

1 A bill to be entitled
2 An act relating to child welfare; providing a
3 directive to the Division of Law Revision; creating s.
4 39.101, F.S.; transferring existing provisions
5 relating to the central abuse hotline of the
6 Department of Children and Families; providing
7 additional requirements relating to the central abuse
8 hotline; revising requirements for certain statistical
9 reports that the department is required to collect and
10 analyze; amending s. 39.201, F.S.; revising reporting
11 requirements for the central abuse hotline; requiring
12 animal control officers and certain agents to provide
13 their names to central abuse hotline counselors;
14 requiring such counselors to advise reporters of
15 certain information; requiring such counselors to
16 receive specified periodic training; revising
17 requirements relating to reports of abuse involving
18 impregnation of children; providing requirements for
19 reports of child abuse, abandonment, or neglect by a
20 parent or legal custodian, child-on-child sexual
21 abuse, juvenile sexual abuse, and children who exhibit
22 inappropriate sexual behavior; amending s. 39.2015,
23 F.S.; revising membership of multiagency teams;
24 requiring the department to conduct investigations of
25 reports of sexual abuse of children in out-of-home

26 | care under certain circumstances; providing
27 | requirements for such investigations; requiring the
28 | Secretary of Children and Families to create
29 | guidelines for such investigations; requiring a report
30 | to the secretary within a specified time; requiring
31 | the advisory committee to review the reports and
32 | investigations; amending s. 39.202, F.S.; expanding
33 | the list of entities that have access to child abuse
34 | or neglect records; requiring access to certain
35 | confidential and exempt records by legislative
36 | committees, upon request, within a specified
37 | timeframe; amending s. 39.205, F.S.; providing
38 | construction; specifying that certain persons are not
39 | relieved from the duty to report to the central abuse
40 | hotline by notifying their supervisors; amending s.
41 | 39.301, F.S.; requiring the department to continually
42 | assess child safety throughout a protective
43 | investigation; requiring a child protective
44 | investigator to take specified actions in certain
45 | protective investigations involving sexual abuse;
46 | amending s. 39.302, F.S.; conforming a cross-
47 | reference; authorizing certain persons to be
48 | represented by an attorney or accompanied by another
49 | person under certain circumstances during protective
50 | investigations of institutional child abuse,

51 abandonment, or neglect; providing requirements
52 relating to such investigations; amending s. 39.3035,
53 F.S.; providing a description of child advocacy
54 centers; conforming cross-references; amending s.
55 39.4087, F.S.; requiring the department to provide
56 certain information to, and training for, caregivers
57 of children in foster care; expanding certain
58 information that is required to be fully disclosed to
59 a caregiver; requiring a caregiver to maintain the
60 confidentiality of certain information; making
61 technical changes; creating s. 39.4092, F.S.;
62 providing legislative findings; authorizing offices of
63 criminal conflict and civil regional counsel to
64 establish a multidisciplinary legal representation
65 model program to serve families in the dependency
66 system; requiring the department to collaborate with
67 the office of criminal conflict and civil regional
68 counsel regarding documentation for federal matching
69 funding; requiring the department to submit such
70 documentation upon the establishment of a model
71 program; specifying program requirements; defining the
72 term "parent-peer specialist"; requiring each office
73 of criminal conflict and civil regional counsel that
74 establishes a model program to submit an annual report
75 by a specified date to the Office of Program Policy

76 Analysis and Government Accountability; specifying
77 report requirements; requiring the Office of Program
78 Policy Analysis and Government Accountability to
79 compile the results of the reports, conduct an
80 analysis, and annually submit the analysis to the
81 Governor and Legislature by a specified date;
82 requiring offices of criminal conflict and civil
83 regional counsel to provide additional information or
84 data upon request; amending s. 39.6225, F.S.; deleting
85 obsolete provisions; amending s. 39.6251, F.S.;
86 prohibiting supervised living arrangements from
87 including specified facilities, camps, and schools;
88 prohibiting young adults from residing in settings in
89 which they are involuntarily placed unless such
90 placement is through a court-appointed guardian;
91 amending s. 394.9082, F.S.; requiring the department
92 to collect and publish, and update annually, specified
93 information on its website for each managing entity
94 under contract with the department; defining the term
95 "employee"; requiring managing entities to include a
96 specified statement on their websites and in certain
97 documents and materials; creating s. 394.90825, F.S.;
98 providing definitions; requiring a board member or an
99 officer of a managing entity to disclose specified
100 activity that may reasonably be construed to be a

