the
893 community-based care lead agency, and the foster parent.

894 (g) From July 1, 2018, through June 30, 2019, community-
895 based care lead agencies providing care under contract with the
896 department shall pay a supplemental room and board payment to

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897 foster care parents of all family foster homes, on a per-child
898 basis, for providing independent life skills and normalcy
899 supports to children who are 13 through 17 years of age placed
900 in their care. The supplemental payment shall be paid monthly to
901 the foster care parents in addition to the current monthly room
902 and board rate payment. The supplemental monthly payment shall
903 be based on 10 percent of the monthly room and board rate for
904 children 13 through 21 years of age as provided under this
905 section and adjusted annually. Effective July 1, 2019, such
906 supplemental payments shall only be paid to foster parents of
907 level II through level V family foster homes.

908 ~~(4)-(5)~~ RULEMAKING.—The department shall adopt by rule
909 procedures to administer this section.

910 Section 8. Paragraph (j) of subsection (1) of section
911 409.988, Florida Statutes, is amended to read:

912 409.988 Lead agency duties; general provisions.—

913 (1) DUTIES.—A lead agency:

914 (j) May subcontract for the provision of services required
915 by the contract with the lead agency and the department;
916 however, the subcontracts must specify how the provider will
917 contribute to the lead agency meeting the performance standards
918 established pursuant to the child welfare results-oriented
919 accountability system required by s. 409.997. The lead agency
920 shall directly provide no more than 35 percent of all child
921 welfare services provided unless it can demonstrate a need,

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922 within the lead agency's geographic service area, to exceed this
923 threshold. The local community alliance in the geographic
924 service area in which the lead agency is seeking to exceed the
925 threshold shall review the lead agency's justification for need
926 and recommend to the department whether the department should
927 approve or deny the lead agency's request for an exemption from
928 the services threshold. If there is not a community alliance
929 operating in the geographic service area in which the lead
930 agency is seeking to exceed the threshold, such review and
931 recommendation shall be made by representatives of local
932 stakeholders, including at least one representative from each of
933 the following:

- 934 1. The department.
- 935 2. The county government.
- 936 3. The school district.
- 937 4. The county United Way.
- 938 5. The county sheriff's office.
- 939 6. The circuit court corresponding to the county.
- 940 7. The county children's board, if one exists.

941 Section 9. Paragraph (b) of subsection (7) of section
942 39.302, Florida Statutes, is amended to read:

943 39.302 Protective investigations of institutional child
944 abuse, abandonment, or neglect.—

945 (7) When an investigation of institutional abuse, neglect,
946 or abandonment is closed and a person is not identified as a

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947 caregiver responsible for the abuse, neglect, or abandonment
948 alleged in the report, the fact that the person is named in some
949 capacity in the report may not be used in any way to adversely
950 affect the interests of that person. This prohibition applies to
951 any use of the information in employment screening, licensing,
952 child placement, adoption, or any other decisions by a private
953 adoption agency or a state agency or its contracted providers.

954 (b) Likewise, if a person is employed as a caregiver in a
955 residential group home licensed pursuant to s. 409.175 and is
956 named in any capacity in three or more reports within a 5-year
957 period, the department may review all reports for the purposes
958 of the employment screening required pursuant to s.
959 409.1415(2)(c) ~~s. 409.145(2)(e)~~.

960 Section 10. Paragraph (d) of subsection (5) of section
961 39.6225, Florida Statutes, is amended to read:

962 39.6225 Guardianship Assistance Program.—

963 (5) A guardian with an application approved pursuant to
964 subsection (2) who is caring for a child placed with the
965 guardian by the court pursuant to this part may receive
966 guardianship assistance payments based on the following
967 criteria:

968 (d) The department shall provide guardianship assistance
969 payments in the amount of \$4,000 annually, paid on a monthly
970 basis, or in an amount other than \$4,000 annually as determined
971 by the guardian and the department and memorialized in a written

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972 agreement between the guardian and the department. The agreement
973 shall take into consideration the circumstances of the guardian
974 and the needs of the child. Changes may not be made without the
975 concurrence of the guardian. However, in no case shall the
976 amount of the monthly payment exceed the foster care maintenance
977 payment that would have been paid during the same period if the
978 child had been in licensed care at his or her designated level
979 of care at the rate established in s. 409.145(3) ~~s. 409.145(4)~~.

