



154690

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/05/2020	.	
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The Committee on Children, Families, and Elder Affairs (Perry) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

(1) The Florida Court Educational Council shall establish  
standards for instruction of circuit and county court judges who



154690

11 have responsibility for domestic violence cases, and the council  
12 shall provide such instruction on a periodic and timely basis.

13 ~~(2)~~ As used in this section:

14 (a) The term "domestic violence" has the meaning set forth  
15 in s. 741.28.

16 (b) "Family or household member" has the meaning set forth  
17 in s. 741.28.

18 (2) The Florida Court Educational Council shall establish  
19 standards for instruction of circuit court judges who have  
20 responsibility for dependency cases. The standards for  
21 instruction must be consistent with and reinforce the purposes  
22 of chapter 39, with emphasis on ensuring that a permanent  
23 placement is achieved as soon as possible and that a child  
24 should not remain in foster care for longer than 1 year. This  
25 instruction must be provided on a periodic and timely basis and  
26 may be provided by or in consultation with current or retired  
27 judges, the Department of Children and Families, or the  
28 Statewide Guardian Ad Litem Office established in s. 39.8296.

29 Section 2. Subsection (7) of section 39.205, Florida  
30 Statutes, is amended to read:

31 39.205 Penalties relating to reporting of child abuse,  
32 abandonment, or neglect.—

33 (7) The department shall establish procedures for  
34 determining whether a false report of child abuse, abandonment,  
35 or neglect has been made and for submitting all identifying  
36 information relating to such a report to the appropriate law  
37 enforcement agency and ~~shall report annually to the Legislature~~  
38 ~~the number of reports referred.~~

39 Section 3. Subsection (7) of section 39.302, Florida



154690

40 Statutes, is amended to read:

41 39.302 Protective investigations of institutional child  
42 abuse, abandonment, or neglect.—

43 (7) When an investigation of institutional abuse, neglect,  
44 or abandonment is closed and a person is not identified as a  
45 caregiver responsible for the abuse, neglect, or abandonment  
46 alleged in the report, the fact that the person is named in some  
47 capacity in the report may not be used in any way to adversely  
48 affect the interests of that person. This prohibition applies to  
49 any use of the information in employment screening, licensing,  
50 child placement, adoption, or any other decisions by a private  
51 adoption agency or a state agency or its contracted providers.

52 (a) However, if such a person is a licensee of the  
53 department and is named in any capacity in a report ~~three or~~  
54 ~~more reports~~ within a 5-year period, the department must ~~may~~  
55 review the report ~~those reports~~ and determine whether the  
56 information contained in the report ~~reports~~ is relevant for  
57 purposes of determining whether the person's license should be  
58 renewed or revoked. If the information is relevant to the  
59 decision to renew or revoke the license, the department may rely  
60 on the information contained in the report in making that  
61 decision.

62 (b) Likewise, if a person is employed as a caregiver in a  
63 residential group home licensed pursuant to s. 409.175 and is  
64 named in any capacity in a report ~~three or more reports~~ within a  
65 5-year period, the department must ~~may~~ review the report ~~all~~  
66 ~~reports~~ for the purposes of the employment screening as defined  
67 in s. 409.175(2)(m) ~~required pursuant to s. 409.145(2)(e)~~.

68 Section 4. Subsection (6) of section 39.407, Florida



154690

69 Statutes, is amended to read:

70 39.407 Medical, psychiatric, and psychological examination  
71 and treatment of child; physical, mental, or substance abuse  
72 examination of person with or requesting child custody.—

73 (6) Children who are in the legal custody of the department  
74 may be placed by the department, without prior approval of the  
75 court, in a residential treatment center licensed under s.  
76 394.875 or a hospital licensed under chapter 395 for residential  
77 mental health treatment only as provided in ~~pursuant to~~ this  
78 section or may be placed by the court in accordance with an  
79 order of involuntary examination or involuntary placement  
80 entered under ~~pursuant to~~ s. 394.463 or s. 394.467. All children  
81 placed in a residential treatment program under this subsection  
82 must have a guardian ad litem appointed.

83 (a) As used in this subsection, the term:

84 1. "Residential treatment" means placement for observation,  
85 diagnosis, or treatment of an emotional disturbance in a  
86 residential treatment center licensed under s. 394.875 or a  
87 hospital licensed under chapter 395.

88 2. "Least restrictive alternative" means the treatment and  
89 conditions of treatment that, separately and in combination, are  
90 no more intrusive or restrictive of freedom than reasonably  
91 necessary to achieve a substantial therapeutic benefit or to  
92 protect the child or adolescent or others from physical injury.

93 3. "Suitable for residential treatment" or "suitability"  
94 means a determination concerning a child or adolescent with an  
95 emotional disturbance as defined in s. 394.492(5) or a serious  
96 emotional disturbance as defined in s. 394.492(6) that each of  
97 the following criteria is met:



154690

98 a. The child requires residential treatment.

99 b. The child is in need of a residential treatment program  
100 and is expected to benefit from mental health treatment.

101 c. An appropriate, less restrictive alternative to  
102 residential treatment is unavailable.

103 (b) Whenever the department believes that a child in its  
104 legal custody is emotionally disturbed and may need residential  
105 treatment, an examination and suitability assessment must be  
106 conducted by a qualified evaluator who is appointed by the  
107 department ~~Agency for Health Care Administration~~. This  
108 suitability assessment must be completed before the placement of  
109 the child in a residential treatment center for emotionally  
110 disturbed children and adolescents or a hospital. The qualified  
111 evaluator must be a psychiatrist or a psychologist licensed in  
112 Florida who has at least 3 years of experience in the diagnosis  
113 and treatment of serious emotional disturbances in children and  
114 adolescents and who has no actual or perceived conflict of  
115 interest with any inpatient facility or residential treatment  
116 center or program.

117 (c) Before a child is admitted under this subsection, the  
118 child shall be assessed for suitability for residential  
119 treatment by a qualified evaluator who has conducted a personal  
120 examination and assessment of the child and has made written  
121 findings that:

122 1. The child appears to have an emotional disturbance  
123 serious enough to require residential treatment and is  
124 reasonably likely to benefit from the treatment.

125 2. The child has been provided with a clinically  
126 appropriate explanation of the nature and purpose of the



154690

127 treatment.

128         3. All available modalities of treatment less restrictive  
129 than residential treatment have been considered, and a less  
130 restrictive alternative that would offer comparable benefits to  
131 the child is unavailable.

132  
133 A copy of the written findings of the evaluation and suitability  
134 assessment must be provided to the department, to the guardian  
135 ad litem, and, if the child is a member of a Medicaid managed  
136 care plan, to the plan that is financially responsible for the  
137 child's care in residential treatment, all of whom must be  
138 provided with the opportunity to discuss the findings with the  
139 evaluator.

140         (d) Immediately upon placing a child in a residential  
141 treatment program under this section, the department must notify  
142 the guardian ad litem and the court having jurisdiction over the  
143 child and must provide the guardian ad litem and the court with  
144 a copy of the assessment by the qualified evaluator.

