

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Roth offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (7) of section 39.205, Florida Statutes, is amended to read:

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

(7) The department shall establish procedures for determining whether a false report of child abuse, abandonment, or neglect has been made and for submitting all identifying information relating to such a report to the appropriate law

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13 enforcement agency and shall report annually to the Legislature
14 the number of reports referred.

15 Section 2. Subsection (6) of section 39.407, Florida
16 Statutes, is amended to read:

17 39.407 Medical, psychiatric, and psychological examination
18 and treatment of child; physical, mental, or substance abuse
19 examination of person with or requesting child custody.—

20 (6) Children who are in the legal custody of the
21 department may be placed by the department, without prior
22 approval of the court, in a residential treatment center
23 licensed under s. 394.875 or a hospital licensed under chapter
24 395 for residential mental health treatment only as provided in
25 ~~pursuant to~~ this section or may be placed by the court in
26 accordance with an order of involuntary examination or
27 involuntary placement entered under ~~pursuant to~~ s. 394.463 or s.
28 394.467. All children placed in a residential treatment program
29 under this subsection must have a guardian ad litem appointed.

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

31 1. "Residential treatment" means placement for
32 observation, diagnosis, or treatment of an emotional disturbance
33 in a residential treatment center licensed under s. 394.875 or a
34 hospital licensed under chapter 395.

35 2. "Least restrictive alternative" means the treatment and
36 conditions of treatment that, separately and in combination, are
37 no more intrusive or restrictive of freedom than reasonably

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38 necessary to achieve a substantial therapeutic benefit or to
39 protect the child or adolescent or others from physical injury.

40 3. "Suitable for residential treatment" or "suitability"
41 means a determination concerning a child or adolescent with an
42 emotional disturbance as defined in s. 394.492(5) or a serious
43 emotional disturbance as defined in s. 394.492(6) that each of
44 the following criteria is met:

45 a. The child requires residential treatment.

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

48 c. An appropriate, less restrictive alternative to
49 residential treatment is unavailable.

50 (b) Whenever the department believes that a child in its
51 legal custody is emotionally disturbed and may need residential
52 treatment, an examination and suitability assessment must be
53 conducted by a qualified evaluator who is appointed by the
54 department ~~Agency for Health Care Administration~~. This
55 suitability assessment must be completed before the placement of
56 the child in a residential treatment center for emotionally
57 disturbed children and adolescents or a hospital. The qualified
58 evaluator must be a psychiatrist or a psychologist licensed in
59 Florida who has at least 3 years of experience in the diagnosis
60 and treatment of serious emotional disturbances in children and
61 adolescents and who has no actual or perceived conflict of

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62 interest with any inpatient facility or residential treatment
63 center or program.

64 (c) Before a child is admitted under this subsection, the
65 child shall be assessed for suitability for residential
66 treatment by a qualified evaluator who has conducted a personal
67 examination and assessment of the child and has made written
68 findings that:

69 1. The child appears to have an emotional disturbance
70 serious enough to require residential treatment and is
71 reasonably likely to benefit from the treatment.

72 2. The child has been provided with a clinically
73 appropriate explanation of the nature and purpose of the
74 treatment.

75 3. All available modalities of treatment less restrictive
76 than residential treatment have been considered, and a less
77 restrictive alternative that would offer comparable benefits to
78 the child is unavailable.

79

80 A copy of the written findings of the evaluation and suitability
81 assessment must be provided to the department, to the guardian
82 ad litem, and, if the child is a member of a Medicaid managed
83 care plan, to the plan that is financially responsible for the
84 child's care in residential treatment, all of whom must be
85 provided with the opportunity to discuss the findings with the
86 evaluator.

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87 (d) Immediately upon placing a child in a residential
88 treatment program under this section, the department must notify
89 the guardian ad litem and the court having jurisdiction over the
90 child and must provide the guardian ad litem and the court with
91 a copy of the assessment by the qualified evaluator.

