

HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

BILL #: CS/HB 43 Child Welfare

SPONSOR(S): Health & Human Services Committee, Latvala and others

TIED BILLS: **IDEN./SIM. BILLS:**

FINAL HOUSE FLOOR ACTION: 113 Y's 0 N's **GOVERNOR'S ACTION:** Approved

SUMMARY ANALYSIS

CS/HB 43 passed the House on February 20, 2020. The bill was amended in the Senate on March 5, 2020, and returned to the House. The House concurred in the Senate amendment and subsequently passed the bill as amended on March 12, 2020.

Jordan Belliveau, Jr., was murdered by his mother in September 2018 when he was two years old. At the time of Jordan's death, the family was under court supervision because a child protective investigation found Jordan to be living in an unsafe home environment that included gang violence and domestic violence. The court had reunified the family and they were receiving post-reunification services. Due to lack of communication to the court, lack of communication between law enforcement and the Department of Children and Families (DCF), and lack of evidence provided by case management regarding the parents' case plan compliance, ongoing family issues that provided an unsafe home environment for Jordan were never addressed.

HB 43 is entitled "Jordan's Law" and addresses some issues that arose in his dependency case.

The bill creates a communication process beginning March 1, 2021, to make information available to law enforcement agencies that a person is a parent or caregiver involved in the child welfare system, and requires an officer to contact the central abuse hotline if the officer interacts with such a person and has concerns for a child's health, safety, or well-being.

The bill also requires the Child Protection Teams to offer training on the recognition of and responses to head trauma and brain injury in a child under 6 years of age, and requires child welfare professionals, dependency court judges, and law enforcement officers to obtain training on the topic.

The bill amends the definition of "Guardian ad Litem" to include the Statewide Guardian ad Litem Office to allow the statewide office access to necessary court records and allows the statewide office to have a representative of a domestic violence advocacy group on its training curriculum committee.

The bill allows DCF and community-based care lead agencies to provide intensive family reunification services that combine child welfare and mental health services for families with dependent children under six years of age.

Further, the bill requires third-party credentialing entities that administer certification for child welfare professionals to review the findings and all relevant documents involving the death of a child or other critical incident following the completion of reviews by DCF, the Inspector General, or the Office of the Attorney General. The review only occurs upon the filing of a complaint by an outside party and assesses the certified personnel's compliance with the third-party credentialing entity's published code of ethics and professional conduct and disciplinary procedures.

The bill has an insignificant negative, nonrecurring fiscal impact to DCF and FDLE. The bill has no fiscal impact on local governments.

The bill was approved by the Governor on June 18, 2020, ch. 2020-40, L.O.F., and will become effective on July 1, 2020.

I. SUBSTANTIVE INFORMATION

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h0043z1.CFS.DOCX

DATE: 6/22/2020

A. EFFECT OF CHANGES:

Background

Florida's Child Welfare System

The child welfare system identifies families whose children are in danger of suffering or have suffered abuse, abandonment, or neglect and works with those families to address the problems that are endangering children, if possible. If the child welfare system cannot address the problems, the Department of Children and Families (DCF) finds a safe out-of-home placement to protect children.

Central Abuse Hotline

DCF operates the Florida central abuse hotline (hotline), which accepts reports 24 hours a day, seven days a week, of known or suspected child abuse, abandonment, or neglect.¹ Current law requires any person who knows or suspects that a child is abused, abandoned, or neglected to report such knowledge or suspicion to the hotline.² A child protective investigation begins if the hotline determines the allegations meet the statutory definition of abuse, abandonment, or neglect.³ A child protective investigator investigates the situation either immediately or within 24 hours after the report is received, depending on the nature of the allegation.⁴

Current law requires DCF to notify law enforcement immediately when the alleged harm to the victim is the result of suspected "criminal conduct" by the child's parent or caregiver.⁵ The term "criminal conduct" includes cases where a child is known or suspected to have died from child abuse or neglect or to be the victim of:

- child abuse or neglect.⁶
- aggravated child abuse.⁷
- sexual battery.⁸
- sexual abuse.⁹
- institutional child abuse or neglect.¹⁰
- human trafficking.¹¹

Upon receiving information about alleged criminal conduct from DCF, the law enforcement agency reviews the information to determine whether the conduct calls for a criminal investigation.¹² If so, the law enforcement agency coordinates its investigative activities with DCF, when feasible.¹³

Other than reporting criminal conduct, current law does not require DCF to share any other information with law enforcement, such as when there is an open child protective investigation or when a family is under judicial supervision after an adjudication of dependency.