145         (e) Within 10 days after the admission of a child to a  
146 residential treatment program, the director of the residential  
147 treatment program or the director's designee must ensure that an  
148 individualized plan of treatment has been prepared by the  
149 program and has been explained to the child, to the department,  
150 and to the guardian ad litem, and submitted to the department.  
151 The child must be involved in the preparation of the plan to the  
152 maximum feasible extent consistent with his or her ability to  
153 understand and participate, and the guardian ad litem and the  
154 child's foster parents must be involved to the maximum extent  
155 consistent with the child's treatment needs. The plan must



154690

156 include a preliminary plan for residential treatment and  
157 aftercare upon completion of residential treatment. The plan  
158 must include specific behavioral and emotional goals against  
159 which the success of the residential treatment may be measured.  
160 A copy of the plan must be provided to the child, to the  
161 guardian ad litem, and to the department.

162 (f) Within 30 days after admission, the residential  
163 treatment program must review the appropriateness and  
164 suitability of the child's placement in the program. The  
165 residential treatment program must determine whether the child  
166 is receiving benefit toward the treatment goals and whether the  
167 child could be treated in a less restrictive treatment program.  
168 The residential treatment program shall prepare a written report  
169 of its findings and submit the report to the guardian ad litem  
170 and to the department. The department must submit the report to  
171 the court. The report must include a discharge plan for the  
172 child. The residential treatment program must continue to  
173 evaluate the child's treatment progress every 30 days thereafter  
174 and must include its findings in a written report submitted to  
175 the department. The department may not reimburse a facility  
176 until the facility has submitted every written report that is  
177 due.

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

182 2. The court must conduct a hearing to review the status of  
183 the child's residential treatment plan no later than 60 days  
184 after the child's admission to the residential treatment



154690

185 program. An independent review of the child's progress toward  
186 achieving the goals and objectives of the treatment plan must be  
187 completed by a qualified evaluator and submitted to the court  
188 before its 60-day review.

189 3. For any child in residential treatment at the time a  
190 judicial review is held pursuant to s. 39.701, the child's  
191 continued placement in residential treatment must be a subject  
192 of the judicial review.

193 4. If at any time the court determines that the child is  
194 not suitable for continued residential treatment, the court  
195 shall order the department to place the child in the least  
196 restrictive setting that is best suited to meet his or her  
197 needs.

198 (h) After the initial 60-day review, the court must conduct  
199 a review of the child's residential treatment plan every 90  
200 days.

201 (i) The department must adopt rules for implementing  
202 timeframes for the completion of suitability assessments by  
203 qualified evaluators and a procedure that includes timeframes  
204 for completing the 60-day independent review by the qualified  
205 evaluators of the child's progress toward achieving the goals  
206 and objectives of the treatment plan which review must be  
207 submitted to the court. The Agency for Health Care  
208 Administration must adopt rules for the registration of  
209 qualified evaluators, the procedure for selecting the evaluators  
210 to conduct the reviews required under this section, and a  
211 reasonable, cost-efficient fee schedule for qualified  
212 evaluators.

213 Section 5. Section 39.5035, Florida Statutes, is created to





154690

214 read:

215 39.5035 Deceased parents; special procedures.-

216 (1) (a) 1. If both parents of a child are deceased and a  
217 legal custodian has not been appointed for the child through a  
218 probate or guardianship proceeding, then an attorney for the  
219 department or any other person, who has knowledge of the facts  
220 whether alleged or is informed of the alleged facts and believes  
221 them to be true, may initiate a proceeding by filing a petition  
222 for adjudication and permanent commitment.

223 2. If a child has been placed in shelter status by order of  
224 the court but has not yet been adjudicated, a petition for  
225 adjudication and permanent commitment must be filed within 21  
226 days after the shelter hearing. In all other cases, the petition  
227 must be filed within a reasonable time after the date the child  
228 was referred to protective investigation or after the petitioner  
229 first becomes aware of the facts that support the petition for  
230 adjudication and permanent commitment.

231 (b) If both parents or the last living parent dies after a  
232 child has already been adjudicated dependent, an attorney for  
233 the department or any other person who has knowledge of the  
234 facts alleged or is informed of the alleged facts and believes  
235 them to be true may file a petition for permanent commitment.

236 (2) The petition:

237 (a) Must be in writing, identify the alleged deceased  
238 parents, and provide facts that establish that both parents of  
239 the child are deceased and that a legal custodian has not been  
240 appointed for the child through a probate or guardianship  
241 proceeding.

242 (b) Must be signed by the petitioner under oath stating the



154690

243 petitioner's good faith in filing the petition.

244 (3) When a petition for adjudication and permanent  
245 commitment or a petition for permanent commitment has been  
246 filed, the clerk of court shall set the case before the court  
247 for an adjudicatory hearing. The adjudicatory hearing must be  
248 held as soon as practicable after the petition is filed, but no  
249 later than 30 days after the filing date.

250 (4) Notice of the date, time, and place of the adjudicatory  
251 hearing and a copy of the petition must be served on the  
252 following persons:

253 (a) Any person who has physical custody of the child.

254 (b) A living relative of each parent of the child, unless a  
255 living relative cannot be found after a diligent search and  
256 inquiry.

257 (c) The guardian ad litem for the child or the  
258 representative of the guardian ad litem program, if the program  
259 has been appointed.

260 (5) Adjudicatory hearings shall be conducted by the judge  
261 without a jury, applying the rules of evidence in use in civil  
262 cases and adjourning the hearings from time to time as  
263 necessary. At the hearing, the judge must determine whether the  
264 petitioner has established by clear and convincing evidence that  
265 both parents of the child are deceased and that a legal  
266 custodian has not been appointed for the child through a probate  
267 or guardianship proceeding. A certified copy of the death  
268 certificate for each parent is sufficient evidence of proof of  
269 the parents' deaths.

270 (6) Within 30 days after an adjudicatory hearing on a  
271 petition for adjudication and permanent commitment:



154690

272       (a) If the court finds that the petitioner has met the  
273 clear and convincing standard, the court shall enter a written  
274 order adjudicating the child dependent and permanently  
275 committing the child to the custody of the department for the  
276 purpose of adoption. A disposition hearing shall be scheduled no  
277 later than 30 days after the entry of the order, in which the  
278 department shall provide a case plan that identifies the  
279 permanency goal for the child to the court. Reasonable efforts  
280 must be made to place the child in a timely manner in accordance  
281 with the permanency plan and to complete all steps necessary to  
282 finalize the permanent placement of the child. Thereafter, until  
283 the adoption of the child is finalized or the child reaches the  
284 age of 18 years, whichever occurs first, the court shall hold  
285 hearings every 6 months to review the progress being made toward  
286 permanency for the child.

287       (b) If the court finds that clear and convincing evidence  
288 does not establish that both parents of a child are deceased and  
289 that a legal custodian has not been appointed for the child  
290 through a probate or guardianship proceeding, but that a  
291 preponderance of the evidence establishes that the child does  
292 not have a parent or legal custodian capable of providing  
293 supervision or care, the court shall enter a written order  
294 adjudicating the child dependent. A disposition hearing shall be  
295 scheduled no later than 30 days after the entry of the order as  
296 provided in s. 39.521.

297       (c) If the court finds that clear and convincing evidence  
298 does not establish that both parents of a child are deceased and  
299 that a legal custodian has not been appointed for the child  
300 through a probate or guardianship proceeding and that a



154690

301 preponderance of the evidence does not establish that the child  
302 does not have a parent or legal custodian capable of providing  
303 supervision or care, the court shall enter a written order so  
304 finding and dismissing the petition.