92 (e) Within 10 days after the admission of a child to a
93 residential treatment program, the director of the residential
94 treatment program or the director's designee must ensure that an
95 individualized plan of treatment has been prepared by the
96 program and has been explained to the child, to the department,
97 and to the guardian ad litem, and submitted to the department.
98 The child must be involved in the preparation of the plan to the
99 maximum feasible extent consistent with his or her ability to
100 understand and participate, and the guardian ad litem and the
101 child's foster parents must be involved to the maximum extent
102 consistent with the child's treatment needs. The plan must
103 include a preliminary plan for residential treatment and
104 aftercare upon completion of residential treatment. The plan
105 must include specific behavioral and emotional goals against
106 which the success of the residential treatment may be measured.
107 A copy of the plan must be provided to the child, to the
108 guardian ad litem, and to the department.

109 (f) Within 30 days after admission, the residential
110 treatment program must review the appropriateness and
111 suitability of the child's placement in the program. The

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112 residential treatment program must determine whether the child
113 is receiving benefit toward the treatment goals and whether the
114 child could be treated in a less restrictive treatment program.
115 The residential treatment program shall prepare a written report
116 of its findings and submit the report to the guardian ad litem
117 and to the department. The department must submit the report to
118 the court. The report must include a discharge plan for the
119 child. The residential treatment program must continue to
120 evaluate the child's treatment progress every 30 days thereafter
121 and must include its findings in a written report submitted to
122 the department. The department may not reimburse a facility
123 until the facility has submitted every written report that is
124 due.

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

129 2. The court must conduct a hearing to review the status
130 of the child's residential treatment plan no later than 60 days
131 after the child's admission to the residential treatment
132 program. An independent review of the child's progress toward
133 achieving the goals and objectives of the treatment plan must be
134 completed by a qualified evaluator and submitted to the court
135 before its 60-day review.

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136 3. For any child in residential treatment at the time a
137 judicial review is held under ~~pursuant to~~ s. 39.701, the child's
138 continued placement in residential treatment must be a subject
139 of the judicial review.

140 4. If at any time the court determines that the child is
141 not suitable for continued residential treatment, the court
142 shall order the department to place the child in the least
143 restrictive setting that is best suited to meet his or her
144 needs.

145 (h) After the initial 60-day review, the court must
146 conduct a review of the child's residential treatment plan every
147 90 days.

148 (i) The department must adopt rules for:

149 1. Implementing timeframes for the completion of
150 suitability assessments by qualified evaluators, ~~and~~

151 2. A procedure that includes timeframes for completing the
152 60-day independent review by the qualified evaluators of the
153 child's progress toward achieving the goals and objectives of
154 the treatment plan which review must be submitted to the court.

155 3. ~~The Agency for Health Care Administration must adopt~~
156 ~~rules for~~ The registration of qualified evaluators, the
157 procedure for selecting the evaluators to conduct the reviews
158 required under this section, and a reasonable, cost-efficient
159 fee schedule for qualified evaluators.

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160 Section 3. Section 39.5035, Florida Statutes, is created
161 to read:

162 39.5035 Deceased parents; special procedures.-

163 (1) (a) 1. If both parents of a child are deceased and a
164 legal custodian has not been appointed for the child through a
165 probate or guardianship proceeding, then the attorney for any
166 person who has knowledge of the facts alleged or is informed of
167 the alleged facts, and believes them to be true, may initiate a
168 proceeding by filing a petition for adjudication and permanent
169 commitment.

170 2. If a child has been placed in shelter status by order
171 of the court but has not yet been adjudicated, a petition for
172 adjudication and permanent commitment must be filed within 21
173 days after the shelter hearing. In all other cases, the petition
174 must be filed within a reasonable time after the date the child
175 was referred to protective investigation or after the petitioner
176 first becomes aware of the facts that support the petition for
177 adjudication and permanent commitment.

178 (b) If both parents die or the last living parent dies
179 after a child has already been adjudicated dependent, any person
180 who has knowledge of the facts alleged or is informed of the
181 alleged facts, and believes them to be true, may file a petition
182 for permanent commitment.

