

By Senator Simpson

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1 A bill to be entitled
2 An act relating to the Department of Children and
3 Families; providing a short title; amending s. 20.19,
4 F.S.; providing for the creation of the Office of
5 Quality Assurance and Improvement in the Department of
6 Children and Families; requiring the Secretary of
7 Children and Families to appoint a chief quality
8 officer; providing duties of the chief quality
9 officer; creating s. 39.0012, F.S.; providing
10 legislative intent; requiring the department to
11 annually report certain information to the Governor
12 and the Legislature by a specified date; requiring the
13 department to publish such report on its website;
14 providing requirements for such report; amending s.
15 39.01, F.S.; defining terms; amending s. 39.201, F.S.;
16 extending the timeframe within which a protective
17 investigation is required to be commenced in certain
18 circumstances; specifying factors to be considered
19 when determining when to commence a protective
20 investigation; authorizing certain reports to the
21 central abuse hotline to be referred for precrisis
22 preventive services; amending s. 39.301, F.S.;
23 requiring notification of certain staff of certain
24 reports to the central abuse hotline; requiring
25 detailed documentation for preventive services;
26 requiring the department to incorporate into its
27 quality assurance program the monitoring of reports
28 that receive preventive services; providing that
29 onsite investigation visits must be unannounced unless

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30 a certain finding is made; requiring that contacts
31 made involving preventive services be announced unless
32 there is no reasonable means to do so; amending s.
33 39.3065, F.S.; providing legislative intent; requiring
34 certain sheriffs to adopt Florida's Child Welfare
35 Practice Model and operate under certain provisions of
36 law; requiring the department and sheriffs to
37 collaborate and conduct program performance
38 evaluations; requiring the department and sheriffs, or
39 their designees, to meet at least quarterly for a
40 specified purpose; providing that program performance
41 evaluations be based on criteria developed by the
42 department; requiring such evaluations to be
43 standardized using a random sample of cases; revising
44 the date by which the department is required to submit
45 an annual report to the Governor and the Legislature;
46 requiring certain sheriffs to annually submit to the
47 department a prevention plan; providing requirements
48 for such prevention plans; authorizing the secretary
49 of the department to offer resources to sheriffs for
50 certain purposes; amending s. 394.67, F.S.; defining
51 the term "performance standards and metrics"; amending
52 s. 394.9082, F.S.; providing legislative intent;
53 requiring the department to annually provide a report
54 containing certain information to the Governor and the
55 Legislature by a specified date; requiring the
56 department to publish such report on its website;
57 providing requirements for such report; requiring the
58 department to grade each managing entity based on

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59 specified criteria; requiring the department to renew
60 contracts with managing entities that receive a
61 specified grade; requiring the department to develop a
62 system of support and improvement strategies for
63 certain managing entities; authorizing the department
64 to provide assistance to certain managing entities;
65 requiring the department to take certain actions in
66 response to managing entities that receive a grade of
67 "D" or "F"; authorizing the department to
68 competitively procure and contract under certain
69 circumstances; authorizing the secretary of the
70 department to direct resources to managing entities
71 for certain purposes and to terminate contracts with
72 certain entities; requiring managing entities to pay
73 certain fines incurred by the department; requiring
74 managing entities to retain responsibility for any
75 failures of compliance if the managing entity
76 subcontracts its duties or services; requiring the
77 department to conduct program performance evaluations
78 of managing entities at least annually; requiring
79 managing entities to allow the department access to
80 make onsite visits to contracted providers; requiring
81 the department to adopt rules; deleting provisions
82 relating to a requirement for the department to
83 establish performance standards for managing entities;
84 amending s. 409.986, F.S.; defining terms; amending s.
85 409.991, F.S.; providing legislative findings and
86 intent; defining terms; providing for the calculation
87 of the allocation of core plus funds; prohibiting the

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88 department from reducing or redistributing the
89 allocation budget for certain lead agencies before the
90 2023-2024 fiscal year; providing for funding of lead
91 agencies; providing for the distribution of additional
92 funding to lead agencies; amending s. 409.996, F.S.;
93 revising requirements for contracts entered into by
94 the department with lead agencies; requiring the
95 department to provide grades for lead agencies based
96 on specified criteria; requiring the department to
97 renew contracts with lead agencies that receive a
98 specified grade; requiring the department to develop a
99 system of support and improvement strategies for
100 certain lead agencies; authorizing the department to
101 provide assistance to certain lead agencies; requiring
102 the department to take certain actions in response to
103 lead agencies that receive a grade of "D" or "F";
104 authorizing the department to competitively procure
105 and contract under certain circumstances; authorizing
106 the secretary of the department to offer resources to
107 lead agencies for certain purposes and to terminate
108 contracts with certain entities; requiring lead
109 agencies to pay certain fines incurred by the
110 department; requiring lead agencies to retain
111 responsibility for any failures of compliance if the
112 lead agency subcontracts its duties or services;
113 requiring the department to adopt rules; requiring
114 attorneys contracted by the department to adopt
115 Florida's Child Welfare Practice Model and to operate
116 in accordance with specified provisions of law;

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117 requiring the department and contracted attorneys to
118 collaborate and conduct program performance
119 evaluations; requiring the department and attorneys or
120 their designees to meet at least quarterly for a
121 specified purpose; providing requirements for annual
122 program performance evaluations; requiring the
123 department to annually submit a report containing
124 certain information to the Governor and the
125 Legislature by a specified date; authorizing the
126 secretary of the department to offer resources to
127 contracted attorneys for certain purposes; amending s.
128 409.997, F.S.; requiring certain data to be provided
129 to the Office of Quality Assurance and Improvement;
130 requiring the department to conduct certain
131 evaluations of lead agencies at least annually;
132 requiring lead agencies to allow the department access
133 to make onsite visits to contracted providers;
134 amending ss. 39.202, 39.502, 39.521, 39.6011, 39.6012,
135 39.701, 39.823, 322.09, 393.065, 394.495, 394.674,
136 409.987, 409.988, 627.746, 934.255, and 960.065, F.S.;
137 conforming cross-references; reenacting and amending
138 s. 39.302(1), F.S., relating to protective
139 investigations of institutional child abuse,
140 abandonment, or neglect, to incorporate the amendments
141 made to s. 39.201, F.S.; reenacting ss. 409.988(1)(b)
142 and 409.996(1)(a), F.S., relating to lead agency
143 duties and duties of the department, respectively, to
144 incorporate the amendment made to s. 409.997, F.S., in
145 references thereto; providing an effective date.

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

Section 1. This act may be cited as the "DCF Accountability Act."

Section 2. Present subsections (5) and (6) of section 20.19, Florida Statutes, are redesignated as subsections (6) and (7), respectively, and a new subsection (5) is added to that section, to read:

20.19 Department of Children and Families.—There is created a Department of Children and Families.

(5) There is created in the department an Office of Quality Assurance and Improvement.

(a) The secretary shall appoint a chief quality officer to lead the office and ensure that the department and its service providers meet the highest level of performance standards. The chief quality officer shall serve at the pleasure of the secretary.

(b) The chief quality officer shall:

1. Analyze and monitor the development and implementation of federal and state laws, rules, and regulations and other governmental policies and actions that pertain to persons being served by the department.

2. Develop and implement performance standards and metrics for determining the department's compliance with federal and state laws, rules, and regulations and other governmental policies and actions.

3. Strengthen the department's data and analytic capabilities to identify systemic strengths and deficiencies.

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175 4. Identify performance standards and metrics for the
176 department and all other service providers, including, but not
177 limited to, law enforcement agencies, managing entities, lead
178 agencies, and attorney services.

179 5. Recommend unique and varied initiatives to correct
180 programmatic and systemic deficiencies.

181 6. Collaborate and engage partners of the department to
182 improve quality, efficiency, and effectiveness.

183 7. Report any persistent failure by the department to meet
184 performance standards and recommend to the secretary corrective
185 courses prescribed by statute.

186 8. Prepare an annual report of all contractual performance
187 metrics, including the most current status of such metrics, to
188 the secretary.

189 Section 3. Section 39.0012, Florida Statutes, is created to
190 read:

191 39.0012 Child welfare accountability.-

192 (1) It is the intent of the Legislature that:

193 (a) Florida's child welfare system be held accountable for
194 providing exemplary services in a manner that is transparent and
195 that inspires public confidence in the Department of Children
196 and Families.

197 (b) The department be held accountable to the Governor and
198 the Legislature for carrying out the purposes of, and the
199 responsibilities established in, this chapter. It is further the
200 intent of the Legislature that the department only contract with
201 entities that carry out the purposes of, and the
202 responsibilities established in, this chapter.

203 (c) The department, other agencies, the courts, law

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204 enforcement agencies, local communities, and other contracted
205 child welfare service providers are all held accountable to the
206 highest standards.

207 (d) While the department has been directed to delegate the
208 duties of child welfare to other entities, law enforcement
209 agencies, local communities, and other contracted child welfare
210 service providers, the department retains direct responsibility
211 for quality assurance.

212 (e) The department, in consultation with child welfare
213 service providers, establish overall performance levels and
214 metrics for any entity that the department contracts with to
215 provide child welfare services.

216 (f) The department acts to offer increasing levels of
217 support for child welfare service providers with performance
218 deficiencies. However, the department may not continue to
219 contract with child welfare service providers that persistently
220 fail to meet performance standards and metrics for three or more
221 consecutive annual performance reviews.

222 (2) By November 1 of each year, the department shall report
223 on all performance levels and contractual performance metrics,
224 including the most current status of such levels and metrics, to
225 the Governor, the President of the Senate, and the Speaker of
226 the House of Representatives. The department must annually
227 publish the report on its website. The report must contain the
228 following information:

229 (a) Performance metrics for the entire child welfare
230 system, including grades for the lead agencies.