305 (7) Within 30 days after an adjudicatory hearing on a  
306 petition for permanent commitment:

307 (a) If the court finds that the petitioner has met the  
308 clear and convincing standard, the court shall enter a written  
309 order permanently committing the child to the custody of the  
310 department for purposes of adoption. A disposition hearing shall  
311 be scheduled no later than 30 days after the entry of the order,  
312 in which the department shall provide an amended case plan that  
313 identifies the permanency goal for the child to the court.  
314 Reasonable efforts must be made to place the child in a timely  
315 manner in accordance with the permanency plan and to complete  
316 all steps necessary to finalize the permanent placement of the  
317 child. Thereafter, until the adoption of the child is finalized  
318 or the child reaches the age of 18 years, whichever occurs  
319 first, the court shall hold hearings every 6 months to review  
320 the progress being made toward permanency for the child.

321 (b) If the court finds that clear and convincing evidence  
322 does not establish that both parents of a child are deceased and  
323 that a legal custodian has not been appointed for the child  
324 through a probate or guardianship proceeding, the court shall  
325 enter a written order denying the petition. The order has no  
326 effect on the child's prior adjudication. The order does not bar  
327 the petitioner from filing a subsequent petition for permanent  
328 commitment based on newly discovered evidence that establishes  
329 that both parents of a child are deceased and that a legal



330 custodian has not been appointed for the child through a probate  
331 or guardianship proceeding.

332 Section 6. Paragraph (c) of subsection (1) and subsections  
333 (3) and (7) of section 39.521, Florida Statutes, are amended to  
334 read:

335 39.521 Disposition hearings; powers of disposition.—

336 (1) A disposition hearing shall be conducted by the court,  
337 if the court finds that the facts alleged in the petition for  
338 dependency were proven in the adjudicatory hearing, or if the  
339 parents or legal custodians have consented to the finding of  
340 dependency or admitted the allegations in the petition, have  
341 failed to appear for the arraignment hearing after proper  
342 notice, or have not been located despite a diligent search  
343 having been conducted.

344 (c) When any child is adjudicated by a court to be  
345 dependent, the court having jurisdiction of the child has the  
346 power by order to:

347 1. Require the parent and, when appropriate, the legal  
348 guardian or the child to participate in treatment and services  
349 identified as necessary. The court may require the person who  
350 has custody or who is requesting custody of the child to submit  
351 to a mental health or substance abuse disorder assessment or  
352 evaluation. The order may be made only upon good cause shown and  
353 pursuant to notice and procedural requirements provided under  
354 the Florida Rules of Juvenile Procedure. The mental health  
355 assessment or evaluation must be administered by a qualified  
356 professional as defined in s. 39.01, and the substance abuse  
357 assessment or evaluation must be administered by a qualified  
358 professional as defined in s. 397.311. The court may also



154690

359 require such person to participate in and comply with treatment  
360 and services identified as necessary, including, when  
361 appropriate and available, participation in and compliance with  
362 a mental health court program established under chapter 394 or a  
363 treatment-based drug court program established under s. 397.334.  
364 Adjudication of a child as dependent based upon evidence of harm  
365 as defined in s. 39.01(35)(g) demonstrates good cause, and the  
366 court shall require the parent whose actions caused the harm to  
367 submit to a substance abuse disorder assessment or evaluation  
368 and to participate and comply with treatment and services  
369 identified in the assessment or evaluation as being necessary.  
370 In addition to supervision by the department, the court,  
371 including the mental health court program or the treatment-based  
372 drug court program, may oversee the progress and compliance with  
373 treatment by a person who has custody or is requesting custody  
374 of the child. The court may impose appropriate available  
375 sanctions for noncompliance upon a person who has custody or is  
376 requesting custody of the child or make a finding of  
377 noncompliance for consideration in determining whether an  
378 alternative placement of the child is in the child's best  
379 interests. Any order entered under this subparagraph may be made  
380 only upon good cause shown. This subparagraph does not authorize  
381 placement of a child with a person seeking custody of the child,  
382 other than the child's parent or legal custodian, who requires  
383 mental health or substance abuse disorder treatment.

384       2. Require, if the court deems necessary, the parties to  
385 participate in dependency mediation.

386       3. Require placement of the child either under the  
387 protective supervision of an authorized agent of the department



154690

388 in the home of one or both of the child's parents or in the home  
389 of a relative of the child or another adult approved by the  
390 court, or in the custody of the department. ~~Protective~~  
391 ~~supervision continues until the court terminates it or until the~~  
392 ~~child reaches the age of 18, whichever date is first. Protective~~  
393 ~~supervision shall be terminated by the court whenever the court~~  
394 ~~determines that permanency has been achieved for the child,~~  
395 ~~whether with a parent, another relative, or a legal custodian,~~  
396 ~~and that protective supervision is no longer needed. The~~  
397 ~~termination of supervision may be with or without retaining~~  
398 ~~jurisdiction, at the court's discretion, and shall in either~~  
399 ~~case be considered a permanency option for the child. The order~~  
400 ~~terminating supervision by the department must set forth the~~  
401 ~~powers of the custodian of the child and include the powers~~  
402 ~~ordinarily granted to a guardian of the person of a minor unless~~  
403 ~~otherwise specified. Upon the court's termination of supervision~~  
404 ~~by the department, further judicial reviews are not required if~~  
405 ~~permanency has been established for the child.~~

406 4. Determine whether the child has a strong attachment to  
407 the prospective permanent guardian and whether such guardian has  
408 a strong commitment to permanently caring for the child.

409 (3) When any child is adjudicated by a court to be  
410 dependent, the court shall determine the appropriate placement  
411 for the child as follows:

412 (a) If the court determines that the child can safely  
413 remain in the home with the parent with whom the child was  
414 residing at the time the events or conditions arose that brought  
415 the child within the jurisdiction of the court and that  
416 remaining in this home is in the best interest of the child,



154690

417 then the court shall order conditions under which the child may  
418 remain or return to the home and that this placement be under  
419 the protective supervision of the department for not less than 6  
420 months.

421 (b) If there is a parent with whom the child was not  
422 residing at the time the events or conditions arose that brought  
423 the child within the jurisdiction of the court who desires to  
424 assume custody of the child, the court shall place the child  
425 with that parent upon completion of a home study, unless the  
426 court finds that such placement would endanger the safety, well-  
427 being, or physical, mental, or emotional health of the child.  
428 Any party with knowledge of the facts may present to the court  
429 evidence regarding whether the placement will endanger the  
430 safety, well-being, or physical, mental, or emotional health of  
431 the child. If the court places the child with such parent, it  
432 may do either of the following:

433 1. Order that the parent assume sole custodial  
434 responsibilities for the child. The court may also provide for  
435 reasonable visitation by the noncustodial parent. The court may  
436 then terminate its jurisdiction over the child.

437 2. Order that the parent assume custody subject to the  
438 jurisdiction of the circuit court hearing dependency matters.  
439 The court may order that reunification services be provided to  
440 the parent from whom the child has been removed, that services  
441 be provided solely to the parent who is assuming physical  
442 custody in order to allow that parent to retain later custody  
443 without court jurisdiction, or that services be provided to both  
444 parents, in which case the court shall determine at every review  
445 hearing which parent, if either, shall have custody of the





154690

446 child. The standard for changing custody of the child from one  
447 parent to another or to a relative or another adult approved by  
448 the court shall be the best interest of the child.