Dependency Case Process

¹ S. 39.201, F.S.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ S. 39.301(2)(a), F.S.

⁶ Ss. 827.03(1)(b), 827.03(1)(e), F.S.

⁷ S. 827.03(1)(a), F.S.

⁸ S. 827.071(1)(f), F.S.

⁹ S. 39.01(77), F.S.

¹⁰ Ss. 39.01(37), 39.302(1), F.S.

¹¹ S. 787.06, F.S.

¹² S. 39.301(2)(c), F.S.

¹³ *Id.*

When DCF removes a child from the home, a series of dependency court proceedings must occur to adjudicate the child dependent for placement in out-of-home care.

DCF must develop and refine a case plan throughout the dependency process with input from all parties to the child's dependency case. The case plan details the problems found during the child protective investigation as well as the goals, tasks, services, and responsibilities required to alleviate the concerns of the state.¹⁴ Case plan services must focus on clearly defined objectives that will improve the conditions in the home and aid in maintaining the child in the home, facilitate the child's safe return to the home, ensure proper care of the child, or facilitate the child's permanent placement.¹⁵ Once a court finds a child dependent, the judge reviews the case plan and orders the child's parent or parents to follow the case plan tasks.¹⁶ The case plan follows the child from the provision of voluntary services through any dependency or termination of parental rights proceeding or related activity.¹⁷

Once the court approves a case plan, the dependency case continues with judicial review hearings, case plan reviews, custody or placement changes, and permanency planning. The goal is for the dependency court and all parties involved in the child's case to ensure the child remains safe.¹⁸

In determining the specific permanency goal for the child and whether requirements for its achievement have been met, or if other actions need to be taken to protect the child, the court follows the Rules of Juvenile Procedure¹⁹ and relevant statutes. In addition, the court considers information about the parent's behavior and actions and other relevant details provided by parties to and participants in the case, such as through written reports submitted to the court and witness testimony at hearings.²⁰

Guardian ad Litem Program

The Guardian ad Litem (GAL) Program is a network of volunteer advocates and professional staff representing the best interest of abused, abandoned, and neglected children. The court must appoint a GAL to represent a child as soon as possible in any child abuse, abandonment, or neglect proceeding.²¹

The Statewide GAL Office within the Justice Administrative Commission has oversight responsibilities for and provides technical assistance to all guardian ad litem programs located within the judicial circuits.²²

The current statutory definition of the guardian ad litem program does not reflect the role of the Statewide GAL Office in managing the program statewide. Because the statewide office is not in the current statutory definition of guardian ad litem in ch. 39, F.S., it does not allow appropriate staff for the statewide office access to court records for the children the program represents.

Services for Dependent Children

To serve families and children, DCF contracts for foster care and related services with lead agencies, also known as community-based care organizations (CBCs). The outsourced provision of child welfare services

¹⁴ Ss. 39.6011, 39.6012, F.S.

¹⁵ S. 39.6012(1)(a), F.S.

¹⁶ S. 39.603, F.S.

¹⁷ S. 39.01(11), F.S.

¹⁸ S. 39.001(1)(a), F.S.

¹⁹ S. 39.013(1), F.S.

²⁰ For example, a social study report is submitted prior to judicial review hearings and it includes information on the child's placement, the child's safety in the placement, efforts of the parents to comply with case plan tasks, services provided to the foster family or legal custodian to address the child's needs, information on the visitation between the parent and child, and other information related to the child and the parent.

²¹ S. 39.822, F.S.