183 (2) The petition:

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184 (a) Must be in writing, identify the alleged deceased
185 parents, and provide facts that establish that both parents of
186 the child are deceased and that a legal custodian has not been
187 appointed for the child through a probate or guardianship
188 proceeding.

189 (b) Must be signed by the petitioner under oath stating
190 the petitioner's good faith in filing the petition.

191 (3) When a petition for adjudication and permanent
192 commitment or a petition for permanent commitment has been
193 filed, the clerk of court shall set the case before the court
194 for an adjudicatory hearing. The adjudicatory hearing must be
195 held as soon as practicable after the petition is filed, but no
196 later than 30 days after the filing date.

197 (4) Notice of the date, time, and place of the
198 adjudicatory hearing and a copy of the petition must be served
199 on the following persons:

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

201 (b) A living relative of each parent of the child, unless
202 a living relative cannot be found after a diligent search and
203 inquiry.

204 (c) The guardian ad litem for the child or the
205 representative of the guardian ad litem program, if the program
206 has been appointed.

207 (5) The court shall conduct adjudicatory hearings without
208 a jury and apply the rules of evidence in use in civil cases.

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209 The court must determine whether the petitioner has established
210 by clear and convincing evidence that both parents of the child
211 are deceased and that a legal custodian has not been appointed
212 for the child through a probate or guardianship proceeding. A
213 certified copy of the death certificate for each parent is
214 sufficient evidence of the parents' deaths.

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

217 (a) If the court finds that the petitioner has met the
218 clear and convincing standard, the court shall enter a written
219 order adjudicating the child dependent and permanently
220 committing the child to the custody of the department for the
221 purpose of adoption. A disposition hearing shall be scheduled no
222 later than 30 days after the entry of the order, in which the
223 department shall provide a case plan that identifies the
224 permanency goal for the child to the court. Reasonable efforts
225 must be made to place the child in a timely manner in accordance
226 with the permanency plan and to complete all steps necessary to
227 finalize the permanent placement of the child. Thereafter, until
228 the adoption of the child is finalized or the child reaches the
229 age of 18 years, whichever occurs first, the court shall hold
230 hearings every 6 months to review the progress being made toward
231 permanency for the child as provided in s. 39.701.

232 (b) If the court finds that clear and convincing evidence
233 does not establish that both parents of a child are deceased and

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234 that a legal custodian has not been appointed for the child
235 through a probate or guardianship proceeding, but that a
236 preponderance of the evidence establishes that the child does
237 not have a parent or legal custodian capable of providing
238 supervision or care, the court shall enter a written order
239 adjudicating the child dependent. A disposition hearing shall be
240 scheduled no later than 30 days after the entry of the order as
241 provided in s. 39.521.

242 (c) If the court finds that clear and convincing evidence
243 does not establish that both parents of a child are deceased and
244 that a legal custodian has not been appointed for the child
245 through a probate or guardianship proceeding and that a
246 preponderance of the evidence does not establish that the child
247 does not have a parent or legal custodian capable of providing
248 supervision or care, the court shall enter a written order so
249 finding and dismiss the petition.

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

252 (a) If the court finds that the petitioner has met the
253 clear and convincing standard, the court shall enter a written
254 order permanently committing the child to the custody of the
255 department for purposes of adoption. A disposition hearing shall
256 be scheduled no later than 30 days after the entry of the order,
257 in which the department shall provide an amended case plan that
258 identifies the permanency goal for the child to the court.

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259 Reasonable efforts must be made to place the child in a timely
260 manner in accordance with the permanency plan and to complete
261 all steps necessary to finalize the permanent placement of the
262 child. Thereafter, until the adoption of the child is finalized
263 or the child reaches the age of 18 years, whichever occurs
264 first, the court shall hold hearings every 6 months to review
265 the progress being made toward permanency for the child.