101 conflict of interest; creating a rebuttable
102 presumption of a conflict of interest if the activity
103 was acted on by the board without prior notice;
104 establishing a process for the managing entity's board
105 of directors to address the activity within certain
106 timelines; providing for certain consequences for
107 failure to obtain a board's approval or failure to
108 properly disclose a contract as a conflict of
109 interest; amending s. 409.1415, F.S.; requiring the
110 department to make available specified training for
111 caregivers of children in out-of-home care; requiring
112 the department to establish the Foster Information
113 Center for specified purposes; requiring community-
114 based care lead agencies to provide certain resources,
115 supports, and assistance to kinship caregivers;
116 requiring community-based care lead agencies to
117 provide caregivers with a certain telephone number;
118 repealing s. 409.1453, F.S., relating to the design
119 and dissemination of training for foster care
120 caregivers; amending s. 409.175, F.S.; requiring the
121 department to conduct certain assessments and grant a
122 capacity waiver under certain conditions; authorizing
123 the department to adopt rules; repealing s. 409.1753,
124 F.S.; relating to duties of the department relating to
125 foster care; amending s. 409.987, F.S.; requiring the

126 department to develop an alternative plan for
127 providing community-based child welfare services under
128 certain circumstances; providing requirements for the
129 plan; requiring the department to submit the plan and
130 certain quarterly updates to the Governor and
131 Legislature; providing definitions; requiring a board
132 member or an officer of a lead agency to disclose
133 specified activity that may reasonably be construed to
134 be a conflict of interest; creating a rebuttable
135 presumption of a conflict of interest if the activity
136 was acted on by the board without prior notice;
137 establishing a process for the lead agency's board of
138 directors to address the activity within certain
139 timelines; providing for certain consequences for
140 failure to obtain a board's approval or failure to
141 properly disclose a contract as a conflict of
142 interest; amending s. 409.988, F.S.; deleting a
143 requirement that lead agencies publish their current
144 budgets on their websites; specifying additional data
145 lead agencies must publish on their websites;
146 requiring the department to determine a standard
147 methodology for use in calculating specified data;
148 requiring lead agencies to adhere to specified best
149 child welfare practices; requiring lead agencies to
150 include a specified statement on their websites and in

151 certain documents and materials; amending s. 409.990,
152 F.S.; requiring lead agencies to fund the cost of
153 increased care under certain circumstances; amending
154 s. 409.996, F.S.; requiring contracts between the
155 department and community-based care lead agencies to
156 provide specified information to the department;
157 requiring the department to annually conduct a
158 specified review of community-based care lead
159 agencies; requiring such agencies to develop and
160 maintain a specified plan; requiring the department to
161 collect and publish on its website specified
162 information relating to lead agencies under contract
163 with the department; amending s. 1012.795, F.S.;
164 requiring the Education Practices Commission to
165 suspend the educator certificate of instructional
166 personnel and school administrators for failing to
167 report known or suspected child abuse under certain
168 circumstances; amending ss. 39.301, 119.071, and
169 934.03, F.S.; conforming cross-references; providing
170 effective dates.

171
172 Be It Enacted by the Legislature of the State of Florida:

173
174 Section 1. The Division of Law Revision is directed to add
175 s. 39.101, Florida Statutes, as created by this act, to part II

176 of chapter 39, Florida Statutes.

177 Section 2. Section 39.101, Florida Statutes, is created to
178 read:

179 39.101 Central abuse hotline.—The central abuse hotline is
180 the first step in the safety assessment and investigation
181 process.