980 Section 11. Paragraph (b) of subsection (5) of section
981 393.065, Florida Statutes, is amended to read:

982 393.065 Application and eligibility determination.—

983 (5) The agency shall assign and provide priority to
984 clients waiting for waiver services in the following order:

985 (b) Category 2, which includes individuals on the waiting
986 list who are:

987 1. From the child welfare system with an open case in the
988 Department of Children and Families' statewide automated child
989 welfare information system and who are either:

990 a. Transitioning out of the child welfare system at the
991 finalization of an adoption, a reunification with family
992 members, a permanent placement with a relative, or a
993 guardianship with a nonrelative; or

994 b. At least 18 years but not yet 22 years of age and who
995 need both waiver services and extended foster care services; or

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996 2. At least 18 years but not yet 22 years of age and who
997 withdrew consent pursuant to s. 39.6251(5)(c) to remain in the
998 extended foster care system.
999

1000 For individuals who are at least 18 years but not yet 22 years
1001 of age and who are eligible under sub-subparagraph 1.b., the
1002 agency shall provide waiver services, including residential
1003 habilitation, and the community-based care lead agency shall
1004 fund room and board at the rate established in s. 409.145(3) ~~s.~~
1005 ~~409.145(4)~~ and provide case management and related services as
1006 defined in s. 409.986(3)(e). Individuals may receive both waiver
1007 services and services under s. 39.6251. Services may not
1008 duplicate services available through the Medicaid state plan.
1009

1010 Within categories 3, 4, 5, 6, and 7, the agency shall maintain a
1011 waiting list of clients placed in the order of the date that the
1012 client is determined eligible for waiver services.

1013 Section 12. Paragraph (b) of subsection (2) of section
1014 409.1451, Florida Statutes, is amended to read:

1015 409.1451 The Road-to-Independence Program.—

1016 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

1017 (b) The amount of the financial assistance shall be as
1018 follows:

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1019 1. For a young adult who does not remain in foster care
1020 and is attending a postsecondary school as provided in s.
1021 1009.533, the amount is \$1,256 monthly.

1022 2. For a young adult who remains in foster care, is
1023 attending a postsecondary school, as provided in s. 1009.533,
1024 and continues to reside in a licensed foster home, the amount is
1025 the established room and board rate for foster parents. This
1026 takes the place of the payment provided for in s. 409.145(3) ~~s.~~
1027 ~~409.145(4)~~.

1028 3. For a young adult who remains in foster care, but
1029 temporarily resides away from a licensed foster home for
1030 purposes of attending a postsecondary school as provided in s.
1031 1009.533, the amount is \$1,256 monthly. This takes the place of
1032 the payment provided for in s. 409.145(3) ~~s. 409.145(4)~~.

1033 4. For a young adult who remains in foster care, is
1034 attending a postsecondary school as provided in s. 1009.533, and
1035 continues to reside in a licensed group home, the amount is
1036 negotiated between the community-based care lead agency and the
1037 licensed group home provider.

1038 5. For a young adult who remains in foster care, but
1039 temporarily resides away from a licensed group home for purposes
1040 of attending a postsecondary school as provided in s. 1009.533,
1041 the amount is \$1,256 monthly. This takes the place of a
1042 negotiated room and board rate.

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1043 6. A young adult is eligible to receive financial
1044 assistance during the months when he or she is enrolled in a
1045 postsecondary educational institution.

1046 Section 13. This act shall take effect July 1, 2020.
1047

1048 -----
1049 **T I T L E A M E N D M E N T**

1050 Remove everything before the enacting clause and insert:

1051 A bill to be entitled

1052 An act relating to child welfare; amending s. 25.385,
1053 F.S.; requiring the Florida Court Educational Council
1054 to establish certain standards for instruction of
1055 circuit and county court judges for dependency cases;
1056 requiring the council to provide such instruction on a
1057 periodic and timely basis; amending s. 39.301, F.S.;
1058 requiring the Department of Children and Families to
1059 notify the court of certain reports; authorizing the
1060 department to file specified petitions under certain
1061 circumstances; amending s. 39.522, F.S.; requiring the
1062 court to consider specified factors when making a
1063 certain determination; authorizing the court or any
1064 party to the case to file a petition to place a child
1065 in out-of-home care under certain circumstances;
1066 requiring the court to consider specified factors when
1067 determining whether the child should be placed in out-

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1068 of-home care; amending s. 39.6011, F.S.; revising and
1069 providing requirements for case plan descriptions;
1070 amending s. 39.701, F.S.; requiring the court to
1071 retain jurisdiction over a child under certain
1072 circumstances; requiring specified parties to disclose
1073 certain information to the court; providing for
1074 certain caregiver recommendations to the court;
1075 requiring the court and citizen review panel to
1076 determine whether certain parties have developed a
1077 productive relationship; creating s. 409.1415, F.S.;
1078 providing legislative findings and intent; requiring
1079 the department and community-based care lead agencies
1080 to develop and support relationships between certain
1081 foster families and legal parents of children;
1082 providing responsibilities for foster parents, birth
1083 parents, the department, community-based care lead
1084 agency staff, and other agency staff; defining the
1085 term "excellent parenting"; requiring caregivers
1086 employed by residential group homes to meet specified
1087 requirements; requiring the department to adopt rules;
1088 amending s. 409.988, F.S.; authorizing a lead agency
1089 to provide more than 35 percent of all child welfare
1090 services under certain conditions; requiring a
1091 specified local community alliance, or specified
1092 representatives in certain circumstances, to review

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COMMITTEE/SUBCOMMITTEE AMENDMENT

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1093 | and recommend approval or denial of the lead agency's
1094 | request for a specified exemption; amending ss.
1095 | 39.302, 39.6225, 393.065, and 409.1451, F.S.;
1096 | conforming cross-references; providing an effective
1097 | date.