²² S. 39.8296(2)(b), F.S.

increases local community ownership of service delivery and design.²³ DCF, through the CBCs and other community partners, administers a system of care for children²⁴ to:

- Prevent children's separation from their families.
- Intervene to allow children to remain safely in their own homes.
- Reunify families who have had children removed from their care, if possible and appropriate.
- Ensure safety and normalcy for children who are separated from their families.
- Enhance the well-being of children through educational stability and timely health care.
- Provide permanency.
- Develop their independence and self-sufficiency.

CBC case managers help parents identify their needs, plan their services, link them to the service systems, coordinate the various system components, monitor services delivery, and evaluate the effect of the services received. Services may include, but are not limited to, counseling, domestic violence services, substance abuse services, family preservation, emergency shelter, and adoption. CBCs must provide services that are supported by research or that are recognized as best practices in the child welfare field. CBCs are required to give priority to the use of services that are evidence-based and trauma-informed and may also provide other innovative services,²⁵ including, but not limited to, family-centered and cognitive-behavioral interventions designed to mitigate out-of-home placements.²⁶

CBCs contract with subcontractors for case management and direct care services to children and their families. There are 17 CBCs statewide, which together serve the state's 20 judicial circuits.²⁷

Service Needs of Children Under Six Years of Age

Children under age six are at a crucial developmental stage in their lives. From birth through five years of age, children develop foundational capabilities on which subsequent development builds.²⁸ Regions of the brain involved in regulating emotions, language, and abstract thought grow rapidly in the first three years of life.²⁹ By age three, a child's brain has reached almost 90 percent of its adult size, and the growth in each region of the brain during this time largely depends on the stimulation it receives.³⁰

A child's experience with abuse or neglect, or other forms of toxic stress such as domestic violence, can negatively affect brain development.³¹ These include changes to the structure and chemical activity (e.g., decreased size or connectivity in some parts of the brain) and in the emotional and behavioral functioning of the child (e.g., over-sensitivity to stressful situations).³² When the brain develops under negative conditions, children learn to cope in a negative environment, and their ability to respond to nurturing may be impaired.³³

The effect of child abuse or neglect can continue to influence brain development into teenage years as well as adulthood. Some youth who grow up in negative environments as children develop brains that focus on

²³ Florida Department of Children and Families, *Community-Based Care*, <http://www.dcf.state.fl.us/service-programs/community-based-care/> (last visited Sept. 30, 2019).

²⁴ Florida Department of Children and Families, *Office of Child Welfare*, <https://myflfamilies.com/service-programs/child-welfare/> (last visited Sept. 30, 2019).

²⁵ For example, Directions for Living, a service provider in the Tampa Bay area, works with parents with substance abuse and mental health issues that contribute to abuse or neglect of children 0-5 years of age. Parents in this program receive intensive mental health case management and substance abuse treatment so families can be safely reunified.

²⁶ S. 409.988(3), F.S.

²⁷ Florida Department of Children and Families, *Community Based Care Lead Agency Map*, <http://www.myflfamilies.com/service-programs/community-based-care/cbc-map> (last visited Sept. 30, 2019).

²⁸ Committee on Integrating the Science of Early Childhood Development, From Neurons to Neighborhood: The Science of Childhood Development 5 (Jack P. Shonkoff & Deborah A. Philips).

²⁹ U.S. Department of Health, Administration for Children & Families, Children's Bureau, *Understanding the Effects of Maltreatment on Brain Development*, (April 2015) https://www.childwelfare.gov/pubpdfs/brain_development.pdf (last visited Sept. 30, 2019).

³⁰ *Id.* at 3.