449 (c) If no fit parent is willing or available to assume care  
450 and custody of the child, place the child in the temporary legal  
451 custody of an adult relative, the adoptive parent of the child's  
452 sibling, or another adult approved by the court who is willing  
453 to care for the child, under the protective supervision of the  
454 department. The department must supervise this placement until  
455 the child reaches permanency status in this home, and in no case  
456 for a period of less than 6 months. Permanency in a relative  
457 placement shall be by adoption, long-term custody, or  
458 guardianship.

459 (d) If the child cannot be safely placed in a nonlicensed  
460 placement, the court shall commit the child to the temporary  
461 legal custody of the department. Such commitment invests in the  
462 department all rights and responsibilities of a legal custodian.  
463 The department may ~~shall~~ not return any child to the physical  
464 care and custody of the person from whom the child was removed,  
465 except for court-approved visitation periods, without the  
466 approval of the court. Any order for visitation or other contact  
467 must conform to the provisions of s. 39.0139. The term of such  
468 commitment continues until terminated by the court or until the  
469 child reaches the age of 18. After the child is committed to the  
470 temporary legal custody of the department, all further  
471 proceedings under this section are governed by this chapter.

472  
473 ~~Protective supervision continues until the court terminates it~~  
474 ~~or until the child reaches the age of 18, whichever date is~~



154690

475 ~~first. Protective supervision shall be terminated by the court~~  
476 ~~whenever the court determines that permanency has been achieved~~  
477 ~~for the child, whether with a parent, another relative, or a~~  
478 ~~legal custodian, and that protective supervision is no longer~~  
479 ~~needed. The termination of supervision may be with or without~~  
480 ~~retaining jurisdiction, at the court's discretion, and shall in~~  
481 ~~either case be considered a permanency option for the child. The~~  
482 ~~order terminating supervision by the department shall set forth~~  
483 ~~the powers of the custodian of the child and shall include the~~  
484 ~~powers ordinarily granted to a guardian of the person of a minor~~  
485 ~~unless otherwise specified. Upon the court's termination of~~  
486 ~~supervision by the department, no further judicial reviews are~~  
487 ~~required, so long as permanency has been established for the~~  
488 ~~child.~~

489 ~~(7) The court may enter an order ending its jurisdiction~~  
490 ~~over a child when a child has been returned to the parents,~~  
491 ~~provided the court shall not terminate its jurisdiction or the~~  
492 ~~department's supervision over the child until 6 months after the~~  
493 ~~child's return. The department shall supervise the placement of~~  
494 ~~the child after reunification for at least 6 months with each~~  
495 ~~parent or legal custodian from whom the child was removed. The~~  
496 ~~court shall determine whether its jurisdiction should be~~  
497 ~~continued or terminated in such a case based on a report of the~~  
498 ~~department or agency or the child's guardian ad litem, and any~~  
499 ~~other relevant factors; if its jurisdiction is to be terminated,~~  
500 ~~the court shall enter an order to that effect.~~

501 Section 7. Section 39.522, Florida Statutes, is amended to  
502 read:

503 39.522 Postdisposition change of custody.—The court may



154690

504 change the temporary legal custody or the conditions of  
505 protective supervision at a postdisposition hearing, without the  
506 necessity of another adjudicatory hearing. If a child has been  
507 returned to the parent and is under protective supervision by  
508 the department and the child is later removed again from the  
509 parent's custody, any modifications of placement shall be done  
510 under this section.

511 (1) At any time, an authorized agent of the department or a  
512 law enforcement officer may remove a child from a court-ordered  
513 placement and take the child into custody if the child's current  
514 caregiver requests immediate removal of the child from the home  
515 or if there is probable cause as required in s. 39.401(1)(b).  
516 The department shall file a motion to modify placement within 1  
517 business day after the child is taken into custody. Unless all  
518 parties agree to the change of placement, the court must set a  
519 hearing within 24 hours after the filing of the motion. At the  
520 hearing, the court shall determine whether the department has  
521 established probable cause to support the immediate removal of  
522 the child from his or her current placement. The court may base  
523 its determination on a sworn petition, testimony, or an  
524 affidavit and may hear all relevant and material evidence,  
525 including oral or written reports, to the extent of its  
526 probative value even though it would not be competent evidence  
527 at an adjudicatory hearing. If the court finds that probable  
528 cause is not established to support the removal of the child  
529 from the placement, the court shall order that the child be  
530 returned to his or her current placement. If the caregiver  
531 admits to a need for a change of placement or probable cause is  
532 established to support the removal, the court shall enter an



154690

533 order changing the placement of the child. If the child is not  
534 placed in foster care, then the new placement for the child must  
535 meet the home study criteria in chapter 39. If the child's  
536 placement is modified based on a probable cause finding, the  
537 court must conduct a subsequent evidentiary hearing, unless  
538 waived by all parties, on the motion to determine whether the  
539 department has established by a preponderance of the evidence  
540 that maintaining the new placement of the child is in the best  
541 interest of the child. The court shall consider the continuity  
542 of the child's placement in the same out-of-home residence as a  
543 factor when determining the best interests of the child.

544 (2) ~~(1)~~ At any time before a child is residing in the  
545 permanent placement approved at the permanency hearing, a child  
546 who has been placed in the child's own home under the protective  
547 supervision of an authorized agent of the department, in the  
548 home of a relative, in the home of a legal custodian, or in some  
549 other place may be brought before the court by the department or  
550 by any other party ~~interested person~~, upon the filing of a  
551 petition ~~motion~~ alleging a need for a change in the conditions  
552 of protective supervision or the placement. If the parents or  
553 other legal custodians deny the need for a change, the court  
554 shall hear all parties in person or by counsel, or both. Upon  
555 the admission of a need for a change or after such hearing, the  
556 court shall enter an order changing the placement, modifying the  
557 conditions of protective supervision, or continuing the  
558 conditions of protective supervision as ordered. The standard  
559 for changing custody of the child is determined by a  
560 preponderance of the evidence that establishes that a change is  
561 in ~~shall be~~ the best interest of the child. When applying this



154690

562 standard, the court shall consider the continuity of the child's  
563 placement in the same out-of-home residence as a factor when  
564 determining the best interests of the child. If the child is not  
565 placed in foster care, then the new placement for the child must  
566 meet the home study criteria and court approval under ~~pursuant~~  
567 ~~to~~ this chapter.

568 (3)~~(2)~~ In cases where the issue before the court is whether  
569 a child should be reunited with a parent, the court shall review  
570 the conditions for return and determine whether the  
571 circumstances that caused the out-of-home placement and issues  
572 subsequently identified have been remedied to the extent that  
573 the return of the child to the home with an in-home safety plan  
574 prepared or approved by the department will not be detrimental  
575 to the child's safety, well-being, and physical, mental, and  
576 emotional health.

577 (4)~~(3)~~ In cases where the issue before the court is whether  
578 a child who is placed in the custody of a parent should be  
579 reunited with the other parent upon a finding that the  
580 circumstances that caused the out-of-home placement and issues  
581 subsequently identified have been remedied to the extent that  
582 the return of the child to the home of the other parent with an  
583 in-home safety plan prepared or approved by the department will  
584 not be detrimental to the child, the standard shall be that the  
585 safety, well-being, and physical, mental, and emotional health  
586 of the child would not be endangered by reunification and that  
587 reunification would be in the best interest of the child.