231 (b) Performance metrics by region and type of child welfare
232 service provider, including performance levels.

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233 (c) A list of the child welfare service providers not in
234 compliance with performance metrics.

235 (d) Detailed corrective action taken, if any, to bring
236 child welfare service providers back into compliance with
237 performance metrics.

238 Section 4. Present subsections (10) through (12), (13)
239 through (29), (30) through (58), and (59) through (87) of
240 section 39.01, Florida Statutes, are redesignated as subsections
241 (11) through (13), (15) through (31), (33) through (61), and
242 (63) through (91), respectively, new subsections (10), (14),
243 (32), and (62) are added to that section, and present
244 subsections (10) and (37) of that section are amended, to read:

245 39.01 Definitions.—When used in this chapter, unless the
246 context otherwise requires:

247 (10) "Best practices" means a method or program that has
248 been recognized by the department and has been found to be
249 successful for compliance with performance standards and
250 metrics.

251 (11)~~(10)~~ "Caregiver" means the parent, legal custodian,
252 permanent guardian, adult household member, or other person
253 responsible for a child's welfare as defined in subsection (57)
254 ~~(54)~~.

255 (14) "Child welfare service provider" means county and
256 municipal governments and agencies, public and private agencies,
257 and private individuals and entities with which the department
258 has a contract or agreement to carry out the purposes of, and
259 responsibilities established in, this chapter.

260 (32) "Florida's Child Welfare Practice Model" means the
261 methodology developed by the department, based on child welfare

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262 statutes and rules, to ensure the permanency, safety, and well-
263 being of children.

264 (40)~~(37)~~ "Institutional child abuse or neglect" means
265 situations of known or suspected child abuse or neglect in which
266 the person allegedly perpetrating the child abuse or neglect is
267 an employee of a public or private school, public or private day
268 care center, residential home, institution, facility, or agency
269 or any other person at such institution responsible for the
270 child's welfare as defined in subsection (57) ~~(54)~~.

271 (62) "Performance standards and metrics" means quantifiable
272 measures used to track and assess performance, as determined by
273 the department.

274 Section 5. Subsection (5) of section 39.201, Florida
275 Statutes, is amended to read:

276 39.201 Mandatory reports of child abuse, abandonment, or
277 neglect; mandatory reports of death; central abuse hotline.—

278 (5) The department shall be capable of receiving and
279 investigating, 24 hours a day, 7 days a week, reports of known
280 or suspected child abuse, abandonment, or neglect and reports
281 that a child is in need of supervision and care and has no
282 parent, legal custodian, or responsible adult relative
283 immediately known and available to provide supervision and care.

284 (a) If it appears that the immediate safety or well-being
285 of a child is endangered, that the family may flee or the child
286 will be unavailable for purposes of conducting a child
287 protective investigation, or that the facts otherwise so
288 warrant, the department shall commence an investigation
289 immediately, regardless of the time of day or night.

290 (b) In all other child abuse, abandonment, or neglect

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291 cases, a child protective investigation shall be commenced
292 within either 24 or 72 hours after receipt of the report,
293 depending upon the severity of the alleged abuse, abandonment,
294 or neglect and assessed risk to the child.

295 1. Factors to be considered in the assessed severity and
296 risk to the child include, but are not limited to:

297 a. Whether the alleged abuse, abandonment, or neglect
298 incident is alleged to have occurred more than 30 days prior to
299 the reporter's contact with the central abuse hotline.

300 b. Whether there is credible information to support a
301 finding that the alleged perpetrator will not have access to the
302 alleged child victim for at least 72 hours following the
303 reporter's contact with the central abuse hotline.

304 c. Whether the alleged child victim no longer resides at or
305 attends the facility where the abuse, abandonment, or neglect is
306 alleged to have occurred.

307 2. A child protective investigation must be commenced
308 within 24 hours if the incident involves any of the following:

309 a. Sexual abuse allegations.

310 b. Human trafficking allegations.

311 c. The alleged victim is under 1 year of age.

312 (c) For reports that do not meet the statutory criteria for
313 abuse, abandonment, or neglect, but the circumstances
314 surrounding a family are precrisis in nature, the department may
315 contact and attempt to engage the family in preventive services
316 to prevent the need for more intrusive interventions in the
317 future.

318 (d) In an institutional investigation, the alleged
319 perpetrator may be represented by an attorney, at his or her own

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320 expense, or accompanied by another person, if the person or the
321 attorney executes an affidavit of understanding with the
322 department and agrees to comply with the confidentiality
323 provisions of s. 39.202. The absence of an attorney or other
324 person does not prevent the department from proceeding with
325 other aspects of the investigation, including interviews with
326 other persons. In institutional child abuse cases when the
327 institution is not operating and the child cannot otherwise be
328 located, the investigation shall commence immediately upon the
329 resumption of operation. If requested by a state attorney or
330 local law enforcement agency, the department shall furnish all
331 investigative reports to that agency.

332 Section 6. Present subsections (14) through (23) of section
333 39.301, Florida Statutes, are redesignated as subsections (15)
334 through (24), respectively, a new subsection (14) is added to
335 that section, and subsections (1), (10), (11), and (13) of that
336 section are amended, to read:

337 39.301 Initiation of protective investigations.—

338 (1) Upon receiving a report of known or suspected child
339 abuse, abandonment, or neglect, or that a child is in need of
340 supervision and care and has no parent, legal custodian, or
341 responsible adult relative immediately known and available to
342 provide supervision and care, the central abuse hotline shall
343 determine if the report requires an immediate onsite protective
344 investigation. For reports requiring an immediate onsite
345 protective investigation, the central abuse hotline shall
346 immediately notify the department's designated regional ~~district~~
347 staff responsible for protective investigations to ensure that
348 an onsite investigation is promptly initiated. For reports not

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349 requiring an immediate onsite protective investigation, the
350 central abuse hotline shall determine whether the report meets
351 criteria for a 24- or 72-hour investigation, or preventive
352 services, and notify the department's designated regional
353 ~~district~~ staff responsible for protective investigations in
354 sufficient time to allow for an investigation. At the time of
355 notification, the central abuse hotline shall also provide
356 information to regional ~~district~~ staff on any previous report
357 concerning a subject of the present report or any pertinent
358 information relative to the present report or any noted earlier
359 reports.

360 (10) (a) The department's training program for staff
361 responsible for responding to reports accepted by the central
362 abuse hotline must also ensure that child protective responders:

363 1. Know how to fully inform parents or legal custodians of
364 their rights and options, including opportunities for audio or
365 video recording of child protective responder interviews with
366 parents or legal custodians or children.

367 2. Know how and when to use the injunction process under s.
368 39.504 or s. 741.30 to remove a perpetrator of domestic violence
369 from the home as an intervention to protect the child.

370 3. Know how to explain to the parent, legal custodian, or
371 person who is alleged to have caused the abuse, neglect, or
372 abandonment the results of the investigation and to provide
373 information about his or her right to access confidential
374 reports in accordance with s. 39.202, prior to closing the case.

375 (b) To enhance the skills of individual staff members and
376 to improve the region's ~~and district's~~ overall child protection
377 system, the department's training program at the regional level

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378 ~~and district levels~~ must include results of qualitative reviews
379 of child protective investigation cases handled within the
380 region ~~or district~~ in order to identify weaknesses as well as
381 examples of effective interventions which occurred at each point
382 in the case.

383 (c) For all reports received, detailed documentation is
384 required for the investigative activities or preventive
385 services.

386 (11) The department shall incorporate into its quality
387 assurance program the monitoring of reports that receive a child
388 protective investigation or preventive services to determine the
389 quality and timeliness of safety assessments, engagements with
390 families, teamwork with other experts and professionals, and
391 appropriate investigative activities or preventive services that
392 are uniquely tailored to the safety factors and service needs
393 associated with each child and family.

394 (13) Onsite investigation visits and face-to-face
395 interviews with the child or family shall be unannounced unless
396 it is determined by the department or its agent or contract
397 provider that such unannounced visit would threaten the safety
398 of the child.

399 (14) Any contact with the child or family involving
400 preventive services must be announced unless the department or
401 its agent has no means to schedule a visit with the parent or
402 caregiver.

403 Section 7. Section 39.3065, Florida Statutes, is amended to
404 read:

405 39.3065 Sheriffs of certain counties to provide child
406 protective investigative services; procedures; funding.-

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407 (1) It is the intent of the Legislature that each sheriff
408 providing child protective investigative services under this
409 section, in consultation with the Department of Children and
410 Families, adopt Florida's Child Welfare Practice Model and
411 implement a prevention plan for his or her county.

412 (2) As described in this section, the Department of
413 Children and Families shall, by the end of fiscal year 1999-
414 2000, transfer all responsibility for child protective
415 investigations for Pinellas County, Manatee County, Broward
416 County, and Pasco County to the sheriff of that county in which
417 the child abuse, neglect, or abandonment is alleged to have
418 occurred. Each sheriff is responsible for the provision of all
419 child protective investigations in his or her county. Each
420 individual who provides these services must complete the
421 training provided to and required of protective investigators
422 employed by the Department of Children and Families.