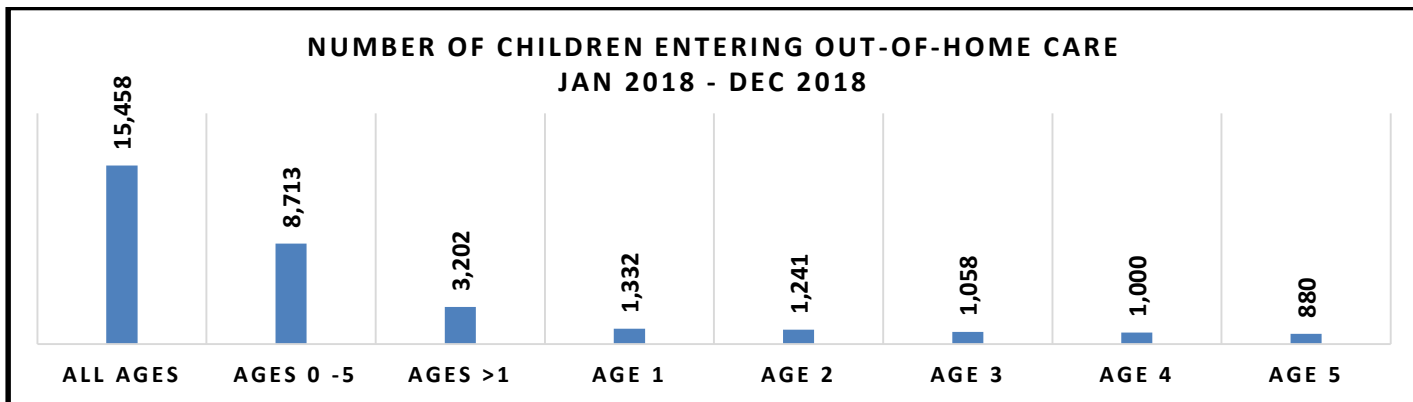
³¹ *Id.* at 5.

³² *Id.*

³³ *Id.*

survival, which can lead to impulsive behavior as well as difficulty with tasks that require higher-level thinking and feeling.³⁴

Young children are especially vulnerable to abuse and neglect due to their inability to protect themselves. In 2018, 15,458 children entered out-of-home care statewide, and around 56 percent were 0 to 5 years of age. A breakdown based on the age of children entering out-of-home care last year is in the table below.



An important predictor of a child’s healthy growth and development is the attachment he or she forms with a consistent caregiver.³⁵ A secure bond with a caregiver helps children develop healthy attachments, nurture themselves, care for others, and be motivated to learn.³⁶ Because a young child’s brain is rapidly developing and there is an important need to bond with a consistent caregiver, it is important to quickly remedy issues that contribute to an unsafe home environment so young children can be reunified with their parents, or be placed in an alternative stable placement, in the shortest time possible.

Jordan Belliveau, Jr.

Jordan Belliveau, Jr., was murdered by his mother in September 2018. At the time of Jordan’s death, the family was under court supervision because a child protective investigation found Jordan to be living in an unsafe home environment that included gang violence and domestic violence between his parents. The court had reunified the family and the parents were receiving post-reunification services. DCF first encountered the family in October 2016 when a report to the hotline alleged Jordan was in an unsafe home environment that included gang violence. The court subsequently found Jordan dependent on November 1, 2016, and placed him in foster care after his mother was unable to obtain alternative housing. Case management gave his parents a case plan with tasks including finding stable housing and receiving mental health services and counseling.

Throughout the entirety of Jordan’s case, his mother and father were either non-compliant or only partially compliant with their case plans. Nevertheless, due to lack of communication to the court and lack of evidence provided by case management regarding compliance, the court reunified Jordan with his mother and father.³⁷ After reunification with his mother, and while still under judicial supervision, domestic violence continued between the parents, with law enforcement arresting Jordan’s father for domestic violence against Jordan’s mother in July 2018. However, because the incident was not immediately reported to the hotline upon arrest, the incident was not reported to the court at a hearing the next day regarding Jordan’s reunification with his father. Three weeks later, the hotline received a report about the arrest, and a child

³⁴ *Id.* at 9.

³⁵ Lucy Hudson, et al., *Healing the Youngest Children: Model Court-Community Partnerships* (Mar. 2007), https://www.americanbar.org/content/dam/aba/administrative/child_law/healing_young_children.pdf.