266 (b) If the court finds that clear and convincing evidence
267 does not establish that both parents of a child are deceased and
268 that a legal custodian has not been appointed for the child
269 through a probate or guardianship proceeding, the court shall
270 enter a written order denying the petition. The order has no
271 effect on the child's prior adjudication. The order does not bar
272 the petitioner from filing a subsequent petition for permanent
273 commitment based on newly-discovered evidence that establishes
274 that both parents of a child are deceased and that a legal
275 custodian has not been appointed for the child through a probate
276 or guardianship proceeding.

277 Section 4. Subsection (8) of section 39.6011, Florida
278 Statutes, is amended to read:

279 39.6011 Case plan development.—

280 (8) The case plan must be filed with the court and copies
281 provided to all parties, including the child if appropriate: ~~7~~
282 ~~not less than 3 business days before the disposition hearing.~~

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283 (a) Not less than 3 business days before the disposition
284 hearing, if the disposition hearing occurs on or after the 60th
285 day after the date the child was placed in out-of-home care; or

286 (b) Not less than 3 business days before the case plan
287 acceptance hearing, if the disposition hearing occurs before the
288 60th day after the date the child was placed in out-of-home care
289 and a case plan has not been submitted under this subsection, or
290 if the court does not approve the case plan at the disposition
291 hearing.

292 Section 5. Paragraph (a) of subsection (1) of section
293 39.6221, Florida Statutes, is amended to read:

294 39.6221 Permanent guardianship of a dependent child.—

295 (1) If a court determines that reunification or adoption
296 is not in the best interest of the child, the court may place
297 the child in a permanent guardianship with a relative or other
298 adult approved by the court if all of the following conditions
299 are met:

300 (a) The child has been in the placement for not less than
301 the preceding 6 months, or the preceding 3 months if the
302 caregiver has been named as the successor guardian on the
303 child's Guardianship Assistance Agreement.

304 Section 6. Paragraph (e) of subsection (1) and subsection
305 (2) of section 39.806, Florida Statutes, are amended to read:

306 39.806 Grounds for termination of parental rights.—

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

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

311 1. The child continues to be abused, neglected, or
312 abandoned by the parent or parents. The failure of the parent or
313 parents to substantially comply with the case plan for a period
314 of 12 months after an adjudication of the child as a dependent
315 child or the child's placement into shelter care, whichever
316 occurs first, constitutes evidence of continuing abuse, neglect,
317 or abandonment unless the failure to substantially comply with
318 the case plan was due to the parent's lack of financial
319 resources or to the failure of the department to make reasonable
320 efforts to reunify the parent and child. The 12-month period
321 begins to run only after the child's placement into shelter care
322 or the entry of a disposition order placing the custody of the
323 child with the department or a person other than the parent and
324 the court's approval of a case plan having the goal of
325 reunification with the parent, whichever occurs first; ~~or~~

326 2. The parent or parents have materially breached the case
327 plan by their action or inaction. Time is of the essence for
328 permanency of children in the dependency system. In order to
329 prove the parent or parents have materially breached the case
330 plan, the court must find by clear and convincing evidence that
331 the parent or parents are unlikely or unable to substantially

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332 comply with the case plan before time to comply with the case
333 plan expires; or-

334 3. The child has been in care for any 12 of the last 22
335 months and the parents have not substantially complied with the
336 case plan so as to permit reunification under s. 39.522(2)
337 unless the failure to substantially comply with the case plan
338 was due to the parent's lack of financial resources or to the
339 failure of the department to make reasonable efforts to reunify
340 the parent and child.

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

345 Section 7. Subsection (9) of section 39.811, Florida
346 Statutes, is amended to read:

347 39.811 Powers of disposition; order of disposition.-

348 (9) After termination of parental rights or a written
349 order of permanent commitment entered under s. 39.5035, the
350 court shall retain jurisdiction over any child for whom custody
351 is given to a social service agency until the child is adopted.
352 The court shall review the status of the child's placement and
353 the progress being made toward permanent adoptive placement. As
354 part of this continuing jurisdiction, for good cause shown by
355 the guardian ad litem for the child, the court may review the
356 appropriateness of the adoptive placement of the child. The

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357 department's decision to deny an application to adopt a child
358 who is under the court's jurisdiction is reviewable only through
359 a motion to file a chapter 63 petition as provided in s.
360 39.812(4), and is not subject to chapter 120.