423 (3)~~(2)~~ During fiscal year 1998-1999, the Department of
424 Children and Families and each sheriff's office shall enter into
425 a contract for the provision of these services. Funding for the
426 services will be appropriated to the Department of Children and
427 Families, and the department shall transfer to the respective
428 sheriffs for the duration of fiscal year 1998-1999, funding for
429 the investigative responsibilities assumed by the sheriffs,
430 including federal funds that the provider is eligible for and
431 agrees to earn and that portion of general revenue funds which
432 is currently associated with the services that are being
433 furnished under contract, and including, but not limited to,
434 funding for all investigative, supervisory, and clerical
435 positions; training; all associated equipment; furnishings; and

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436 other fixed capital items. The contract must specify whether the
437 department will continue to perform part or none of the child
438 protective investigations during the initial year. The sheriffs
439 may either conduct the investigations themselves or may, in
440 turn, subcontract with law enforcement officials or with
441 properly trained employees of private agencies to conduct
442 investigations related to neglect cases only. If such a
443 subcontract is awarded, the sheriff must take full
444 responsibility for any safety decision made by the subcontractor
445 and must immediately respond with law enforcement staff to any
446 situation that requires removal of a child due to a condition
447 that poses an immediate threat to the child's life. The contract
448 must specify whether the services are to be performed by
449 departmental employees or by persons determined by the sheriff.
450 During this initial year, the department is responsible for
451 quality assurance, and the department retains the responsibility
452 for the performance of all child protective investigations. The
453 department must identify any barriers to transferring the entire
454 responsibility for child protective services to the sheriffs'
455 offices and must pursue avenues for removing any such barriers
456 by means including, but not limited to, applying for federal
457 waivers. By January 15, 1999, the department shall submit to the
458 President of the Senate, the Speaker of the House of
459 Representatives, and the chairs of the Senate and House
460 committees that oversee departmental activities a report that
461 describes any remaining barriers, including any that pertain to
462 funding and related administrative issues. Unless the
463 Legislature, on the basis of that report or other pertinent
464 information, acts to block a transfer of the entire

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465 responsibility for child protective investigations to the
466 sheriffs' offices, the sheriffs of Pasco County, Manatee County,
467 Broward County, and Pinellas County, beginning in fiscal year
468 1999-2000, shall assume the entire responsibility for such
469 services, as provided in subsection (4) ~~(3)~~.

470 (4) ~~(3)~~(a) Beginning in fiscal year 1999-2000, the sheriffs
471 of Pasco County, Manatee County, Broward County, and Pinellas
472 County have the responsibility to provide all child protective
473 investigations in their respective counties. Beginning in fiscal
474 year 2000-2001, the Department of Children and Families is
475 authorized to enter into grant agreements with sheriffs of other
476 counties to perform child protective investigations in their
477 respective counties.

478 (b) The sheriffs shall adopt Florida's Child Welfare
479 Practice Model and operate in accordance with the same federal
480 performance standards and metrics regarding child welfare and
481 protective investigations imposed on ~~operate, at a minimum, in~~
482 ~~accordance with the performance standards and outcome measures~~
483 ~~established by the Legislature for protective investigations~~
484 ~~conducted by the Department of Children and Families. Each~~
485 individual who provides these services must complete, at a
486 minimum, the training provided to and required of protective
487 investigators employed by the Department of Children and
488 Families.

489 (c) Funds for providing child protective investigations
490 must be identified in the annual appropriation made to the
491 Department of Children and Families, which shall award grants
492 for the full amount identified to the respective sheriffs'
493 offices. Notwithstanding ~~the provisions of~~ ss. 216.181(16) (b)

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494 and 216.351, the Department of Children and Families may advance
495 payments to the sheriffs for child protective investigations.
496 Funds for the child protective investigations may not be
497 integrated into the sheriffs' regular budgets. Budgetary data
498 and other data relating to the performance of child protective
499 investigations must be maintained separately from all other
500 records of the sheriffs' offices and reported to the Department
501 of Children and Families as specified in the grant agreement.

502 (d) The Department of Children and Families and each
503 sheriff shall collaborate and conduct program performance
504 evaluations on an ongoing basis. The department and each sheriff
505 or their designees shall meet at least quarterly to collaborate
506 on federal and state quality assurance and continuous quality
507 improvement initiatives.

508 (e) ~~(d)~~ The annual program performance evaluation shall be
509 based on criteria developed by mutually agreed upon by the
510 respective sheriffs and the Department of Children and Families
511 for use with all child protective investigators statewide. The
512 program performance evaluation shall be conducted by a team of
513 peer reviewers from the respective sheriffs' offices that
514 perform child protective investigations and representatives from
515 the department. The program performance evaluation shall be
516 standardized using a random sample of cases selected by the
517 department. The Department of Children and Families shall submit
518 an annual report regarding quality performance, outcome-measure
519 attainment, and cost efficiency to the President of the Senate,
520 the Speaker of the House of Representatives, and ~~to~~ the Governor
521 no later than November 1 ~~January 31~~ of each year the sheriffs
522 are receiving general appropriations to provide child protective

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523 investigations.

524 (f) By June 30 of each year, each sheriff shall submit to
525 the department for approval a prevention plan that details his
526 or her approach to prevention within his or her community. The
527 plan must include provisions for engaging prevention services at
528 the earliest point practicable and for using community
529 resources.

530 (g) At any time, the secretary may offer resources to
531 sheriffs to address any performance deficiencies that directly
532 impact the safety of children in this state.

533 Section 8. Present subsections (17) through (24) of section
534 394.67, Florida Statutes, are redesignated as subsections (18)
535 through (25), respectively, a new subsection (17) is added to
536 that section, and subsection (3) of that section is amended, to
537 read:

538 394.67 Definitions.—As used in this part, the term:

539 (3) "Crisis services" means short-term evaluation,
540 stabilization, and brief intervention services provided to a
541 person who is experiencing an acute mental or emotional crisis,
542 as defined in subsection (18) ~~(17)~~, or an acute substance abuse
543 crisis, as defined in subsection (19) ~~(18)~~, to prevent further
544 deterioration of the person's mental health. Crisis services are
545 provided in settings such as a crisis stabilization unit, an
546 inpatient unit, a short-term residential treatment program, a
547 detoxification facility, or an addictions receiving facility; at
548 the site of the crisis by a mobile crisis response team; or at a
549 hospital on an outpatient basis.

550 (17) "Performance standards and metrics" means quantifiable
551 measures used to track and assess performance, as determined by

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552 the department.

553 Section 9. Subsections (1) and (7) of section 394.9082,
554 Florida Statutes, are amended, and paragraph (m) is added to
555 subsection (3) of that section, to read:

556 394.9082 Behavioral health managing entities.—

557 (1) INTENT AND PURPOSE.—

558 (a) The Legislature finds that untreated behavioral health
559 disorders constitute major health problems for residents of this
560 state, are a major economic burden to the citizens of this
561 state, and substantially increase demands on the state's
562 juvenile and adult criminal justice systems, the child welfare
563 system, and health care systems. The Legislature finds that
564 behavioral health disorders respond to appropriate treatment,
565 rehabilitation, and supportive intervention. The Legislature
566 finds that local communities have also made substantial
567 investments in behavioral health services, contracting with
568 safety net providers who by mandate and mission provide
569 specialized services to vulnerable and hard-to-serve populations
570 and have strong ties to local public health and public safety
571 agencies. The Legislature finds that a regional management
572 structure that facilitates a comprehensive and cohesive system
573 of coordinated care for behavioral health treatment and
574 prevention services will improve access to care, promote service
575 continuity, and provide for more efficient and effective
576 delivery of substance abuse and mental health services. It is
577 the intent of the Legislature that managing entities work to
578 create linkages among various services and systems, including
579 juvenile justice and adult criminal justice, child welfare,
580 housing services, homeless systems of care, and health care.

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581 (b) The purpose of the behavioral health managing entities
582 is to plan, coordinate, and contract for the delivery of
583 community mental health and substance abuse services, to improve
584 access to care, to promote service continuity, to purchase
585 services, and to support efficient and effective delivery of
586 services.

587 (c) It is the further intent of the Legislature that:

588 1. The department only contract with managing entities that
589 carry out the purposes of, and the responsibilities established
590 in, this chapter.

591 2. The department and the contracted managing entities are
592 all held accountable to the highest standards. While the
593 department may delegate the duties of specific services to
594 managing entities, the department retains responsibility for
595 quality assurance.

596 3. The department, in consultation with the contracted
597 managing entities, establish overall performance levels and
598 metrics for the services provided by the managing entities. The
599 performance standards set by the department for the contracted
600 managing entities must, at a minimum, address the tasks
601 contained in the managing entity's contract with the department.

602 4. The department offers increasing levels of support for
603 managing entities with performance deficiencies. However, the
604 department may not continue to contract with managing entities
605 that consistently fail to meet performance standards and metrics
606 for three or more consecutive annual performance reviews.

607 (3) DEPARTMENT DUTIES.—The department shall:

608 (m) By November 1 of each year, provide a report on all
609 performance levels and contractual performance metrics, and the

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610 most current status of such levels and metrics, to the Governor,
611 the President of the Senate, and the Speaker of the House of
612 Representatives. The department must annually publish the report
613 on its website. The report must contain the following
614 information:

615 1. Performance metrics, including grades, for the managing
616 entities.

617 2. Performance metrics by region and type of managing
618 entity, including performance levels.

619 3. A list of the managing entities not in compliance with
620 performance metrics.

621 4. Detailed corrective action taken, if any, to bring
622 managing entities back into compliance with performance metrics.

623 (7) PERFORMANCE MEASUREMENT AND ACCOUNTABILITY.—Managing
624 entities shall collect and submit data to the department
625 regarding persons served, outcomes of persons served, costs of
626 services provided through the department's contract, and other
627 data as required by the department. The department shall
628 evaluate managing entity performance and the overall progress
629 made by the managing entity.

630 (a) The department shall provide a grade to each managing
631 entity based on the department's annual review of the entity's
632 compliance with performance standards and metrics.

633 (b) A managing entity's performance shall be graded based
634 on a weighted score of the entity's compliance with performance
635 standards and metrics using one of the following grades:

636 1. "A," managing entities with a weighted score of 4.0 or
637 higher.