³⁶ *Id.*

³⁷ Florida Department of Children and Families, Special Review of the Case Involving Jordan Belliveau, Jr. (Jan. 11, 2019), <http://www.dcf.state.fl.us/newsroom/docs/Belliveau%20Special%20Review%202018-632408.pdf>.

protective investigation began. However, the investigator found Jordan was not *currently* in danger, and therefore, found no need to remove him from the home.³⁸

Given the ongoing and escalating level of violence between the parents, the inability to control the situation in the home, and the risk of harm posed to Jordan should his parents engage in further altercations, the investigator should have identified an unsafe home environment.³⁹ With no concerns for Jordan’s safety raised after the investigation or during subsequent hearings, there was no consideration of an emergency modification of his placement⁴⁰ and Jordan’s reunification with his father occurred.⁴¹

On August 31, 2018, a case manager visited Jordan’s parents to discuss several issues regarding lack of cooperation with the Guardian ad Litem and case plan tasks. The case manager emphasized the continued need for Jordan’s parents to participate in services or risk losing custody of Jordan. Less than 24 hours after the visit, Jordan’s mother reported him missing. Four days later, law enforcement found his body and arrested his mother for aggravated child abuse and first-degree murder after she admitted to killing Jordan by hitting him in a “moment of frustration” which “in turn caused the back of his head to strike an interior wall of her home.”⁴²

Training on Head Trauma and Brain Injury in Abused and Neglected Children

Head Trauma and Brain Injury in Children

Abusive head trauma is a leading cause of child abuse deaths in children under five in the United States.⁴³ Head trauma and injuries can be mild, like a bump or bruise, or they can be more severe, like a concussion or a fractured skull bone, and may include internal bleeding and damage to the brain. A number of actions can cause head trauma and brain injury in children. The most commonly known physical abuse that results in a brain injury is shaken-baby syndrome⁴⁴; however, head trauma and other forms of physical abuse, like hitting or striking a child, can cause brain injuries. Caregiver neglect can also cause brain injuries through inadequate supervision or by providing an unsafe home environment.

Additionally, other forms of abuse that do not involve physical abuse to the head, such as choking or strangling, can damage the brain. Disruption in oxygen to the brain, called hypoxia, can cause long-term disabilities and damage to a child’s brain.⁴⁵

Training on Head Trauma

Current law requires training for many professionals who work in the child welfare system. Some of these professions require training upon hire as well as continuing education throughout employment. The chart below details these requirements. Although training for these professionals may include some information on head trauma and brain injury in abused and neglected children, current law does not expressly require training on this topic.

Professional	Training Requirement	Authority
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³⁸ *Id.*

³⁹ *Id.*

⁴⁰ Any time before a child is living in a permanent placement approved at a permanency hearing, the court may change the child’s placement if it is no longer in the child’s best interest to remain in that placement. This process is known as an emergency modification of placement because it does not require the court to again find the child dependent based on abuse, abandonment or neglect. See s. 39.522, F.S.

⁴¹ *Supra* note 35.

⁴² *Id.*

⁴³ Spies, EL, Ph.D. and Klevens, J., MD, Ph.D., *Fatal Abusive Head Trauma among Children Aged <5 Years – United States, 1999-2014* (May 27, 2016).

⁴⁴ See Tina Joyce, Martin Huecker, *Pediatric Abusive Head Trauma (Shaken Baby Syndrome)*, <https://www.ncbi.nlm.nih.gov/books/NBK499836/> (last visited Feb. 2, 2020).

⁴⁵ James E. Lewis, Ph.D., *Neuropsychological Evaluations of Children and Adults in Child Welfare Cases*, <http://centervideo.forest.usf.edu/clsneuropsych/start.html> (last visited Sept. 30, 2019).