588 Section 8. Subsection (8) of section 39.6011, Florida  
589 Statutes, is amended to read:

590 39.6011 Case plan development.—



154690

591 (8) The case plan must be filed with the court and copies  
592 provided to all parties, including the child if appropriate:  
593 ~~not less than 3 business days before the disposition hearing.~~

594 (a) Not less than 72 hours before the disposition hearing,  
595 if the disposition hearing occurs on or after the 60th day after  
596 the date the child was placed in out-of-home care; or

597 (b) Not less than 72 hours before the case plan acceptance  
598 hearing, if the disposition hearing occurs before the 60th day  
599 after the date the child was placed in out-of-home care and a  
600 case plan has not been submitted under this subsection, or if  
601 the court does not approve the case plan at the disposition  
602 hearing.

603 Section 9. Section 39.63, Florida Statutes, is created to  
604 read:

605 39.63 Case closure.—Unless s. 39.6251 applies, the court  
606 shall close the judicial case for all proceedings under this  
607 chapter by terminating protective supervision and its  
608 jurisdiction as provided in this section.

609 (1) If a child is placed under the protective supervision  
610 of the department, the protective supervision continues until  
611 such supervision is terminated by the court or until the child  
612 reaches the age of 18, whichever occurs first. The court shall  
613 terminate protective supervision when it determines that  
614 permanency has been achieved for the child and supervision is no  
615 longer needed. If the court adopts a permanency goal of  
616 reunification with a parent or legal custodian from whom the  
617 child was initially removed, the court must retain jurisdiction  
618 and the department must supervise the placement for a minimum of  
619 6 months after reunification. The court shall determine whether



154690

620 its jurisdiction should be continued or terminated based on a  
621 report of the department or the child's guardian ad litem. The  
622 termination of supervision may be with or without retaining  
623 jurisdiction, at the court's discretion.

624 (2) The order terminating protective supervision must set  
625 forth the powers of the legal custodian of the child and include  
626 the powers originally granted to a guardian of the person of a  
627 minor unless otherwise specified.

628 (3) Upon the court's termination of supervision by the  
629 department, further judicial reviews are not required.

630 (4) The court must enter a written order terminating its  
631 jurisdiction over a child when the child is returned to his or  
632 her parent. However, the court must retain jurisdiction over the  
633 child for a minimum of 6 months after reunification and may not  
634 terminate its jurisdiction until the court determines that  
635 protective supervision is no longer needed.

636 (5) If a child was not removed from the home, the court  
637 must enter a written order terminating its jurisdiction over the  
638 child when the court determines that permanency has been  
639 achieved.

640 (6) If a child is placed in the custody of a parent and the  
641 court determines that reasonable efforts to reunify the child  
642 with the other parent are not required, the court may, at any  
643 time, order that the custodial parent assume sole custodial  
644 responsibilities for the child, provide for reasonable  
645 visitation by the noncustodial parent, and terminate its  
646 jurisdiction over the child. If the court previously approved a  
647 case plan that requires services to be provided to the  
648 noncustodial parent, the court may not terminate its



154690

649 jurisdiction before the case plan expires unless the court finds  
650 by a preponderance of the evidence that it is not likely that  
651 the child will be reunified with the noncustodial parent within  
652 12 months after the child was removed from the home.

653 (7) When a child has been adopted under a chapter 63  
654 proceeding, the court must enter a written order terminating its  
655 jurisdiction over the child in the chapter 39 proceeding.

656 Section 10. Paragraph (e) of subsection (1) and subsection  
657 (2) of section 39.806, Florida Statutes, are amended to read:

658 39.806 Grounds for termination of parental rights.—

659 (1) Grounds for the termination of parental rights may be  
660 established under any of the following circumstances:

661 (e) When a child has been adjudicated dependent, a case  
662 plan has been filed with the court, and:

663 1. The child continues to be abused, neglected, or  
664 abandoned by the parent or parents. The failure of the parent or  
665 parents to substantially comply with the case plan for a period  
666 of 12 months after an adjudication of the child as a dependent  
667 child or the child's placement into shelter care, whichever  
668 occurs first, constitutes evidence of continuing abuse, neglect,  
669 or abandonment unless the failure to substantially comply with  
670 the case plan was due to the parent's lack of financial  
671 resources or to the failure of the department to make reasonable  
672 efforts to reunify the parent and child. The 12-month period  
673 begins to run only after the child's placement into shelter care  
674 or the entry of a disposition order placing the custody of the  
675 child with the department or a person other than the parent and  
676 the court's approval of a case plan having the goal of  
677 reunification with the parent, whichever occurs first; ~~or~~





154690

678           2. The parent or parents have materially breached the case  
679 plan by their action or inaction. Time is of the essence for  
680 permanency of children in the dependency system. In order to  
681 prove the parent or parents have materially breached the case  
682 plan, the court must find by clear and convincing evidence that  
683 the parent or parents are unlikely or unable to substantially  
684 comply with the case plan before time to comply with the case  
685 plan expires; or-

686           3. The child has been in care for any 12 of the last 22  
687 months and the parents have not substantially complied with the  
688 case plan so as to permit reunification under s. 39.522(3) ~~s.~~  
689 ~~39.522(2)~~ unless the failure to substantially comply with the  
690 case plan was due to the parent's lack of financial resources or  
691 to the failure of the department to make reasonable efforts to  
692 reunify the parent and child.

693           (2) Reasonable efforts to preserve and reunify families are  
694 not required if a court of competent jurisdiction has determined  
695 that any of the events described in paragraphs (1)(b)-(d) or  
696 paragraphs (1)(f)-(n) ~~(1)(f)-(m)~~ have occurred.

697           Section 11. Subsection (9) of section 39.811, Florida  
698 Statutes, is amended to read:

699           39.811 Powers of disposition; order of disposition.—

700           (9) After termination of parental rights or a written order  
701 of permanent commitment entered under s. 39.5035, the court  
702 shall retain jurisdiction over any child for whom custody is  
703 given to a social service agency until the child is adopted. The  
704 court shall review the status of the child's placement and the  
705 progress being made toward permanent adoptive placement. As part  
706 of this continuing jurisdiction, for good cause shown by the



154690

707 guardian ad litem for the child, the court may review the  
708 appropriateness of the adoptive placement of the child. The  
709 department's decision to deny an application to adopt a child  
710 who is under the court's jurisdiction is reviewable only through  
711 a motion to file a chapter 63 petition as provided in s.  
712 39.812(4), and is not subject to chapter 120.

713 Section 12. Subsections (1), (4), and (5) of section  
714 39.812, Florida Statutes, are amended to read:

715 39.812 Postdisposition relief; petition for adoption.—

716 (1) If the department is given custody of a child for  
717 subsequent adoption in accordance with this chapter, the  
718 department may place the child with an agency as defined in s.  
719 63.032, with a child-caring agency registered under s. 409.176,  
720 or in a family home for prospective subsequent adoption without  
721 the need for a court order unless otherwise required under this  
722 section. The department may allow prospective adoptive parents  
723 to visit with a child in the department's custody without a  
724 court order to determine whether the adoptive placement would be  
725 appropriate. The department may thereafter become a party to any  
726 proceeding for the legal adoption of the child and appear in any  
727 court where the adoption proceeding is pending and consent to  
728 the adoption, and that consent alone shall in all cases be  
729 sufficient.

