



26 | adopt the minor child and that the adoption is in the best  
27 | interests of the minor child, the court shall promptly order the  
28 | transfer of custody of the minor child to the prospective  
29 | adoptive parents, under the supervision of the adoption entity.  
30 | The court may establish reasonable requirements for the transfer  
31 | of custody in the transfer order, including a reasonable period  
32 | of time to transition final custody to the prospective adoptive  
33 | parents. The adoption entity shall thereafter provide monthly  
34 | supervision reports to the department until finalization of the  
35 | adoption. If the child has been determined to be dependent by  
36 | the court, the department shall provide the following written  
37 | information to the prospective adoptive parents at the time they  
38 | receive placement of the dependent child:

39 |       1. Information regarding approved parent training classes  
40 | available within the community.

41 |       2. Information that upon adoption, a child's immunization  
42 | records are removed from the Florida Shots database within the  
43 | Department of Health, and the necessity to retain the complete  
44 | set of the child's medical records that are provided to the  
45 | prospective adoptive parents under s. 63.085(2) (a), as they may  
46 | be needed for school enrollment and future medical care.

47 |  
48 | The department shall file with the court an acknowledgment of  
49 | the parent's receipt of the information required under this  
50 | paragraph ~~regarding approved parent training classes available~~

51 ~~within the community.~~

52 Section 2. Paragraph (a) of subsection (2) of section  
53 63.085, Florida Statutes, is amended to read:

54 63.085 Disclosure by adoption entity.—

55 (2) DISCLOSURE TO ADOPTIVE PARENTS.—

56 (a) At the time that an adoption entity is responsible for  
57 selecting prospective adoptive parents for a born or unborn  
58 child whose parents are seeking to place the child for adoption  
59 or whose rights were terminated under ~~pursuant to~~ chapter 39,  
60 the adoption entity must provide the prospective adoptive  
61 parents with information concerning the background of the child  
62 to the extent such information is disclosed to the adoption  
63 entity by the parents, legal custodian, or the department. This  
64 subsection applies only if the adoption entity identifies the  
65 prospective adoptive parents and supervises the placement of the  
66 child in the prospective adoptive parents' home. If any  
67 information cannot be disclosed because the records custodian  
68 failed or refused to produce the background information, the  
69 adoption entity has a duty to provide the information if it  
70 becomes available. An individual or entity contacted by an  
71 adoption entity to obtain the background information must  
72 release the requested information to the adoption entity without  
73 the necessity of a subpoena or a court order. In all cases, the  
74 prospective adoptive parents must receive all available  
75 information by the date of the final hearing on the petition for

76 adoption. The information to be disclosed includes:  
 77 1. A family social and medical history form completed  
 78 pursuant to s. 63.162(6).  
 79 2. The biological mother's medical records documenting her  
 80 prenatal care and the birth and delivery of the child.  
 81 3. A complete set of the child's medical records  
 82 documenting all medical treatment and care since the child's  
 83 birth and before placement. The adoption entity must inform  
 84 prospective adoptive parents that upon adoption, a child's  
 85 immunization records are removed from the Florida Shots database  
 86 within the Department of Health, and the adoption entity must  
 87 provide written notification to the prospective adoptive parents  
 88 regarding the necessity to retain a complete set of the child's  
 89 medical records as they may be needed for school enrollment and  
 90 future medical care.  
 91 4. All mental health, psychological, and psychiatric  
 92 records, reports, and evaluations concerning the child before  
 93 placement.  
 94 5. The child's educational records, including all records  
 95 concerning any special education needs of the child before  
 96 placement.  
 97 6. Records documenting all incidents that required the  
 98 department to provide services to the child, including all  
 99 orders of adjudication of dependency or termination of parental  
 100 rights issued pursuant to chapter 39, any case plans drafted to

101 address the child's needs, all protective services  
102 investigations identifying the child as a victim, and all  
103 guardian ad litem reports filed with the court concerning the  
104 child.

105 7. Written information concerning the availability of  
106 adoption subsidies for the child, if applicable.

107 Section 3. Subsection (6) is added to section 63.093,  
108 Florida Statutes, to read:

109 63.093 Adoption of children from the child welfare  
110 system.—

111 (6) If the community-based care lead agency or its  
112 subcontracted agency approves the adoptive parent's application  
113 file, the community-based care lead agency or its subcontracted  
114 agency must provide written notification to the prospective  
115 adoptive parent that upon adoption, a child's immunization  
116 records are removed from the Florida Shots database within the  
117 Department of Health, and the necessity to retain a complete set  
118 of the child's medical records as they may be needed for school  
119 enrollment and future medical care.

120  
121 Notwithstanding subsections (1) and (2), this section does not  
122 apply to a child adopted through the process provided in s.  
123 63.082(6).

124 Section 4. Subsection (4) of section 63.142, Florida  
125 Statutes, is amended to read:

126 63.142 Hearing; judgment of adoption.—

127 (4) JUDGMENT.—

128 (a) At the conclusion of the hearing, after the court  
129 determines that the date for a parent to file an appeal of a  
130 valid judgment terminating that parent's parental rights has  
131 passed and no appeal, pursuant to the Florida Rules of Appellate  
132 Procedure, is pending and that the adoption is in the best  
133 interest of the person to be adopted, a judgment of adoption  
134 shall be entered. A judgment terminating parental rights pending  
135 adoption is voidable and any later judgment of adoption of that  
136 minor is voidable if, upon a parent's motion for relief from  
137 judgment, the court finds that the adoption substantially fails  
138 to meet the requirements of this chapter. The motion must be  
139 filed within a reasonable time, but not later than 1 year after  
140 the date the judgment terminating parental rights was entered.

141 (b) Upon entry of a judgment of adoption, the clerk of the  
142 court shall transmit a certified copy of the entry to the  
143 Department of Health. Within 15 business days after receipt of  
144 the certified copy of the entry of judgment of adoption, the  
145 Department of Health must provide, by e-mail or certified mail,  
146 return receipt requested, a complete set of the adopted child's  
147 medical records, including the child's immunization records, to  
148 the adopting parents. The Department of Health may not dispose  
149 of an adopted child's medical and immunization records until 16  
150 business days after the court enters the judgment of adoption.

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151 | Section 5. This act shall take effect July 1, 2021. |