638 2. "B," managing entities with a weighted score of 3.0 to

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- 639 3.99.
- 640 3. "C," managing entities with a weighted score of 2.0 to
- 641 2.99.
- 642 4. "D," managing entities with a weighted score of 1.0 to
- 643 1.99.
- 644 5. "F," managing entities with a weighted score of less
- 645 than 1.0.
- 646 (c) If the current contract has a renewal option, the
- 647 department shall renew the contract of a managing entity that
- 648 has received an "A" grade for the 2 years immediately preceding
- 649 the renewal date of the contract.
- 650 (d) The department shall develop a multitiered system of
- 651 support and improvement strategies designed to address low
- 652 performance of managing entities.
- 653 (e) The department may provide assistance to any managing
- 654 entity for the purpose of meeting performance standards and
- 655 metrics. Assistance may include, but is not limited to,
- 656 recommendations for best practices and implementation of a
- 657 corrective action plan.
- 658 (f) The department shall provide assistance to a managing
- 659 entity that receives a "C" grade or lower on its annual review
- 660 until it has improved to at least a "B" grade.
- 661 (g) For any managing entity that has received a grade of
- 662 "D" or "F," the department shall take immediate action to engage
- 663 stakeholders in a needs assessment to develop a turnaround
- 664 option plan. The turnaround option plan may include, but is not
- 665 limited to, the implementation of corrective actions and best
- 666 practices designed to improve performance. The department must
- 667 review and approve the plan before implementation by the

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668 managing entity.

669 (h) Upon a managing entity's receipt of a third consecutive
670 "D" grade or lower, the department shall initiate proceedings to
671 terminate any contract with the managing entity.

672 (i) If cancellation of a contract with a managing entity
673 occurs in a manner that threatens a lapse in services, the
674 department may procure and contract pursuant to s.
675 287.057(3) (a).

676 (j) At any time, the secretary may offer resources to a
677 managing entity to address any deficiencies in meeting
678 performance standards and metrics which directly impact the
679 safety of persons receiving services from the managing entity.

680 (k) Notwithstanding paragraphs (d) through (j), the
681 secretary, at his or her discretion, may terminate a contract
682 with a managing entity that has received an "F" grade or upon
683 the occurrence of an egregious act or omission by the managing
684 entity or its subcontractor.

685 (l) The managing entity shall pay any federal fines
686 incurred by the department as the result of that managing
687 entity's failure to comply with the performance standards and
688 metrics.

689 (m) If the managing entity subcontracts any of its duties
690 or services, the managing entity shall retain responsibility for
691 its failure to comply with performance standards and metrics.

692 (n) The department shall conduct an onsite program
693 performance evaluation of each managing entity at least once per
694 year. Each managing entity must allow the department access to
695 make onsite visits at its discretion to any contracted provider.
696 The onsite evaluation shall consist of a review of a random

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697 sample of cases selected by the department.

698 (o) The department shall adopt rules to administer this
699 section, ~~together with other systems, in meeting the~~
700 ~~community's behavioral health needs, based on consumer-centered~~
701 ~~outcome measures that reflect national standards, if possible,~~
702 ~~that can be accurately measured. The department shall work with~~
703 ~~managing entities to establish performance standards, including,~~
704 ~~but not limited to:~~

705 ~~(a) The extent to which individuals in the community~~
706 ~~receive services, including, but not limited to, parents or~~
707 ~~caregivers involved in the child welfare system who need~~
708 ~~behavioral health services.~~

709 ~~(b) The improvement in the overall behavioral health of a~~
710 ~~community.~~

711 ~~(c) The improvement in functioning or progress in the~~
712 ~~recovery of individuals served by the managing entity, as~~
713 ~~determined using person-centered measures tailored to the~~
714 ~~population.~~

715 ~~(d) The success of strategies to:~~

716 ~~1. Divert admissions from acute levels of care, jails,~~
717 ~~prisons, and forensic facilities as measured by, at a minimum,~~
718 ~~the total number and percentage of clients who, during a~~
719 ~~specified period, experience multiple admissions to acute levels~~
720 ~~of care, jails, prisons, or forensic facilities;~~

721 ~~2. Integrate behavioral health services with the child~~
722 ~~welfare system; and~~

723 ~~3. Address the housing needs of individuals being released~~
724 ~~from public receiving facilities who are homeless.~~

725 ~~(e) Consumer and family satisfaction.~~

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726 ~~(f) The level of engagement of key community~~
727 ~~constituencies, such as law enforcement agencies, community-~~
728 ~~based care lead agencies, juvenile justice agencies, the courts,~~
729 ~~school districts, local government entities, hospitals, and~~
730 ~~other organizations, as appropriate, for the geographical~~
731 ~~service area of the managing entity.~~

732 Section 10. Subsection (3) of section 409.986, Florida
733 Statutes, is amended to read:

734 409.986 Legislative findings and intent; child protection
735 and child welfare outcomes; definitions.-

736 (3) DEFINITIONS.-As used in this part, except as otherwise
737 provided, the term:

738 (a) "Best practices" means a method or program that has
739 been recognized by the department and has been found to be
740 successful for ensuring compliance with performance standards
741 and metrics.

742 (b) ~~(a)~~ "Care" means services of any kind which are designed
743 to facilitate a child remaining safely in his or her own home,
744 returning safely to his or her own home if he or she is removed
745 from the home, or obtaining an alternative permanent home if he
746 or she cannot remain at home or be returned home. The term
747 includes, but is not limited to, prevention, diversion, and
748 related services.

749 (c) ~~(b)~~ "Child" or "children" has the same meaning as
750 provided in s. 39.01.

751 (d) ~~(e)~~ "Community alliance" or "alliance" means the group
752 of stakeholders, community leaders, client representatives, and
753 funders of human services established pursuant to s. 20.19(6) ~~s.~~
754 ~~20.19(5)~~ to provide a focal point for community participation

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755 and oversight of community-based services.

756 (e)~~(d)~~ "Community-based care lead agency" or "lead agency"
757 means a single entity with which the department has a contract
758 for the provision of care for children in the child protection
759 and child welfare system in a community that is no smaller than
760 a county and no larger than two contiguous judicial circuits.
761 The secretary of the department may authorize more than one
762 eligible lead agency within a single county if doing so will
763 result in more effective delivery of services to children.

764 (f) "Florida's Child Welfare Practice Model" means the
765 methodology developed by the department based on child welfare
766 statutes and rules to ensure the permanency, safety, and well-
767 being of children.

768 (g) "Performance standards and metrics" means quantifiable
769 measures used to track and assess performance as determined by
770 the department.

771 (h)~~(e)~~ "Related services" includes, but is not limited to,
772 family preservation, independent living, emergency shelter,
773 residential group care, foster care, therapeutic foster care,
774 intensive residential treatment, foster care supervision, case
775 management, coordination of mental health services,
776 postplacement supervision, permanent foster care, and family
777 reunification.

778 Section 11. Section 409.991, Florida Statutes, is amended
779 to read:

780 (Substantial rewording of section. See s. 409.991,
781 F.S., for present text.)

782 409.991 Allocation of funds for community-based care lead
783 agencies.-

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784 (1) (a) The Legislature finds that there is a need for
785 accountability across the child welfare system and that the
786 distribution of equitable funding across the system to
787 community-based care lead agencies is necessary to ensure the
788 provision of quality services to all persons being served by the
789 contracted lead agencies.

790 (b) It is the intent of the Legislature that the department
791 calculate funding for lead agencies using a consistent and
792 equitable allocation formula to ensure the provision of quality
793 services to all persons being served by the department.

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

795 (a) "Area cost differential" means the district cost
796 differential as computed in s. 1011.62(2).

797 (b) "Caseload" is determined by the following factors:

798 1. For case managers and program support, caseload is the
799 most recent month-end average of in-home and out-of-home
800 children using counts from the department's child welfare
801 information system for the most recent 24 months.

802 2. For foster home recruiters and initial licensing staff,
803 homes needed is the sum of 25 percent of the current homes
804 licensed using the most recent month data available plus one-
805 third of the total new homes needed.

806 3. New homes needed is calculated as 1.6 times the current
807 number of children in foster homes and group homes less the
808 current number of licensed homes.

809 4. Homes relicensed is calculated as 75 percent of the
810 current homes licensed using the most recent month data
811 available.

812 5. Removals are the most recent annual average for the

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813 previous 24 months for staff costs, except for the previous 12
814 months for board costs, including, but not limited to, clothing.

815 6. The average number of adoptions finalized during the
816 most recent 24 months.

817 7. For board, licensed care caseload is the most recent
818 month-end average of foster home, group home and residential
819 treatment facility using counts from the department's child
820 welfare information system for the most recent 12 months.

821 (c) "Core plus funds" means:

822 1. All funds made available in the community-based care
823 lead agency category of the General Appropriations Act for the
824 applicable fiscal year. The term does not include funds
825 appropriated in the community-based care lead agency category of
826 the General Appropriations Act for the applicable fiscal year
827 for independent living.

828 2. All funds allocated by contract with the department to
829 the lead agency for substance abuse and mental health, or any
830 funds directly contracted by the department for the sole benefit
831 of the lead agency.

832 (d) "Florida funding for children model" means an
833 allocation model that uses the following factors:

- 834 1. Prevention services;
835 2. Client services;
836 3. Licensed out-of-home care; and
837 4. Staffing.

838 (e) "Group home ceiling" means the difference between the
839 actual group home average census and the expected group home
840 census times 50 percent of the average group home board payment.
841 For purposes of this paragraph:

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842 1. "Actual group home average" means the monthly average
843 number of children in group care and residential treatment
844 facilities for the prior 12 months.