730 (4) The court shall retain jurisdiction over any child  
731 placed in the custody of the department until the case is closed  
732 as provided in s. 39.63 ~~the child is adopted~~. After custody of a  
733 child for subsequent adoption has been given to the department,  
734 the court has jurisdiction for the purpose of reviewing the  
735 status of the child and the progress being made toward permanent



154690

736 adoptive placement. As part of this continuing jurisdiction, for  
737 good cause shown by the guardian ad litem for the child, the  
738 court may review the appropriateness of the adoptive placement  
739 of the child.

740 (a) If the department has denied a person's application to  
741 adopt a child, the denied applicant may file a motion with the  
742 court within 30 days after the issuance of the written  
743 notification of denial to allow him or her to file a chapter 63  
744 petition to adopt a child without the department's consent. The  
745 denied applicant must allege in its motion that the department  
746 unreasonably withheld its consent to the adoption. The court, as  
747 part of its continuing jurisdiction, may review and rule on the  
748 motion.

749 1. The denied applicant only has standing in the chapter 39  
750 proceeding to file the motion in paragraph (a) and to present  
751 evidence in support of the motion at a hearing, which must be  
752 held within 30 days after the filing of the motion.

753 2. At the hearing on the motion, the court may only  
754 consider whether the department's review of the application was  
755 consistent with its policies and made in an expeditious manner.  
756 The standard of review by the court is whether the department's  
757 denial of the application is an abuse of discretion. The court  
758 may not compare the denied applicant against another applicant  
759 to determine which placement is in the best interests of the  
760 child.

761 3. If the denied applicant establishes by a preponderance  
762 of the evidence that the department unreasonably withheld its  
763 consent, the court shall enter an order authorizing the denied  
764 applicant to file a petition to adopt the child under chapter 63



154690

765 without the department's consent.

766 4. If the denied applicant does not prove by a  
767 preponderance of the evidence that the department unreasonably  
768 withheld its consent, the court shall enter an order so finding  
769 and dismiss the motion.

770 5. The standing of the denied applicant in the chapter 39  
771 proceeding is terminated upon entry of the court's order.

772 (b) When a licensed foster parent or court-ordered  
773 custodian has applied to adopt a child who has resided with the  
774 foster parent or custodian for at least 6 months and who has  
775 previously been permanently committed to the legal custody of  
776 the department and the department does not grant the application  
777 to adopt, the department may not, in the absence of a prior  
778 court order authorizing it to do so, remove the child from the  
779 foster home or custodian, except when:

780 1. ~~(a)~~ There is probable cause to believe that the child is  
781 at imminent risk of abuse or neglect;

782 2. ~~(b)~~ Thirty days have expired following written notice to  
783 the foster parent or custodian of the denial of the application  
784 to adopt, within which period no formal challenge of the  
785 department's decision has been filed; ~~or~~

786 3. ~~(c)~~ The foster parent or custodian agrees to the child's  
787 removal; ~~or~~

788 4. The department has selected another prospective adoptive  
789 parent to adopt the child and either the foster parent or  
790 custodian has not filed a motion with the court to allow him or  
791 her to file a chapter 63 petition to adopt a child without the  
792 department's consent, as provided under paragraph (a), or the  
793 court has denied such a motion.



154690

794 (5) The petition for adoption must be filed in the division  
795 of the circuit court which entered the judgment terminating  
796 parental rights, unless a motion for change of venue is granted  
797 under ~~pursuant to~~ s. 47.122. A copy of the consent executed by  
798 the department must be attached to the petition, unless such  
799 consent is waived under subsection (4) ~~pursuant to s. 63.062(7)~~.  
800 The petition must be accompanied by a statement, signed by the  
801 prospective adoptive parents, acknowledging receipt of all  
802 information required to be disclosed under s. 63.085 and a form  
803 provided by the department which details the social and medical  
804 history of the child and each parent and includes the social  
805 security number and date of birth for each parent, if such  
806 information is available or readily obtainable. The prospective  
807 adoptive parents may not file a petition for adoption until the  
808 judgment terminating parental rights becomes final. An adoption  
809 proceeding under this subsection is governed by chapter 63.

810 Section 13. Section 39.820, Florida Statutes, is amended to  
811 read:

812 39.820 Definitions.—As used in this chapter part, the term:

813 (1) "Guardian ad litem" as referred to in any civil or  
814 criminal proceeding includes the following: The Statewide  
815 Guardian Ad Litem Office, which includes circuit a certified  
816 guardian ad litem programs; program, a duly certified volunteer,  
817 a staff member, a staff attorney, a contract attorney, or  
818 ~~certified a~~ a pro bono attorney working on behalf of a guardian ad  
819 litem ~~or the program; staff members of a program office;~~ a  
820 court-appointed attorney; or a responsible adult who is  
821 appointed by the court to represent the best interests of a  
822 child in a proceeding as provided for by law, including, but not



154690

823 limited to, this chapter, who is a party to any judicial  
824 proceeding as a representative of the child, and who serves  
825 until discharged by the court.

826 (2) "Guardian advocate" means a person appointed by the  
827 court to act on behalf of a drug dependent newborn pursuant to  
828 the provisions of this part.

829 Section 14. Subsection (7) of section 63.062, Florida  
830 Statutes, is amended to read:

831 63.062 Persons required to consent to adoption; affidavit  
832 of nonpaternity; waiver of venue.—

833 (7) If parental rights to the minor have previously been  
834 terminated, the adoption entity with which the minor has been  
835 placed for subsequent adoption may provide consent to the  
836 adoption. In such case, no other consent is required. If the  
837 minor has been permanently committed to the department for  
838 subsequent adoption, the department must consent to the adoption  
839 or, in the alternative, the court order entered under s.  
840 39.812(4) finding that the department ~~The consent of the~~  
841 ~~department shall be waived upon a determination by the court~~  
842 ~~that such consent is being unreasonably withheld~~ its consent  
843 must be attached to the petition to adopt, and if the petitioner  
844 must file ~~has filed with the court~~ a favorable preliminary  
845 adoptive home study as required under s. 63.092.

846 Section 15. Paragraph (b) of subsection (6) of section  
847 63.082, Florida Statutes, is amended to read:

848 63.082 Execution of consent to adoption or affidavit of  
849 nonpaternity; family social and medical history; revocation of  
850 consent.—

851 (6)



154690

852 (b) Upon execution of the consent of the parent, the  
853 adoption entity is ~~shall be~~ permitted to intervene in the  
854 dependency case as a party in interest and must provide the  
855 court that acquired jurisdiction over the minor, pursuant to the  
856 shelter order or dependency petition filed by the department, a  
857 copy of the preliminary home study of the prospective adoptive  
858 parents and any other evidence of the suitability of the  
859 placement. The preliminary home study must be maintained with  
860 strictest confidentiality within the dependency court file and  
861 the department's file. A preliminary home study must be provided  
862 to the court in all cases in which an adoption entity has  
863 intervened under ~~pursuant to~~ this section. The exemption in s.  
864 63.092(3) from the home study for a stepparent or relative does  
865 not apply if a minor is under the supervision of the department  
866 or is otherwise subject to the jurisdiction of the dependency  
867 court as a result of the filing of a shelter petition,  
868 dependency petition, or termination of parental rights petition  
869 under chapter 39. Unless the court has concerns regarding the  
870 qualifications of the home study provider, or concerns that the  
871 home study may not be adequate to determine the best interests  
872 of the child, the home study provided by the adoption entity is  
873 ~~shall be deemed to be~~ sufficient and no additional home study  
874 needs to be performed by the department.