Judges	All judges new to the bench are required to complete the Florida Judicial College Program during their first year of judicial service following selection to the bench. ⁴⁶ Continuing judicial education is mandatory for all county, circuit, and appellate judges and the Supreme Court justices. The Florida Court Educational Council is required by statute to establish standards for instruction of circuit and county court judges who have responsibility for domestic violence cases.	s. 25.385, F.S. Fla. R. Jud. Admin. 2.320
Law Enforcement	New hires must successfully complete the Florida Basic Recruit Training Program for the respective discipline or equivalency for out-of-state officers. ⁴⁷ Child abuse training is currently provided as part of the basic skills training for law enforcement officers. Officers must complete continuing education every four years. A continuing education class entitled Child Abuse Investigations is a 40-hour advanced training program that can be used for salary incentive, as an elective course for mandatory retraining, or as a Specialized Training Program course.	s. 943.13, F.S. s. 943.135, F.S.
Guardians ad Litem	The Statewide Guardian ad Litem Office has a curriculum committee to develop the training program for Guardian ad Litem staff and volunteers.	s. 39.8296(2), F.S.
Child Protective Investigators and Supervisors	Child protective investigators and supervisors employed by DCF or a sheriff's office must obtain a Florida Child Protective Investigator certification within 12 months of hire. They must complete specialized training within two years of being hired, which focuses either on servicing a specific population or on performing certain aspects of child protection practice. The specialized training may be used to fulfill continuing education requirements.	s. 402.402(2), F.S.
Children's Legal Services	Attorneys employed by DCF must receive training within the first six months of employment but the training does not address head trauma and brain injuries.	s. 402.402(4), F.S.
Case Managers, Supervisors, Service Providers	CBC providers are required to ensure all individuals providing care for dependent children receive appropriate training.	s. 409.988(1)(f), F.S.

Child Protection Teams

A child protection team (CPT) is a medically directed, multidisciplinary team that supplements the child protective investigation efforts in cases of child abuse and neglect.⁴⁸ CPTs are independent community-based programs contracted by the Department of Health (DOH) Children's Medical Services that provide expertise in evaluating alleged child abuse or neglect, assess risk and protective factors, and provide recommendations for interventions to protect children and enhance a caregiver's capacity to provide a safer environment when possible.⁴⁹ The state is divided into 15 circuits and DOH assigns a CPT to each. CPTs serve all 67 counties by utilizing satellite offices and telemedicine services.⁵⁰ Each of the 15 circuits served by CPTs are supervised by one or multiple CPT directors, depending on the size and subdivision of the particular circuit.⁵¹

CPT staff also train child protective investigators, community providers of child welfare services, and medical providers in the community to enable them to develop and maintain their professional skills and abilities in handling child abuse, abandonment, and neglect cases.⁵²

⁴⁶ Florida Courts, *Information for New Judges*, <https://www.flcourts.org/Resources-Services/Judiciary-Education/Information-for-New-Judges> (last visited Sept. 30, 2019).

⁴⁷ Florida Department of Law Enforcement, *How to Become Employed in Florida*, <http://www.fdle.state.fl.us/CJSTC/Officer-Requirements/Employment-Requirements.aspx> (last visited Sept. 30, 2019).

⁴⁸ Children's Medical Services, *Child Protection Teams*, http://www.cms-kids.com/families/child_protection_safety/child_protection_teams.html (last visited Nov. 22, 2019).

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² S. 39.303(3)(h), F.S.

Certification for Child Welfare Professional

Florida law requires DCF to work with stakeholders and third-party credentialing entities to ensure that child welfare staff have the knowledge, skills, and abilities necessary to completely provide child welfare services.⁵³ Every person providing child welfare services in Florida must earn and maintain a professional verification from a professional credentialing entity approved by DCF.⁵⁴ Every child welfare professional is required to be certified within one year of the date of having successfully completed either the post-test or the waiver test for his or her position classification.⁵⁵

DCF is required to approve one or more third-party credentialing entities to develop and administer the child welfare certification program.⁵⁶ To be approved to provide certification services, the third-party credentialing entity must:

- Establish professional requirements and standards that applicants must achieve in order to obtain a child welfare certification and to maintain such certification.
- Develop and apply core competencies and examination instruments according to nationally recognized certification and psychometric standards.
- Maintain a professional code of ethics and a disciplinary process that apply to all persons holding child welfare certification.
- Maintain a database, accessible to the public, of all persons holding child welfare certification, including any history of ethical violations.
- Require annual continuing education for persons holding child welfare certification.
- Administer a continuing education provider program to ensure that only qualified providers offer continuing education opportunities for certificateholders.
- Maintain an advisory committee, including representatives from each region of DCF, each sheriff's office providing child protective services, and each CBC, who shall be appointed by the organization they represent. The third-party credentialing entity may appoint additional members to the advisory committee.