182 (1) ESTABLISHMENT AND OPERATION.—

183 (a) The department shall operate and maintain a central
184 abuse hotline capable of receiving all reports of known or
185 suspected child abuse, abandonment, or neglect and reports that
186 a child is in need of supervision and care and has no parent,
187 legal custodian, or responsible adult relative immediately known
188 and available to provide such supervision and care. The hotline
189 must accept reports 24 hours a day, 7 days a week, and such
190 reports must be made in accordance with s. 39.201. The central
191 abuse hotline must be capable of accepting reports made in
192 accordance with s. 39.201 in writing, through a single statewide
193 toll-free telephone number, or through electronic reporting. A
194 person may use any of these methods to make a report to the
195 central abuse hotline.

196 (b) The central abuse hotline must be operated in such a
197 manner as to enable the department to:

198 1. Accept reports for investigation when there is
199 reasonable cause to suspect that a child has been or is being
200 abused or neglected or has been abandoned.

201 2. Determine whether the allegations made by the reporter
202 require an immediate or a 24-hour response in accordance with
203 subsection (2).

204 3. Immediately identify and locate previous reports or
205 cases of child abuse, abandonment, or neglect through the use of
206 the department's automated tracking system.

207 4. Track critical steps in the investigative process to
208 ensure compliance with all requirements for any report or case
209 of abuse, abandonment, or neglect.

210 5. When appropriate, refer reporters who do not allege
211 child abuse, abandonment, or neglect to other organizations that
212 may better resolve the reporter's concerns.

213 6. Serve as a resource for the evaluation, management, and
214 planning of preventive and remedial services for children who
215 have been abused, abandoned, or neglected.

216 7. Initiate and enter into agreements with other states
217 for the purposes of gathering and sharing information contained
218 in reports on child maltreatment to further enhance programs for
219 the protection of children.

220 8. Promote public awareness of the central abuse hotline
221 through community-based partner organizations and public service
222 campaigns.

223 (2) TIMEFRAMES FOR INITIATING INVESTIGATION.—After the
224 central abuse hotline receives a report, the department must
225 determine the timeframe in which to initiate an investigation

226 under chapter 39. Except as provided in s. 39.302 relating to
227 institutional investigations, the department must commence an
228 investigation:

229 (a) Immediately, regardless of the time of day or night,
230 if it appears that:

231 1. The immediate safety or well-being of a child is
232 endangered;

233 2. The family may flee or the child may be unavailable for
234 purposes of conducting a child protective investigation; or

235 3. The facts reported to the central abuse hotline
236 otherwise so warrant.

237 (b) Within 24 hours after receipt of a report that does
238 not involve the criteria specified in paragraph (a).

239 (3) COLLECTION OF INFORMATION AND DATA.—The department
240 shall:

241 (a)1. Voice-record all incoming or outgoing calls that are
242 received or placed by the central abuse hotline which relate to
243 suspected or known child abuse, abandonment, or neglect and
244 maintain an electronic copy of each report made to the central
245 abuse hotline through a call or electronic reporting.

246 2. Make the recording or electronic copy of the report
247 made to the central abuse hotline a part of the record of the
248 report. Notwithstanding s. 39.202, the recording or electronic
249 copy may only be released in full to law enforcement agencies
250 and state attorneys for the purposes of investigating and

251 prosecuting criminal charges under s. 39.205, or to employees of
252 the department for the purposes of investigating and seeking
253 administrative fines under s. 39.206.

254
255 This paragraph does not prohibit central abuse hotline
256 counselors from using the recordings or the electronic copy of
257 reports for quality assurance or training purposes.

258 (b)1. Secure and install electronic equipment that
259 automatically provides the central abuse hotline the telephone
260 number from which the call is placed or the Internet protocol
261 address from which the electronic report is received.

262 2. Enter the telephone number or Internet protocol address
263 into the report of child abuse, abandonment, or neglect for it
264 to become a part of the record of the report.

265 3. Maintain the confidentiality of such information in the
266 same manner as given to the identity of the reporter under s.
267 39.202.