361 Section 8. Subsections (4) and (5) of section 39.812,
362 Florida Statutes, are amended to read:

363 39.812 Postdisposition relief; petition for adoption.—

364 (4) The court shall retain jurisdiction over any child
365 placed in the custody of the department until the child is
366 adopted. After custody of a child for subsequent adoption has
367 been given to the department, the court has jurisdiction for the
368 purpose of reviewing the status of the child and the progress
369 being made toward permanent adoptive placement. As part of this
370 continuing jurisdiction, for good cause shown by the guardian ad
371 litem for the child, the court may review the appropriateness of
372 the adoptive placement of the child.

373 (a) If the department has denied a person's application to
374 adopt a child, the denied applicant may file a motion with the
375 court within 30 days after the issuance of the written
376 notification of denial. This motion allows the denied applicant
377 to file a chapter 63 petition to adopt a child without the
378 department's consent. The denied applicant must allege in its
379 motion that the department unreasonably withheld its consent to
380 the adoption. The court, as part of its continuing jurisdiction,
381 may review and rule on the motion.

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382 1. The denied applicant only has standing in the chapter
383 39 proceeding to file the motion in paragraph (a) and to present
384 evidence in support of the motion at a hearing, which must be
385 held within 30 days after the filing of the motion.

386 2. At the hearing on the motion, the court may only
387 consider whether the department's review of the application was
388 consistent with its policies and made in an expeditious manner.
389 The standard of review by the court is whether the department's
390 denial of the application is an abuse of discretion. The court
391 may not compare the denied applicant against another applicant
392 to determine which placement is in the best interests of the
393 child.

394 3. If the denied applicant establishes by a preponderance
395 of the evidence that the department unreasonably withheld its
396 consent, the court shall enter an order authorizing the denied
397 applicant to file a petition to adopt the child under chapter 63
398 without the department's consent.

399 4. If the denied applicant does not prove by a
400 preponderance of the evidence that the department unreasonably
401 withheld its consent, the court shall enter an order so finding
402 and dismiss the motion.

403 5. The standing of the denied applicant in a proceeding
404 under this chapter is terminated upon entry of the court's
405 order.

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406 (b) When a licensed foster parent or court-ordered
407 custodian has applied to adopt a child who has resided with the
408 foster parent or custodian for at least 6 months and who has
409 previously been permanently committed to the legal custody of
410 the department and the department does not grant the application
411 to adopt, the department may not, in the absence of a prior
412 court order authorizing it to do so, remove the child from the
413 foster home or custodian, except when:

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

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

420 3.~~(c)~~ The foster parent or custodian agrees to the child's
421 removal; or~~-~~

422 4. The department has selected another prospective
423 adoptive parent to adopt the child and either the foster parent
424 or custodian has not filed a motion with the court to allow him
425 or her to file a chapter 63 petition to adopt a child without
426 the department's consent, as provided under paragraph (a), or
427 the court has denied such a motion.

428 (5) The petition for adoption must be filed in the
429 division of the circuit court which entered the judgment
430 terminating parental rights, unless a motion for change of venue

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431 is granted under ~~pursuant to~~ s. 47.122. A copy of the consent
432 executed by the department must be attached to the petition,
433 unless such consent is waived under subsection (4) ~~pursuant to~~
434 ~~s. 63.062(7)~~. The petition must be accompanied by a statement,
435 signed by the prospective adoptive parents, acknowledging
436 receipt of all information required to be disclosed under s.
437 63.085 and a form provided by the department which details the
438 social and medical history of the child and each parent and
439 includes the social security number and date of birth for each
440 parent, if such information is available or readily obtainable.
441 The prospective adoptive parents may not file a petition for
442 adoption until the judgment terminating parental rights becomes
443 final. An adoption proceeding under this subsection is governed
444 by chapter 63.