845 2. "Expected group home census" means the total number of
846 removals for the prior 12 months times 1.4 times the ceiling
847 percentage. The ceiling percentage is 10 percent for the 2021-
848 2022 fiscal year, 9 percent for the 2022-2023 fiscal year, and 8
849 percent for the 2023-2024 fiscal year and all subsequent years.

850 (f) "Optimal funding amount" means 100 percent of the
851 Florida funding for children model amount as calculated by the
852 department.

853 (g) "Prevention services" means any services or costs
854 incurred to prevent children from entering or re-entering foster
855 care, or any services provided to the child or the child's
856 family or caregiver.

857 (3) The allocation of core plus funds shall be calculated
858 based on the total of prevention services, client services,
859 licensed out-of-home care, and staffing and a comparison of the
860 total optimal funding amount to the actual allocated funding
861 amount for the most recent fiscal year used to determine the
862 percentage of optimal funding the lead agency is currently
863 receiving.

864 (a) Prevention services shall be determined by the most
865 recent fiscal year of prevention spending by the lead agency
866 plus 10 percent for general and administrative costs.

867 1. If final expenditure reporting has not yet been
868 completed, an estimate made to be used for the initial
869 allocation and final allocations are determined after the
870 expenditure reporting has been completed.

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871 2. If a lead agency's board costs from the previous year
872 are reduced, the savings in board costs may be transferred to
873 prevention services in the following year and counted towards
874 prevention spending by the lead agency.

875 (b) Client services shall be calculated as an average
876 amount per caseload as determined by the department then
877 multiplied by the area cost differential. Caseload is determined
878 by adding together the following:

879 1. The most recent month-end average of in-home and out-of-
880 home children using counts from the department's child welfare
881 information system for the most recent 24 months; and

882 2. The average annual number of adoption finalizations
883 calculated based on the most recent 24 months.

884 (c) Licensed out-of-home care is calculated based on board
885 costs.

886 1. Board costs are calculated by multiplying the annual
887 licensed care caseload times the average board rate plus the
888 number of annual removals times initial clothing allowance as
889 determined by the department.

890 2. The annual licensed care caseload is determined by
891 adding together the following:

892 a. The month-end average of foster home, group home and
893 residential treatment facility using counts from the
894 department's child welfare information system for the most
895 recent 12 months.

896 b. The estimated number of Level 1 foster homes as
897 determined by calculating 40 percent of the total relative and
898 nonrelative placements for the most recent 12 months.

899 c. The average board rate is the most recent total amount

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900 of full month payments for all items charged for room and board
901 in the department's child welfare information system divided by
902 the number of children included in those payments divided by the
903 number of days in that month.

904 (d) Staffing is calculated based on the following:

905 1. Staffing need as determined by the following defined
906 ratios:

907 a. The ratio for case managers as follows:

908 (I) One case manager per 17 children for the 2020-2021
909 fiscal year.

910 (II) One case manager per 16 children for the 2021-2022
911 fiscal year.

912 (III) One case manager per 15 children for the 2022-2023
913 fiscal year.

914 (IV) One case manager per 14 children for the 2023-2024
915 fiscal year and all subsequent years.

916 b. One case manager supervisor per five case managers.

917 c. One paraprofessional per four case managers.

918 d. One safety practice expert per lead agency.

919 e. One other professional staff per lead agency plus 1 per
920 every 100 case managers, rounded to the nearest whole number.

921 f. One service coordinator per 20 case managers.

922 g. One service coordination supervisor per five service
923 coordinators.

924 h. One foster home recruiter per every 50 homes needed.

925 i. One licensing staff:

926 (I) Per every 16 new homes needed;

927 (II) Per every 20 homes relicensed; and

928 (III) Per every 50 Level 1 homes licensed.

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- 929 j. One placement staff per every 168 removals.
- 930 k. One out-of-home care supervisor per every five of the
931 total number of foster home recruiters and all licensing staff
932 and placement staff.
- 933 l. One adoption staff per every 51.33 adoptions.
- 934 m. One adoption supervisor per five adoption staff.
- 935 n. One director staff per every five of the total number of
936 case manager supervisors, service coordination supervisors, out-
937 of-home care supervisors, and adoption supervisors, rounded to
938 the nearest whole number.
- 939 o. One administrative support staff per every four of the
940 total number of case manager supervisors, service coordination
941 supervisors, out-of-home care supervisors, and adoption
942 supervisors.
- 943 2. Program support is calculated by multiplying the average
944 caseload times the Florida average cost per caseload, determined
945 by the department annually. The caseload is determined by adding
946 together the following:
- 947 a. The most recent month-end average of in-home and out-of-
948 home children using counts from the department's child welfare
949 information system for the most recent 24 months.
- 950 b. The average annual number of adoption finalizations
951 calculated based on the most recent 24 months.
- 952 3. Area cost differential.
- 953 4. Per position costs for all noted staff positions, as
954 determined by the department annually.
- 955 5. General and administrative costs of 10 percent
956 multiplied by the total staff costs including all items above.
- 957 (4) Before full implementation in the 2023-2024 fiscal

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958 year, the department may not reduce or redistribute the
959 allocation budget for a lead agency that is funded at more than
960 110 percent of its optimal funding amount.

961 (5) Unless otherwise specified in the General
962 Appropriations Act, any new core plus funds shall be allocated
963 based on the Florida funding for children model to achieve 90
964 percent or more of optimal funding for all lead agencies.

965 (6) Unless otherwise specified in the General
966 Appropriations Act, any new funds for core services shall be
967 allocated based on the Florida funding for children model.

968 (7) Beginning with the 2020-2021 fiscal year, any
969 additional funding provided to lead agencies must be distributed
970 following the establishment of performance standards and metrics
971 in accordance with rules adopted by the department. For
972 subsequent years, any additional funding provided to lead
973 agencies by the Legislature must be distributed by the
974 department as follows:

975 (a) On July 1, 50 percent of the total additional funding
976 allocated to the lead agency must be distributed.

977 (b) By January 1, the department must evaluate specified
978 performance standards and metrics for the lead agency to
979 determine whether the lead agency's performance has improved
980 since the initial funding was distributed on July 1. If the
981 Office of Quality Assurance and Improvement determines that the
982 lead agency has improved in performance standards and metrics,
983 then the remaining funding must be distributed by February 1. If
984 the lead agency fails to improve performance, then the remaining
985 funding must be redistributed to other lead agencies as
986 determined by the Florida funding for children model.

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987 Section 12. Present subsections (2) through (23) of section
988 409.996, Florida Statutes, are redesignated as subsections (16)
989 through (37), respectively, new subsections (2) through (15) are
990 added to that section, and subsection (1) and present
991 subsections (17) and (21) are amended, to read:

992 409.996 Duties of the Department of Children and Families.—
993 The department shall contract for the delivery, administration,
994 or management of care for children in the child protection and
995 child welfare system. In doing so, the department retains
996 responsibility for the quality of contracted services and
997 programs and shall ensure that services are delivered in
998 accordance with applicable federal and state statutes and
999 regulations.

1000 (1) The department shall enter into contracts with lead
1001 agencies for the performance of the duties by the lead agencies
1002 pursuant to s. 409.988. At a minimum, the contracts must:

1003 (a) Provide for the services needed to accomplish the
1004 duties established in s. 409.988 and provide information to the
1005 department which is necessary to meet the requirements for a
1006 quality assurance program pursuant to subsection (32) ~~(18)~~ and
1007 the child welfare results-oriented accountability system
1008 pursuant to s. 409.997.

1009 (b) Provide for graduated penalties for failure to comply
1010 with contract terms, including the department terminating the
1011 contract for failure to meet the performance standards and
1012 metrics set by the department. The performance standards set by
1013 the department for the lead agencies must, at a minimum, address
1014 the following areas:

1015 1. Abuse per 100,000 days in out-of-home care;

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- 1016 2. Abuse during in-home services;
- 1017 3. Children entering care and achieving permanency within
- 1018 12 months;
- 1019 4. Children in care 12 to 23 months achieving permanency
- 1020 within 12 months;
- 1021 5. Abuse within 6 months of closure of services;
- 1022 6. Children receiving dental services;
- 1023 7. Children receiving medical services;
- 1024 8. Children under supervision who are seen every 30 days;
- 1025 9. Children who do not reenter care within 12 months of
- 1026 moving to a permanent home;
- 1027 10. Placement moves per 1,000 days in out-of-home care;
- 1028 11. Sibling groups where all siblings are placed together;
- 1029 and
- 1030 12. Young adults aging out and educational achievement.

1031
 1032 Such penalties may include financial penalties, enhanced
 1033 monitoring and reporting, corrective action plans, and early
 1034 termination of contracts or other appropriate action to ensure
 1035 contract compliance. The financial penalties shall require a
 1036 lead agency to reallocate funds from administrative costs to
 1037 direct care for children.

1038 (c) Ensure that the lead agency shall furnish current and
 1039 accurate information on its activities in all cases in client
 1040 case records in the state's statewide automated child welfare
 1041 information system.

1042 (d) Specify the procedures to be used by the parties to
 1043 resolve differences in interpreting the contract or to resolve
 1044 disputes as to the adequacy of the parties' compliance with

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1045 their respective obligations under the contract.

1046 (2) The department shall provide a grade for each lead
1047 agency based on the department's annual review of the agency's
1048 compliance with performance standards and metrics.

1049 (3) A lead agency's performance shall be graded based on a
1050 weighted score of its compliance with performance standards and
1051 metrics using one of the following grades:

1052 (a) "A," lead agencies with a weighted score of 4.0 or
1053 higher.

1054 (b) "B," lead agencies with a weighted score of 3.0 to
1055 3.99.

1056 (c) "C," lead agencies with a weighted score of 2.0 to
1057 2.99.