The third-party credentialing entity is responsible for certification revocation.⁵⁷ DCF, CBCs, sheriffs' offices, and their contracted providers must report all ethical violations of any certificated child protection professional to the third-party credentialing entity.

⁵³ S. 402.40, F.S.

⁵⁴ *Id.*

⁵⁵ R. 65C-33.002, F.A.C.

⁵⁶ DCF has approved one entity to develop and administer a child welfare certification program – the Florida Certification Board.

⁵⁷ R. 65C-33.011, F.A.C.

Information Technology Systems for Child Welfare and Law Enforcement

Florida Safe Families Network

The Florida Safe Families Network (FSFN) is DCF's Statewide Automated Child Welfare Information System. FSFN serves as the statewide electronic case record for all child abuse investigations and case management activities in Florida.

Florida Crime Information Center

The Florida Crime Information Center (FCIC), administered by the Florida Department of Law Enforcement (FDLE), is a state database that houses actionable criminal justice information. When law enforcement encounters an individual, the officer runs the individual's identifying information in FCIC to see if there are any open wants or warrants for their arrest. FDLE's Criminal Justice Information Services (CJIS) is the central repository of criminal history records for the state and provides criminal identification screening to criminal justice and non-criminal justice agencies.⁵⁸ The CJIS helps ensure the quality of data available on the FCIC system.

Effect of the Bill

The bill is entitled "Jordan's Law" and addresses some issues that arose in his dependency case. It creates a communication process between DCF and law enforcement, requires training on head trauma and brain injury in children under six years of age, and allows CBCs to provide intensive reunification services to dependent children.

DCF Communication with Law Enforcement

The bill creates a communication process effective March 1, 2021, between DCF and law enforcement agencies. Although DCF and law enforcement agencies currently share information on cases possibly involving criminal conduct for the purpose of facilitating criminal investigations, law enforcement is not informed of individuals involved in the child welfare system for purposes of providing information for dependency cases.

The bill requires the FSFN and FCIC systems at DCF and FDLE to connect in a way to allow the FDLE to make available to law enforcement agencies information that a person is involved in the child welfare system in one of two statuses as a parent or caregiver:

- Currently the subject of a child protective investigation, or
- Under judicial supervision after an adjudication of dependency.

The bill further requires a law enforcement officer to contact the hotline if he or she interacts with a parent or caregiver and the officer has concerns about a child's health, safety, or well-being. The hotline then must provide any relevant information to either a child protective investigator or to the child's case manager and the attorney representing DCF, depending on who is involved in the child's case at the time of the report.

The bill requires the FDLE, in collaboration with DCF, to submit quarterly status reports to the Office of Policy and Budget in the Governor's Office and the chair of each legislative appropriations committee until all systems enhancements and integrations for the bill's provisions are complete and in production. Each report must detail progress made to date on each activity needed to implement the technology provisions of the bill.

Training

⁵⁸ Florida Department of Law Enforcement, *Criminal Justice Information Services*, <http://www.fdle.state.fl.us/CJIS/CJIS-Home.aspx> (last visited Sept. 30, 2019).

The bill requires training on the recognition of and response to head trauma and brain injury in a child under six years of age. Training on this subject will be required for case managers, Guardian ad Litem staff and volunteers, dependency court judges, child protective investigators (CPIs), Children's Legal Services attorneys, and foster parents and group home staff. The bill requires CPTs to offer the training to CPIs and case managers.