445 Section 9. Subsection (1) of section 39.820, Florida
446 Statutes, is amended to read:

447 39.820 Definitions.—As used in this chapter part, the
448 term:

449 (1) "Guardian ad litem" as referred to in any civil or
450 criminal proceeding includes the following: the Statewide
451 Guardian ad Litem Office, which includes circuit a certified
452 guardian ad litem programs; program, a duly certified volunteer,
453 a staff member, a staff attorney, a contract attorney, or a
454 ~~certified~~ pro bono attorney working on behalf of a guardian ad
455 litem ~~or the program; staff members of a program office; a~~

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456 court-appointed attorney; or a responsible adult who is
457 appointed by the court to represent the best interests of a
458 child in a proceeding as provided for by law, including, but not
459 limited to, this chapter, who is a party to any judicial
460 proceeding as a representative of the child, and who serves
461 until discharged by the court.

462 Section 10. Subsection (7) of section 63.062, Florida
463 Statutes, is amended to read:

464 63.062 Persons required to consent to adoption; affidavit
465 of nonpaternity; waiver of venue.—

466 (7) If parental rights to the minor have previously been
467 terminated, the adoption entity with which the minor has been
468 placed for subsequent adoption may provide consent to the
469 adoption. In such case, no other consent is required. If the
470 minor has been permanently committed to the department for
471 subsequent adoption, the department must consent to the adoption
472 or, in the alternative, the court order entered under s.
473 39.812(4) finding that the department ~~The consent of the~~
474 ~~department shall be waived upon a determination by the court~~
475 ~~that such consent is being~~ unreasonably withheld its consent
476 must be attached to the petition to adopt and ~~if~~ the petitioner
477 must file ~~has filed with the court~~ a favorable preliminary
478 adoptive home study as required under s. 63.092.

479 Section 11. Paragraph (b) of subsection (6) of section
480 63.082, Florida Statutes, is amended to read:

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481 63.082 Execution of consent to adoption or affidavit of
482 nonpaternity; family social and medical history; revocation of
483 consent.—

484 (6)

485 (b) Upon execution of the consent of the parent, the
486 adoption entity is ~~shall be~~ permitted to intervene in the
487 dependency case as a party in interest and must provide the
488 court that acquired jurisdiction over the minor, pursuant to the
489 shelter order or dependency petition filed by the department, a
490 copy of the preliminary home study of the prospective adoptive
491 parents and any other evidence of the suitability of the
492 placement. The preliminary home study must be maintained with
493 strictest confidentiality within the dependency court file and
494 the department's file. A preliminary home study must be provided
495 to the court in all cases in which an adoption entity has
496 intervened under ~~pursuant to~~ this section. The exemption in s.
497 63.092(3) from the home study for a stepparent or relative does
498 not apply if a minor is under the supervision of the department
499 or is otherwise subject to the jurisdiction of the dependency
500 court as a result of the filing of a shelter petition,
501 dependency petition, or termination of parental rights petition
502 under chapter 39. Unless the court has concerns regarding the
503 qualifications of the home study provider, or concerns that the
504 home study may not be adequate to determine the best interests
505 of the child, the home study provided by the adoption entity is

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506 ~~shall be deemed to be~~ sufficient and no additional home study
507 needs to be performed by the department.

508 Section 12. Subsection (6) and paragraphs (b) and (e) of
509 subsection (7) of section 409.1451, Florida Statutes, are
510 amended to read:

511 409.1451 The Road-to-Independence Program.—

512 (6) ACCOUNTABILITY.—The department shall develop outcome
513 measures for the program and other performance measures ~~in order~~
514 to maintain oversight of the program. ~~No later than January 31~~
515 ~~of each year, the department shall prepare a report on the~~
516 ~~outcome measures and the department's oversight activities and~~
517 ~~submit the report to the President of the Senate, the Speaker of~~
518 ~~the House of Representatives, and the committees with~~
519 ~~jurisdiction over issues relating to children and families in~~
520 ~~the Senate and the House of Representatives. The report must~~
521 ~~include:~~