1058 (d) "D," lead agencies with a weighted score of 1.0 to
1059 1.99.

1060 (e) "F," lead agencies with a weighted score of less than
1061 1.0.

1062 (4) If the current contract has a renewal option, the
1063 department shall renew the contract of a lead agency that has
1064 received an "A" grade for the 2 years immediately preceding the
1065 renewal date of the contract.

1066 (5) The department shall develop a multitiered system of
1067 support and improvement strategies designed to address the low
1068 performance of a lead agency.

1069 (6) The department may provide assistance to a lead agency
1070 for the purpose of meeting performance standards and metrics.
1071 Assistance may include, but is not limited to, recommendations
1072 for best practices and implementation of a corrective action
1073 plan.

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1074 (7) The department shall provide assistance to a lead
1075 agency that receives a "C" grade or lower on its annual review
1076 until such time that it has improved to at least a "B" grade.

1077 (8) For any lead agency that has received a "D" or "F"
1078 grade, the department shall take immediate action to engage
1079 stakeholders in a needs assessment to develop a turnaround
1080 option plan. The turnaround option plan may include, but is not
1081 limited to, the implementation of corrective actions and best
1082 practices designed to improve performance. The department must
1083 review and approve the plan before implementation by the lead
1084 agency.

1085 (9) If cancellation of a contract with a lead agency occurs
1086 in a manner that threatens a lapse in services, the department
1087 may procure and contract pursuant to s. 287.057(3) (a).

1088 (10) Upon a lead agency's receipt of a third consecutive
1089 "D" grade or lower, the department must initiate proceedings to
1090 terminate any contract with the lead agency.

1091 (11) At any time, the secretary may offer resources to a
1092 lead agency to address any deficiencies in meeting performance
1093 standards and metrics which directly impact the safety of
1094 children.

1095 (12) Notwithstanding subsections (5) through (11), the
1096 secretary, at his or her discretion, may terminate a contract
1097 with a lead agency that has received an "F" grade or upon the
1098 occurrence of an egregious act or omission by the lead agency or
1099 its subcontractor.

1100 (13) The lead agency shall pay any federal fines incurred
1101 by the department as the result of that lead agency's failure to
1102 comply with the performance standards and metrics.

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1103 (14) If the lead agency chooses to subcontract any duties
1104 or services, the lead agency shall retain responsibility for its
1105 failure to comply with performance standards and metrics.

1106 (15) The department shall adopt rules to administer
1107 subsections (2) through (14).

1108 ~~(31)~~~~(17)~~ The department shall directly or through contract
1109 provide attorneys to prepare and present cases in dependency
1110 court and shall ensure that the court is provided with adequate
1111 information for informed decisionmaking in dependency cases,
1112 including a face sheet for each case which lists the names and
1113 contact information for any child protective investigator, child
1114 protective investigation supervisor, case manager, and case
1115 manager supervisor, and the regional department official
1116 responsible for the lead agency contract. The department shall
1117 provide to the court the case information and recommendations
1118 provided by the lead agency or subcontractor. For the Sixth
1119 Judicial Circuit, the department shall contract with the state
1120 attorney for the provision of these services.

1121 (a) The contracted attorneys shall adopt Florida's Child
1122 Welfare Practice Model and operate in accordance with the same
1123 federal performance standards and metrics regarding child
1124 welfare and protective investigations imposed on the department.

1125 (b) Program performance evaluations shall be collaborative
1126 and conducted on an ongoing basis. The department and each
1127 contracted attorney or their designee shall meet at least
1128 quarterly to collaborate on federal and state quality assurance
1129 and continuous quality improvement initiatives.

1130 (c) Annual program performance evaluation shall be based on
1131 criteria developed by the department for use with all children's

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1132 legal services counsel statewide. The program performance
 1133 evaluation shall be conducted by a team of peer reviewers from
 1134 the respective attorneys' offices that perform children's legal
 1135 services and representatives from the department. The program
 1136 performance evaluation shall be standardized using a random
 1137 sample of cases selected by the department. By November 1 of
 1138 each year, the department shall submit an annual report to the
 1139 Governor, the President of the Senate, and the Speaker of the
 1140 House of Representatives regarding quality performance, outcome-
 1141 measure attainment, and cost efficiency of contracted attorneys
 1142 who receive general appropriations to provide children's legal
 1143 services for the department.

1144 (d) At any time, the secretary may offer resources to a
 1145 contracted attorney to address any performance deficiencies that
 1146 directly impact the safety of children.

1147 (35) ~~(21)~~ The department shall periodically, and before
 1148 procuring a lead agency, solicit comments and recommendations
 1149 from the community alliance established in s. 20.19(6) ~~s.~~
 1150 ~~20.19(5)~~, any other community groups, or public hearings. The
 1151 recommendations must include, but are not limited to:

1152 (a) The current and past performance of a lead agency.

1153 (b) The relationship between a lead agency and its
 1154 community partners.

1155 (c) Any local conditions or service needs in child
 1156 protection and child welfare.

1157 Section 13. Subsection (4) is added to section 409.997,
 1158 Florida Statutes, and subsection (2) of that section is
 1159 republished, to read:

1160 409.997 Child welfare results-oriented accountability

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1161 program.—

1162 (2) The purpose of the results-oriented accountability
1163 program is to monitor and measure the use of resources, the
1164 quality and amount of services provided, and child and family
1165 outcomes. The program includes data analysis, research review,
1166 and evaluation. The program shall produce an assessment of
1167 individual entities' performance, as well as the performance of
1168 groups of entities working together on a local, regional, and
1169 statewide basis to provide an integrated system of care. Data
1170 analyzed and communicated through the accountability program
1171 shall inform the department's development and maintenance of an
1172 inclusive, interactive, and evidence-supported program of
1173 quality improvement which promotes individual skill building as
1174 well as organizational learning. Additionally, outcome data
1175 generated by the program may be used as the basis for payment of
1176 performance incentives if funds for such payments are made
1177 available through the General Appropriations Act. The
1178 information compiled and utilized in the accountability program
1179 must incorporate, at a minimum:

1180 (a) Valid and reliable outcome measures for each of the
1181 goals specified in this subsection. The outcome data set must
1182 consist of a limited number of understandable measures using
1183 available data to quantify outcomes as children move through the
1184 system of care. Such measures may aggregate multiple variables
1185 that affect the overall achievement of the outcome goals. Valid
1186 and reliable measures must be based on adequate sample sizes, be
1187 gathered over suitable time periods, and reflect authentic
1188 rather than spurious results, and may not be susceptible to
1189 manipulation.

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1190 (b) Regular and periodic monitoring activities that track
1191 the identified outcome measures on a statewide, regional, and
1192 provider-specific basis. Monitoring reports must identify trends
1193 and chart progress toward achievement of the goals specified in
1194 this subsection. The accountability program may not rank or
1195 compare performance among community-based care regions unless
1196 adequate and specific adjustments are adopted which account for
1197 the diversity in regions' demographics, resources, and other
1198 relevant characteristics. The requirements of the monitoring
1199 program may be incorporated into the department's quality
1200 assurance program.

1201 (c) An analytical framework that builds on the results of
1202 the outcomes monitoring procedures and assesses the statistical
1203 validity of observed associations between child welfare
1204 interventions and the measured outcomes. The analysis must use
1205 quantitative methods to adjust for variations in demographic or
1206 other conditions. The analysis must include longitudinal studies
1207 to evaluate longer term outcomes, such as continued safety,
1208 family permanence, and transition to self-sufficiency. The
1209 analysis may also include qualitative research methods to
1210 provide insight into statistical patterns.

1211 (d) A program of research review to identify interventions
1212 that are supported by evidence as causally linked to improved
1213 outcomes.

1214 (e) An ongoing process of evaluation to determine the
1215 efficacy and effectiveness of various interventions. Efficacy
1216 evaluation is intended to determine the validity of a causal
1217 relationship between an intervention and an outcome.
1218 Effectiveness evaluation is intended to determine the extent to

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1219 which the results can be generalized.

1220 (f) Procedures for making the results of the accountability
1221 program transparent for all parties involved in the child
1222 welfare system as well as policymakers and the public, which
1223 shall be updated at least quarterly and published on the
1224 department's website in a manner that allows custom searches of
1225 the performance data. The presentation of the data shall provide
1226 a comprehensible, visual report card for the state and each
1227 community-based care region, indicating the current status of
1228 the outcomes relative to each goal and trends in that status
1229 over time. The presentation shall identify and report outcome
1230 measures that assess the performance of the department, the
1231 community-based care lead agencies, and their subcontractors
1232 working together to provide an integrated system of care.

1233 (g) An annual performance report that is provided to
1234 interested parties including the dependency judge or judges in
1235 the community-based care service area. The report shall be
1236 submitted to the Governor, the President of the Senate, and the
1237 Speaker of the House of Representatives by October 1 of each
1238 year.

1239 (4) Data generated in accordance with this section shall be
1240 provided directly to the department's Office of Quality
1241 Assurance and Improvement in a manner dictated by the
1242 department. The department shall conduct an onsite program
1243 performance evaluation of each lead agency at least once per
1244 year. The department must also have access to make onsite visits
1245 at its discretion to any provider contracted by the lead agency.
1246 The onsite evaluation must consist of a review using a random
1247 sample of cases selected by the department.