875 Section 16. Subsections (8) and (9) of section 402.302,  
876 Florida Statutes, are amended to read:

877 402.302 Definitions.—As used in this chapter, the term:

878 (8) "Family day care home" means an occupied primary  
879 residence leased or owned by the operator in which child care is  
880 regularly provided for children from at least two unrelated



154690

881 families and which receives a payment, fee, or grant for any of  
882 the children receiving care, whether or not operated for profit.  
883 Household children under 13 years of age, when on the premises  
884 of the family day care home or on a field trip with children  
885 enrolled in child care, are ~~shall be~~ included in the overall  
886 capacity of the licensed home. A family day care home is ~~shall~~  
887 ~~be~~ allowed to provide care for one of the following groups of  
888 children, which shall include household children under 13 years  
889 of age:

890 (a) A maximum of four children from birth to 12 months of  
891 age.

892 (b) A maximum of three children from birth to 12 months of  
893 age, and other children, for a maximum total of six children.

894 (c) A maximum of six preschool children if all are older  
895 than 12 months of age.

896 (d) A maximum of 10 children if no more than 5 are  
897 preschool age and, of those 5, no more than 2 are under 12  
898 months of age.

899 (9) "Household children" means children who are related by  
900 blood, marriage, or legal adoption to, or who are the legal  
901 wards of, the family day care home operator, the large family  
902 child care home operator, or an adult household member who  
903 permanently or temporarily resides in the home. Supervision of  
904 the operator's household children shall be left to the  
905 discretion of the operator unless those children receive  
906 subsidized child care through the school readiness program under  
907 ~~pursuant to~~ s. 1002.92 to be in the home.

908 Section 17. Paragraph (a) of subsection (7), paragraphs (b)  
909 and (c) of subsection (9), and subsection (10) of section





154690

910 402.305, Florida Statutes, are amended to read:

911 402.305 Licensing standards; child care facilities.—

912 (7) SANITATION AND SAFETY.—

913 (a) Minimum standards shall include requirements for  
914 sanitary and safety conditions, first aid treatment, emergency  
915 procedures, and pediatric cardiopulmonary resuscitation. The  
916 minimum standards shall require that at least one staff person  
917 trained and certified in cardiopulmonary resuscitation, as  
918 evidenced by current documentation of course completion, must be  
919 present at all times that children are present.

920 (9) ADMISSIONS AND RECORDKEEPING.—

921 (b) At the time of initial enrollment and annually  
922 thereafter ~~During the months of August and September of each~~  
923 ~~year~~, each child care facility shall provide parents of children  
924 enrolled in the facility detailed information regarding the  
925 causes, symptoms, and transmission of the influenza virus in an  
926 effort to educate those parents regarding the importance of  
927 immunizing their children against influenza as recommended by  
928 the Advisory Committee on Immunization Practices of the Centers  
929 for Disease Control and Prevention.

930 (c) At the time of initial enrollment and annually  
931 thereafter ~~During the months of April and September of each~~  
932 ~~year~~, at a minimum, each facility shall provide parents of  
933 children enrolled in the facility information regarding the  
934 potential for a distracted adult to fail to drop off a child at  
935 the facility and instead leave the child in the adult's vehicle  
936 upon arrival at the adult's destination. The child care facility  
937 shall also give parents information about resources with  
938 suggestions to avoid this occurrence. The department shall



154690

939 develop a flyer or brochure with this information that shall be  
940 posted to the department's website, which child care facilities  
941 may choose to reproduce and provide to parents to satisfy the  
942 requirements of this paragraph.

943 (10) TRANSPORTATION SAFETY.—

944 (a) Minimum standards for child care facilities, family day  
945 care homes, and large family child care homes shall include all  
946 of the following:

947 1. Requirements for child restraints or seat belts in  
948 vehicles used by child care facilities and large family child  
949 care homes to transport children.

950 2. Requirements for annual inspections of such the  
951 vehicles.

952 3. Limitations on the number of children which may be  
953 transported in such the vehicles.

954 4. Procedures to avoid leaving children in vehicles when  
955 transported by the facility, and accountability for children  
956 transported by the child care facility.

957 (b) Before providing transportation services or reinstating  
958 transportation services after a lapse or discontinuation of  
959 longer than 30 days, a child care facility, family day care  
960 home, or large family child care home must be approved by the  
961 department to transport children. Approval by the department is  
962 based on the provider's demonstration of compliance with all  
963 current rules and standards for transportation.

964 (c) A child care facility, family day care home, or large  
965 family child care home is not responsible for the safe transport  
966 of children when they are being transported by a parent or  
967 guardian.



154690

968 Section 18. Subsections (14) and (15) of section 402.313,  
969 Florida Statutes, are amended to read:

970 402.313 Family day care homes.—

971 (14) At the time of initial enrollment and annually  
972 thereafter ~~During the months of August and September of each~~  
973 ~~year~~, each family day care home shall provide parents of  
974 children enrolled in the home detailed information regarding the  
975 causes, symptoms, and transmission of the influenza virus in an  
976 effort to educate those parents regarding the importance of  
977 immunizing their children against influenza as recommended by  
978 the Advisory Committee on Immunization Practices of the Centers  
979 for Disease Control and Prevention.

980 (15) At the time of initial enrollment and annually  
981 thereafter ~~During the months of April and September of each~~  
982 ~~year~~, at a minimum, each family day care home shall provide  
983 parents of children attending the family day care home  
984 information regarding the potential for a distracted adult to  
985 fail to drop off a child at the family day care home and instead  
986 leave the child in the adult's vehicle upon arrival at the  
987 adult's destination. The family day care home shall also give  
988 parents information about resources with suggestions to avoid  
989 this occurrence. The department shall develop a flyer or  
990 brochure with this information that shall be posted to the  
991 department's website, which family day care homes may choose to  
992 reproduce and provide to parents to satisfy the requirements of  
993 this subsection.

994 Section 19. Subsections (8), (9), and (10) of section  
995 402.3131, Florida Statutes, are amended to read:

996 402.3131 Large family child care homes.—



154690

997           (8) Before ~~Prior to~~ being licensed by the department, large  
998 family child care homes must be approved by the state or local  
999 fire marshal in accordance with standards established for child  
1000 care facilities.

1001           (9) At the time of initial enrollment and annually  
1002 thereafter ~~During the months of August and September of each~~  
1003 ~~year~~, each large family child care home shall provide parents of  
1004 children enrolled in the home detailed information regarding the  
1005 causes, symptoms, and transmission of the influenza virus in an  
1006 effort to educate those parents regarding the importance of  
1007 immunizing their children against influenza as recommended by  
1008 the Advisory Committee on Immunization Practices of the Centers  
1009 for Disease Control and Prevention.

1010           (10) At the time of initial enrollment and annually  
1011 thereafter ~~During the months of April and September of each~~  
1012 ~~year~~, at a minimum, each large family child care home shall  
1013 provide parents of children attending the large family child  
1014 care home information regarding the potential for a distracted  
1015 adult to fail to drop off a child at the large family child care  
1016 home and instead leave the child in the adult's vehicle upon  
1017 arrival at the adult's destination. The large family child care  
1018 home shall also give parents information about resources with  
1019 suggestions to avoid this occurrence. The department shall  
1020 develop a flyer or brochure with this information that shall be  
1021 posted to the department's website, which large family child  
1022 care homes may choose to reproduce and provide to parents to  
1023 satisfy the requirements of this subsection.