522 ~~(a) An analysis of performance on the outcome measures~~
523 ~~developed under this section reported for each community-based~~
524 ~~care lead agency and compared with the performance of the~~
525 ~~department on the same measures.~~

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

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

533 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
534 secretary shall establish the Independent Living Services
535 Advisory Council for the purpose of reviewing and making
536 recommendations concerning the implementation and operation of
537 the provisions of s. 39.6251 and the Road-to-Independence
538 Program. The advisory council shall function as specified in
539 this subsection until the Legislature determines that the
540 advisory council can no longer provide a valuable contribution
541 to the department's efforts to achieve the goals of the services
542 designed to enable a young adult to live independently.

543 ~~(b) The advisory council shall report to the secretary on~~
544 ~~the status of the implementation of the Road-to-Independence~~
545 ~~Program, efforts to publicize the availability of the Road-to-~~
546 ~~Independence Program, the success of the services, problems~~
547 ~~identified, recommendations for department or legislative~~
548 ~~action, and the department's implementation of the~~
549 ~~recommendations contained in the Independent Living Services~~
550 ~~Integration Workgroup Report submitted to the appropriate~~
551 ~~substantive committees of the Legislature by December 31, 2013.~~
552 ~~The department shall submit a report by December 31 of each year~~
553 ~~to the Governor, the President of the Senate, and the Speaker of~~
554 ~~the House of Representatives which includes a summary of the~~

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555 ~~factors reported on by the council and identifies the~~
556 ~~recommendations of the advisory council and either describes the~~
557 ~~department's actions to implement the recommendations or~~
558 ~~provides the department's rationale for not implementing the~~
559 ~~recommendations.~~

560 ~~(c) The advisory council report required under paragraph~~
561 ~~(b) must include an analysis of the system of independent living~~
562 ~~transition services for young adults who reach 18 years of age~~
563 ~~while in foster care before completing high school or its~~
564 ~~equivalent and recommendations for department or legislative~~
565 ~~action. The council shall assess and report on the most~~
566 ~~effective method of assisting these young adults to complete~~
567 ~~high school or its equivalent by examining the practices of~~
568 ~~other states.~~

569 Section 13. This act shall take effect October 1, 2020.

570
571 -----

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

572 Remove everything before the enacting clause and insert:

573 A bill to be entitled

574 An act relating to dependency proceedings and child
575 protection services; amending s. 39.205, F.S.;

576 removing a reporting requirement to the Legislature;

577 amending s. 39.407, F.S.; transferring certain duties

578 to the department rather than the Agency for Health

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580 Care Administration; creating s. 39.5035, F.S.;

581 providing procedures and requirements relating to

582 deceased parents of a dependent child; amending s.

583 39.6011, F.S.; providing timeframes in which case

584 plans must be filed with the court and provided to

585 specified parties; amending s. 39.6221, F.S.; revising

586 the conditions under which a court determines

587 permanent guardian placement for a child; amending s.

588 39.806, F.S.; providing that efforts to preserve or

589 reunify a family are not required under specified

590 circumstances; amending s. 39.811, F.S.; providing

591 that the court retains jurisdiction under certain

592 circumstances; providing when certain decisions

593 relating to adoption are reviewable; amending s.

594 39.812, F.S.; providing that certain persons may file

595 a petition to adopt a child without the department's

596 consent; providing standing; providing a standard of

597 proof; providing responsibilities of the court in such

598 cases; amending s. 39.820, F.S.; revising the

599 definition of the term "guardian ad litem;" amending

600 s. 63.062, F.S.; requiring the department to consent

601 to certain adoptions; providing exceptions; amending

602 s. 63.082, F.S.; requiring a home study of a

603 stepparent or relative under certain circumstances;

604 amending s. 409.1451, F.S.; removing a reporting

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605 | requirement of the department and the Independent
606 | Living Services Advisory Council; providing an
607 | effective date.

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