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1248 Section 14. Paragraph (t) of subsection (2) of section
1249 39.202, Florida Statutes, is amended to read:

1250 39.202 Confidentiality of reports and records in cases of
1251 child abuse or neglect.—

1252 (2) Except as provided in subsection (4), access to such
1253 records, excluding the name of, or other identifying information
1254 with respect to, the reporter which shall be released only as
1255 provided in subsection (5), shall be granted only to the
1256 following persons, officials, and agencies:

1257 (t) Persons with whom the department is seeking to place
1258 the child or to whom placement has been granted, including
1259 foster parents for whom an approved home study has been
1260 conducted, the designee of a licensed child-caring agency as
1261 defined in s. 39.01(44) ~~s. 39.01(41)~~, an approved relative or
1262 nonrelative with whom a child is placed pursuant to s. 39.402,
1263 preadoptive parents for whom a favorable preliminary adoptive
1264 home study has been conducted, adoptive parents, or an adoption
1265 entity acting on behalf of preadoptive or adoptive parents.

1266 Section 15. Subsections (1) and (19) of section 39.502,
1267 Florida Statutes, are amended to read:

1268 39.502 Notice, process, and service.—

1269 (1) Unless parental rights have been terminated, all
1270 parents must be notified of all proceedings or hearings
1271 involving the child. Notice in cases involving shelter hearings
1272 and hearings resulting from medical emergencies must be that
1273 most likely to result in actual notice to the parents. In all
1274 other dependency proceedings, notice must be provided in
1275 accordance with subsections (4)-(9), except when a relative
1276 requests notification pursuant to s. 39.301(15)(b) ~~s.~~

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1277 ~~39.301(14)(b)~~, in which case notice shall be provided pursuant
1278 to subsection (19).

1279 (19) In all proceedings and hearings under this chapter,
1280 the attorney for the department shall notify, orally or in
1281 writing, a relative requesting notification pursuant to s.
1282 39.301(15)(b) ~~s. 39.301(14)(b)~~ of the date, time, and location
1283 of such proceedings and hearings, and notify the relative that
1284 he or she has the right to attend all subsequent proceedings and
1285 hearings, to submit reports to the court, and to speak to the
1286 court regarding the child, if the relative so desires. The court
1287 has the discretion to release the attorney for the department
1288 from notifying a relative who requested notification pursuant to
1289 s. 39.301(15)(b) ~~s. 39.301(14)(b)~~ if the relative's involvement
1290 is determined to be impeding the dependency process or
1291 detrimental to the child's well-being.

1292 Section 16. Paragraph (c) of subsection (1) of section
1293 39.521, Florida Statutes, is amended to read:

1294 39.521 Disposition hearings; powers of disposition.—

1295 (1) A disposition hearing shall be conducted by the court,
1296 if the court finds that the facts alleged in the petition for
1297 dependency were proven in the adjudicatory hearing, or if the
1298 parents or legal custodians have consented to the finding of
1299 dependency or admitted the allegations in the petition, have
1300 failed to appear for the arraignment hearing after proper
1301 notice, or have not been located despite a diligent search
1302 having been conducted.

1303 (c) When any child is adjudicated by a court to be
1304 dependent, the court having jurisdiction of the child has the
1305 power by order to:

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1306 1. Require the parent and, when appropriate, the legal
1307 guardian or the child to participate in treatment and services
1308 identified as necessary. The court may require the person who
1309 has custody or who is requesting custody of the child to submit
1310 to a mental health or substance abuse disorder assessment or
1311 evaluation. The order may be made only upon good cause shown and
1312 pursuant to notice and procedural requirements provided under
1313 the Florida Rules of Juvenile Procedure. The mental health
1314 assessment or evaluation must be administered by a qualified
1315 professional as defined in s. 39.01, and the substance abuse
1316 assessment or evaluation must be administered by a qualified
1317 professional as defined in s. 397.311. The court may also
1318 require such person to participate in and comply with treatment
1319 and services identified as necessary, including, when
1320 appropriate and available, participation in and compliance with
1321 a mental health court program established under chapter 394 or a
1322 treatment-based drug court program established under s. 397.334.
1323 Adjudication of a child as dependent based upon evidence of harm
1324 as defined in s. 39.01(38)(g) ~~s. 39.01(35)(g)~~ demonstrates good
1325 cause, and the court shall require the parent whose actions
1326 caused the harm to submit to a substance abuse disorder
1327 assessment or evaluation and to participate and comply with
1328 treatment and services identified in the assessment or
1329 evaluation as being necessary. In addition to supervision by the
1330 department, the court, including the mental health court program
1331 or the treatment-based drug court program, may oversee the
1332 progress and compliance with treatment by a person who has
1333 custody or is requesting custody of the child. The court may
1334 impose appropriate available sanctions for noncompliance upon a

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1335 person who has custody or is requesting custody of the child or
1336 make a finding of noncompliance for consideration in determining
1337 whether an alternative placement of the child is in the child's
1338 best interests. Any order entered under this subparagraph may be
1339 made only upon good cause shown. This subparagraph does not
1340 authorize placement of a child with a person seeking custody of
1341 the child, other than the child's parent or legal custodian, who
1342 requires mental health or substance abuse disorder treatment.

1343 2. Require, if the court deems necessary, the parties to
1344 participate in dependency mediation.

1345 3. Require placement of the child either under the
1346 protective supervision of an authorized agent of the department
1347 in the home of one or both of the child's parents or in the home
1348 of a relative of the child or another adult approved by the
1349 court, or in the custody of the department. Protective
1350 supervision continues until the court terminates it or until the
1351 child reaches the age of 18, whichever date is first. Protective
1352 supervision shall be terminated by the court whenever the court
1353 determines that permanency has been achieved for the child,
1354 whether with a parent, another relative, or a legal custodian,
1355 and that protective supervision is no longer needed. The
1356 termination of supervision may be with or without retaining
1357 jurisdiction, at the court's discretion, and shall in either
1358 case be considered a permanency option for the child. The order
1359 terminating supervision by the department must set forth the
1360 powers of the custodian of the child and include the powers
1361 ordinarily granted to a guardian of the person of a minor unless
1362 otherwise specified. Upon the court's termination of supervision
1363 by the department, further judicial reviews are not required if

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1364 permanency has been established for the child.

1365 4. Determine whether the child has a strong attachment to
1366 the prospective permanent guardian and whether such guardian has
1367 a strong commitment to permanently caring for the child.

1368 Section 17. Subsection (5) of section 39.6011, Florida
1369 Statutes, is amended to read:

1370 39.6011 Case plan development.—

1371 (5) The case plan must describe:

1372 (a) The role of the foster parents or legal custodians when
1373 developing the services that are to be provided to the child,
1374 foster parents, or legal custodians;

1375 (b) The responsibility of the case manager to forward a
1376 relative's request to receive notification of all proceedings
1377 and hearings submitted pursuant to s. 39.301(15)(b) ~~s.~~

1378 ~~39.301(14)(b)~~ to the attorney for the department;

1379 (c) The minimum number of face-to-face meetings to be held
1380 each month between the parents and the department's family
1381 services counselors to review the progress of the plan, to
1382 eliminate barriers to progress, and to resolve conflicts or
1383 disagreements; and

1384 (d) The parent's responsibility for financial support of
1385 the child, including, but not limited to, health insurance and
1386 child support. The case plan must list the costs associated with
1387 any services or treatment that the parent and child are expected
1388 to receive which are the financial responsibility of the parent.
1389 The determination of child support and other financial support
1390 shall be made independently of any determination of indigency
1391 under s. 39.013.

1392 Section 18. Paragraph (c) of subsection (1) of section

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1393 39.6012, Florida Statutes, is amended to read:

1394 39.6012 Case plan tasks; services.—

1395 (1) The services to be provided to the parent and the tasks
1396 that must be completed are subject to the following:

1397 (c) If there is evidence of harm as defined in s.
1398 39.01(38)(g) ~~s. 39.01(35)(g)~~, the case plan must include as a
1399 required task for the parent whose actions caused the harm that
1400 the parent submit to a substance abuse disorder assessment or
1401 evaluation and participate and comply with treatment and
1402 services identified in the assessment or evaluation as being
1403 necessary.

1404 Section 19. Paragraph (g) of subsection (1) of section
1405 39.701, Florida Statutes, is amended to read:

1406 39.701 Judicial review.—

1407 (1) GENERAL PROVISIONS.—

1408 (g) The attorney for the department shall notify a relative
1409 who submits a request for notification of all proceedings and
1410 hearings pursuant to s. 39.301(15)(b) ~~s. 39.301(14)(b)~~. The
1411 notice shall include the date, time, and location of the next
1412 judicial review hearing.

1413 Section 20. Section 39.823, Florida Statutes, is amended to
1414 read:

1415 39.823 Guardian advocates for drug dependent newborns.—The
1416 Legislature finds that increasing numbers of drug dependent
1417 children are born in this state. Because of the parents'
1418 continued dependence upon drugs, the parents may temporarily
1419 leave their child with a relative or other adult or may have
1420 agreed to voluntary family services under s. 39.301(15) ~~s.~~
1421 ~~39.301(14)~~. The relative or other adult may be left with a child

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1422 who is likely to require medical treatment but for whom they are
1423 unable to obtain medical treatment. The purpose of this section
1424 is to provide an expeditious method for such relatives or other
1425 responsible adults to obtain a court order which allows them to
1426 provide consent for medical treatment and otherwise advocate for
1427 the needs of the child and to provide court review of such
1428 authorization.

1429 Section 21. Subsection (4) of section 322.09, Florida
1430 Statutes, is amended to read:

1431 322.09 Application of minors; responsibility for negligence
1432 or misconduct of minor.—

1433 (4) Notwithstanding subsections (1) and (2), if a caregiver
1434 of a minor who is under the age of 18 years and is in out-of-
1435 home care as defined in s. 39.01(58) ~~s. 39.01(55)~~, an authorized
1436 representative of a residential group home at which such a minor
1437 resides, the caseworker at the agency at which the state has
1438 placed the minor, or a guardian ad litem specifically authorized
1439 by the minor's caregiver to sign for a learner's driver license
1440 signs the minor's application for a learner's driver license,
1441 that caregiver, group home representative, caseworker, or
1442 guardian ad litem does not assume any obligation or become
1443 liable for any damages caused by the negligence or willful
1444 misconduct of the minor by reason of having signed the
1445 application. Before signing the application, the caseworker,
1446 authorized group home representative, or guardian ad litem shall
1447 notify the caregiver or other responsible party of his or her
1448 intent to sign and verify the application.