Additionally, the bill creates s. 943.17298, F.S., to require training for law enforcement officers on the recognition of and response to head trauma and brain injury in a child under six years of age to aid an officer in the detection of head trauma and brain injury due to child abuse. Each law enforcement officer must complete the training as part of basic recruit training or as part of continuing training or education. The bill requires the training to be available for new law enforcement offices and completed by current officers by July 1, 2022.

Third-Party Credentialing Entitles

Current law requires third-party credentialing entities to assess certified personnel's compliance with the third-party credentialing entity's published code of ethical and professional conduct and disciplinary procedures. The bill authorizes third-party credentialing entities to review the findings and all relevant records involving the death of a child or other critical incident, following completion of any reviews by DCF, the inspector general, or the Office of the Attorney General, to perform this assessment. Third-party credentialing entities may conduct such a review only upon the filing of a complaint by an outside party.

Guardian ad Litem Program

The bill amends the definition of "Guardian ad Litem" to include the Statewide Guardian ad Litem Office. This change reflects that the circuit Guardian ad Litem programs are under the single statewide entity and will allow the Statewide Guardian ad Litem Office electronic access to court records of the children the program represents.

The bill also amends s. 39.8296(2)(b)4., F.S., to allow the Statewide Guardian ad Litem Office to have a representative of a domestic violence advocacy group on its training curriculum committee rather than requiring a representative from the Florida Coalition Against Domestic Violence.⁵⁹

Services for Dependent Children

The bill amends s. 409.988(3), F.S., to specify intensive family reunification services that combine child welfare and mental health services for families with dependent children under six years of age is one of the services CBCs may provide.

This bill is effective July 1, 2020.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill has a negative fiscal impact among multiple entities, which is totaled to have nonrecurring training costs of \$44,955 and technology costs of approximately \$565,000.

⁵⁹ HB 1087, Ch. 2020-6, L.O.F., removes all references of FCADV from statute and the requirement for DCF to contract with the FCADV to administer the state's domestic violence program.

Training

- DCF estimates a nonrecurring cost of \$35,000 to develop the training established in the bill. This includes the cost of research, front-end analysis to further define scope, subject matter experts, and the design and development of materials. These costs can be absorbed within existing resources.⁶⁰
- The Guardian ad Litem program can incorporate the changes of its training curriculum within existing resources.⁶¹
- FDLE estimates a cost of approximately \$9,955 to develop the required training curricula, which is based upon the need for curriculum development workshops and OPS staffing to develop the training. The department can utilize existing appropriations for these costs.⁶²

Technology

- FDLE estimates a technology cost of \$45,000 to incorporate child welfare training into its current system.⁶³ FDLE indicates this cost can be absorbed within existing resources, although doing so may require the reprioritization of existing staff and resources.
- FDLE suggest developing a web-based interface between FSFN and FCIC for a cost of \$300,000, and notes these programming modifications may take two years to complete. Initial costs can be absorbed within available resources.⁶⁴ The FDLE can submit a legislative budget request for future needs should a comprehensive analysis indicate necessity.
- DCF estimates a nonrecurring need of between \$160,000 and \$270,000 for the development of a technology solution that interfaces FSFN and FCIC.⁶⁵ Based upon a review of budgetary reversions of technology appropriations, there exist sufficient resources for these costs.

Staffing

- DCF has indicated that the bill could have an indeterminate workload impact on the central abuse hotline's Crime Intelligence Unit due to additional calls from law enforcement and by requiring additional criminal records checks.⁶⁶

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

⁶⁰ Florida Department of Children and Families, Agency Analysis of 2020 House Bill 43, p. 6 (Aug. 20, 2019).

⁶¹ Florida Guardian ad Litem, Agency Analysis of 2020 House Bill 43, p. 2 (Aug. 29, 2019).

⁶² Florida Department of Law Enforcement, Agency Analysis of 2020 House Bill 43, p. 5 (Aug. 26, 2019).

⁶³ *Id.* at 4.

⁶⁴ *Id.*

⁶⁵ *Supra* note 45 at 7.

⁶⁶ *Supra* note 45.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.