1024           Section 20. Subsection (6) and paragraphs (b) and (e) of  
1025 subsection (7) of section 409.1451, Florida Statutes, are



154690

1026 amended to read:

1027 409.1451 The Road-to-Independence Program.—

1028 (6) ACCOUNTABILITY.—The department shall develop outcome  
1029 measures for the program and other performance measures ~~in order~~  
1030 ~~to maintain oversight of the program. No later than January 31~~  
1031 ~~of each year, the department shall prepare a report on the~~  
1032 ~~outcome measures and the department's oversight activities and~~  
1033 ~~submit the report to the President of the Senate, the Speaker of~~  
1034 ~~the House of Representatives, and the committees with~~  
1035 ~~jurisdiction over issues relating to children and families in~~  
1036 ~~the Senate and the House of Representatives. The report must~~  
1037 ~~include:~~

1038 ~~(a) An analysis of performance on the outcome measures~~  
1039 ~~developed under this section reported for each community-based~~  
1040 ~~care lead agency and compared with the performance of the~~  
1041 ~~department on the same measures.~~

1042 ~~(b) A description of the department's oversight of the~~  
1043 ~~program, including, by lead agency, any programmatic or fiscal~~  
1044 ~~deficiencies found, corrective actions required, and current~~  
1045 ~~status of compliance.~~

1046 ~~(c) Any rules adopted or proposed under this section since~~  
1047 ~~the last report. For the purposes of the first report, any rules~~  
1048 ~~adopted or proposed under this section must be included.~~

1049 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The  
1050 secretary shall establish the Independent Living Services  
1051 Advisory Council for the purpose of reviewing and making  
1052 recommendations concerning the implementation and operation of  
1053 the provisions of s. 39.6251 and the Road-to-Independence  
1054 Program. The advisory council shall function as specified in



154690

1055 this subsection until the Legislature determines that the  
1056 advisory council can no longer provide a valuable contribution  
1057 to the department's efforts to achieve the goals of the services  
1058 designed to enable a young adult to live independently.

1059 ~~(b) The advisory council shall report to the secretary on~~  
1060 ~~the status of the implementation of the Road to Independence~~  
1061 ~~Program, efforts to publicize the availability of the Road to~~  
1062 ~~Independence Program, the success of the services, problems~~  
1063 ~~identified, recommendations for department or legislative~~  
1064 ~~action, and the department's implementation of the~~  
1065 ~~recommendations contained in the Independent Living Services~~  
1066 ~~Integration Workgroup Report submitted to the appropriate~~  
1067 ~~substantive committees of the Legislature by December 31, 2013.~~  
1068 ~~The department shall submit a report by December 31 of each year~~  
1069 ~~to the Governor, the President of the Senate, and the Speaker of~~  
1070 ~~the House of Representatives which includes a summary of the~~  
1071 ~~factors reported on by the council and identifies the~~  
1072 ~~recommendations of the advisory council and either describes the~~  
1073 ~~department's actions to implement the recommendations or~~  
1074 ~~provides the department's rationale for not implementing the~~  
1075 ~~recommendations.~~

1076 ~~(c) The advisory council report required under paragraph~~  
1077 ~~(b) must include an analysis of the system of independent living~~  
1078 ~~transition services for young adults who reach 18 years of age~~  
1079 ~~while in foster care before completing high school or its~~  
1080 ~~equivalent and recommendations for department or legislative~~  
1081 ~~action. The council shall assess and report on the most~~  
1082 ~~effective method of assisting these young adults to complete~~  
1083 ~~high school or its equivalent by examining the practices of~~



154690

1084 ~~other states.~~

1085 Section 21. This act shall take effect October 1, 2020.

1086

1087 ===== T I T L E A M E N D M E N T =====

1088 And the title is amended as follows:

1089 Delete everything before the enacting clause

1090 and insert:

1091 A bill to be entitled

1092 An act relating to child welfare; amending s. 25.385,  
1093 F.S.; requiring the Florida Court Educational Council  
1094 to establish certain standards for instruction of  
1095 specified circuit court judges; amending s. 39.205,  
1096 F.S.; deleting a requirement for the Department of  
1097 Children and Families to report certain information to  
1098 the Legislature; amending s. 39.302, F.S.; requiring  
1099 the department to review certain reports under certain  
1100 circumstances; amending s. 39.407, F.S.; transferring  
1101 certain duties to the department from the Agency for  
1102 Health Care Administration; creating s. 39.5035, F.S.;  
1103 providing court procedures and requirements relating  
1104 to deceased parents of a dependent child; providing  
1105 requirements for petitions for adjudication and  
1106 permanent commitment for certain children; amending s.  
1107 39.521, F.S.; deleting provisions relating to  
1108 protective supervision; deleting provisions relating  
1109 to the court's authority to enter an order ending its  
1110 jurisdiction over a child under certain circumstances;  
1111 amending s. 39.522, F.S.; providing requirements for a  
1112 modification of placement of a child under the



154690

1113 supervision of the department; amending s. 39.6011,  
1114 F.S.; providing timeframes in which case plans must be  
1115 filed with the court and be provided to specified  
1116 parties; creating s. 39.63, F.S.; providing procedures  
1117 and requirements for closing a case under chapter 39;  
1118 amending s. 39.806, F.S.; conforming cross-references;  
1119 amending s. 39.811, F.S.; expanding conditions under  
1120 which a court retains jurisdiction; providing when  
1121 certain decisions relating to adoption are reviewable;  
1122 amending s. 39.812, F.S.; authorizing the department  
1123 to take certain actions without a court order;  
1124 authorizing certain persons to file a petition to  
1125 adopt a child without the department's consent;  
1126 providing standing requirements; providing a standard  
1127 of proof; providing responsibilities of the court in  
1128 such cases; amending s. 39.820, F.S.; revising the  
1129 definition of the term "guardian ad litem"; amending  
1130 s. 63.062, F.S.; requiring the department to consent  
1131 to certain adoptions; providing exceptions; amending  
1132 s. 63.082, F.S.; providing construction; amending s.  
1133 402.302, F.S.; revising definitions; amending s.  
1134 402.305, F.S.; requiring a certain number of staff  
1135 persons at child care facilities to be certified in  
1136 certain safety techniques; requiring child care  
1137 facilities to provide certain information to parents  
1138 at the time of initial enrollment and annually  
1139 thereafter; revising minimum standards for child care  
1140 facilities, family day care homes, and large family  
1141 child care homes relating to transportation; requiring





154690

1142 child care facilities, family day care homes, and  
1143 large family child care homes to be approved by the  
1144 department to transport children in certain  
1145 situations; amending s. 402.313, F.S.; requiring  
1146 family day care homes to provide certain information  
1147 to parents at the time of enrollment and annually  
1148 thereafter; amending s. 402.3131, F.S.; requiring  
1149 large family child care homes to provide certain  
1150 information to parents at the time of enrollment and  
1151 annually thereafter; amending s. 409.1451, F.S.;  
1152 deleting a reporting requirement of the department and  
1153 the Independent Living Services Advisory Council;  
1154 providing an effective date.