1449 Section 22. Paragraph (b) of subsection (5) of section
1450 393.065, Florida Statutes, is amended to read:

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1451 393.065 Application and eligibility determination.—

1452 (5) The agency shall assign and provide priority to clients

1453 waiting for waiver services in the following order:

1454 (b) Category 2, which includes individuals on the waiting

1455 list who are:

1456 1. From the child welfare system with an open case in the

1457 Department of Children and Families' statewide automated child

1458 welfare information system and who are either:

1459 a. Transitioning out of the child welfare system at the

1460 finalization of an adoption, a reunification with family

1461 members, a permanent placement with a relative, or a

1462 guardianship with a nonrelative; or

1463 b. At least 18 years but not yet 22 years of age and who

1464 need both waiver services and extended foster care services; or

1465 2. At least 18 years but not yet 22 years of age and who

1466 withdrew consent pursuant to s. 39.6251(5)(c) to remain in the

1467 extended foster care system.

1468

1469 For individuals who are at least 18 years but not yet 22 years

1470 of age and who are eligible under sub-subparagraph 1.b., the

1471 agency shall provide waiver services, including residential

1472 habilitation, and the community-based care lead agency shall

1473 fund room and board at the rate established in s. 409.145(4) and

1474 provide case management and related services as defined in s.

1475 409.986(3)(h) ~~s. 409.986(3)(e)~~. Individuals may receive both

1476 waiver services and services under s. 39.6251. Services may not

1477 duplicate services available through the Medicaid state plan.

1478

1479 Within categories 3, 4, 5, 6, and 7, the agency shall maintain a

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1480 waiting list of clients placed in the order of the date that the
1481 client is determined eligible for waiver services.

1482 Section 23. Paragraph (p) of subsection (4) of section
1483 394.495, Florida Statutes, is amended to read:

1484 394.495 Child and adolescent mental health system of care;
1485 programs and services.—

1486 (4) The array of services may include, but is not limited
1487 to:

1488 (p) Trauma-informed services for children who have suffered
1489 sexual exploitation as defined in s. 39.01(81)(g) ~~s.~~
1490 ~~39.01(77)(g)~~.

1491 Section 24. Paragraph (a) of subsection (1) of section
1492 394.674, Florida Statutes, is amended to read:

1493 394.674 Eligibility for publicly funded substance abuse and
1494 mental health services; fee collection requirements.—

1495 (1) To be eligible to receive substance abuse and mental
1496 health services funded by the department, an individual must be
1497 a member of at least one of the department's priority
1498 populations approved by the Legislature. The priority
1499 populations include:

1500 (a) For adult mental health services:

1501 1. Adults who have severe and persistent mental illness, as
1502 designated by the department using criteria that include
1503 severity of diagnosis, duration of the mental illness, ability
1504 to independently perform activities of daily living, and receipt
1505 of disability income for a psychiatric condition. Included
1506 within this group are:

1507 a. Older adults in crisis.

1508 b. Older adults who are at risk of being placed in a more

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restrictive environment because of their mental illness.

c. Persons deemed incompetent to proceed or not guilty by reason of insanity under chapter 916.

d. Other persons involved in the criminal justice system.

e. Persons diagnosed as having co-occurring mental illness and substance abuse disorders.

2. Persons who are experiencing an acute mental or emotional crisis as defined in s. 394.67(18) ~~s. 394.67(17)~~.

Section 25. Subsection (2) of section 409.987, Florida Statutes, is amended to read:

409.987 Lead agency procurement.—

(2) The department shall produce a schedule for the procurement of community-based care lead agencies and provide the schedule to the community alliances established pursuant to s. 20.19(6) ~~s. 20.19(5)~~ and post the schedule on the department's website.

Section 26. Paragraph (c) of subsection (1) of section 409.988, Florida Statutes, is amended to read:

409.988 Lead agency duties; general provisions.—

(1) DUTIES.—A lead agency:

(c) Shall follow the financial guidelines developed by the department and provide for a regular independent auditing of its financial activities. Such financial information shall be provided to the community alliance established under s. 20.19(6) ~~s. 20.19(5)~~.

Section 27. Section 627.746, Florida Statutes, is amended to read:

627.746 Coverage for minors who have a learner's driver license; additional premium prohibited.—An insurer that issues

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1538 an insurance policy on a private passenger motor vehicle to a
 1539 named insured who is a caregiver of a minor who is under the age
 1540 of 18 years and is in out-of-home care as defined in s.
 1541 39.01(58) ~~s. 39.01(55)~~ may not charge an additional premium for
 1542 coverage of the minor while the minor is operating the insured
 1543 vehicle, for the period of time that the minor has a learner's
 1544 driver license, until such time as the minor obtains a driver
 1545 license.

1546 Section 28. Paragraph (c) of subsection (1) of section
 1547 934.255, Florida Statutes, is amended to read:

1548 934.255 Subpoenas in investigations of sexual offenses.—

1549 (1) As used in this section, the term:

1550 (c) "Sexual abuse of a child" means a criminal offense
 1551 based on any conduct described in s. 39.01(81) ~~s. 39.01(77)~~.

1552 Section 29. Subsection (5) of section 960.065, Florida
 1553 Statutes, is amended to read:

1554 960.065 Eligibility for awards.—

1555 (5) A person is not ineligible for an award pursuant to
 1556 paragraph (2) (a), paragraph (2) (b), or paragraph (2) (c) if that
 1557 person is a victim of sexual exploitation of a child as defined
 1558 in s. 39.01(81) (g) ~~s. 39.01(77) (g)~~.

1559 Section 30. For the purpose of incorporating the amendment
 1560 made by this act to section 39.201, Florida Statutes, in a
 1561 reference thereto, subsection (1) of section 39.302, Florida
 1562 Statutes, is reenacted and amended to read:

1563 39.302 Protective investigations of institutional child
 1564 abuse, abandonment, or neglect.—

1565 (1) The department shall conduct a child protective
 1566 investigation of each report of institutional child abuse,

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1567 abandonment, or neglect. Upon receipt of a report that alleges
1568 that an employee or agent of the department, or any other entity
1569 or person covered by s. 39.01(40) or (57) ~~s. 39.01(37) or (54)~~,
1570 acting in an official capacity, has committed an act of child
1571 abuse, abandonment, or neglect, the department shall initiate a
1572 child protective investigation within the timeframes ~~timeframe~~
1573 established under s. 39.201(5) and notify the appropriate state
1574 attorney, law enforcement agency, and licensing agency, which
1575 shall immediately conduct a joint investigation, unless
1576 independent investigations are more feasible. When conducting
1577 investigations or having face-to-face interviews with the child,
1578 investigation visits shall be unannounced unless it is
1579 determined by the department or its agent that unannounced
1580 visits threaten the safety of the child. If a facility is exempt
1581 from licensing, the department shall inform the owner or
1582 operator of the facility of the report. Each agency conducting a
1583 joint investigation is entitled to full access to the
1584 information gathered by the department in the course of the
1585 investigation. A protective investigation must include an
1586 interview with the child's parent or legal guardian. The
1587 department shall make a full written report to the state
1588 attorney within 3 working days after making the oral report. A
1589 criminal investigation shall be coordinated, whenever possible,
1590 with the child protective investigation of the department. Any
1591 interested person who has information regarding the offenses
1592 described in this subsection may forward a statement to the
1593 state attorney as to whether prosecution is warranted and
1594 appropriate. Within 15 days after the completion of the
1595 investigation, the state attorney shall report the findings to

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1596 the department and shall include in the report a determination
1597 of whether or not prosecution is justified and appropriate in
1598 view of the circumstances of the specific case.

1599 Section 31. For the purpose of incorporating the amendment
1600 made by this act to section 409.997, Florida Statutes, in a
1601 reference thereto, paragraph (b) of subsection (1) of section
1602 409.988, Florida Statutes, is reenacted to read:

1603 409.988 Lead agency duties; general provisions.—

1604 (1) DUTIES.—A lead agency:

1605 (b) Shall provide accurate and timely information necessary
1606 for oversight by the department pursuant to the child welfare
1607 results-oriented accountability system required by s. 409.997.

1608 Section 32. For the purpose of incorporating the amendment
1609 made by this act to section 409.997, Florida Statutes, in a
1610 reference thereto, paragraph (a) of subsection (1) of section
1611 409.996, Florida Statutes, is reenacted to read:

1612 409.996 Duties of the Department of Children and Families.—

1613 The department shall contract for the delivery, administration,
1614 or management of care for children in the child protection and
1615 child welfare system. In doing so, the department retains
1616 responsibility for the quality of contracted services and
1617 programs and shall ensure that services are delivered in
1618 accordance with applicable federal and state statutes and
1619 regulations.

1620 (1) The department shall enter into contracts with lead
1621 agencies for the performance of the duties by the lead agencies
1622 pursuant to s. 409.988. At a minimum, the contracts must:

1623 (a) Provide for the services needed to accomplish the
1624 duties established in s. 409.988 and provide information to the

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1625 department which is necessary to meet the requirements for a
1626 quality assurance program pursuant to subsection (18) and the
1627 child welfare results-oriented accountability system pursuant to
1628 s. 409.997.

1629 Section 33. This act shall take effect July 1, 2020.