268 (c)1. Update the online form used for reporting child
269 abuse, abandonment, or neglect to include qualifying questions
270 in order to obtain necessary information required to assess need
271 and the timeframes necessary for initiating an investigation
272 under subsection (2).

273 2. Make the report available in its entirety to the
274 central abuse hotline counselors as needed to update the Florida
275 Safe Families Network or other similar systems.

276 (d) Monitor and evaluate the effectiveness of the
277 reporting and investigating of suspected child abuse,
278 abandonment, or neglect through the development and analysis of
279 statistical and other information.

280 (e) Maintain and produce aggregate statistical reports
281 monitoring patterns of child abuse, abandonment, and neglect.

282 (f)1. Collect and analyze child-on-child sexual abuse
283 reports and include such information in the aggregate
284 statistical reports.

285 2. Collect and analyze, in separate statistical reports,
286 those reports of child abuse, sexual abuse, and juvenile sexual
287 abuse which are reported from or which occurred on or at:

288 a. School premises;

289 b. School transportation;

290 c. School-sponsored off-campus events;

291 d. A school readiness program provider determined to be
292 eligible under s. 1002.88;

293 e. A private prekindergarten provider or a public school
294 prekindergarten provider, as those terms are defined in s.
295 1002.51(7) and (8), respectively;

296 f. A public K-12 school as described in s. 1000.04;

297 g. A private school as defined in s. 1002.01;

298 h. A Florida College System institution or a state
299 university, as those terms are defined in s. 1000.21(3) and (6),
300 respectively; or

301 i. A school, as defined in s. 1005.02.

302 (4) USE OF INFORMATION RECEIVED BY THE CENTRAL ABUSE

303 HOTLINE.—

304 (a) Information received by the central abuse hotline may

305 not be used for employment screening, except as provided in s.

306 39.202(2) (a) and (h) or s. 402.302(15).

307 (b) Information in the central abuse hotline and the

308 department's automated abuse information system may be used by

309 the department, its authorized agents or contract providers, the

310 Department of Health, or county agencies as part of the

311 licensure or registration process pursuant to ss. 402.301-

312 402.319 and ss. 409.175-409.176.

313 (c) Information in the central abuse hotline may also be

314 used by the Department of Education for purposes of educator

315 certification discipline and review pursuant to s. 39.202(2) (q).

316 (5) QUALITY ASSURANCE.—On an ongoing basis, the

317 department's quality assurance program shall review screened-out

318 reports involving three or more unaccepted reports on a single

319 child, when jurisdiction applies, in order to detect such things

320 as harassment and situations that warrant an investigation

321 because of the frequency of the reports or the variety of the

322 sources of the reports. A component of the quality assurance

323 program must analyze unaccepted reports to the central abuse

324 hotline by identified relatives as a part of the review of

325 screened-out reports. The Assistant Secretary for Child Welfare

326 may refer a case for investigation when it is determined, as a
327 result of such review, that an investigation may be warranted.

328 Section 3. Section 39.201, Florida Statutes, is amended to
329 read:

330 (Substantial rewording of section. See
331 s. 39.201, F.S., for present text.)

332 39.201 Required reports of child abuse, abandonment, or
333 neglect, sexual abuse of a child, and juvenile sexual abuse;
334 required reports of death; reports involving a child who has
335 exhibited inappropriate sexual behavior.-

336 (1) MANDATORY REPORTING.-

337 (a)1. A person is required to report immediately to the
338 central abuse hotline established in s. 39.101, in writing,
339 through a call to the toll-free telephone number, or through
340 electronic reporting, if he or she knows, or has reasonable
341 cause to suspect, that any of the following has occurred:

342 a. Child abuse, abandonment, or neglect by a parent or
343 caregiver, which includes, but is not limited to, when a child
344 is abused, abandoned, or neglected by a parent, legal custodian,
345 caregiver, or other person responsible for the child's welfare
346 or when a child is in need of supervision and care and has no
347 parent, legal custodian, or responsible adult relative
348 immediately known and available to provide such supervision and
349 care.

350 b. Child abuse by an adult other than a parent, legal

351 custodian, caregiver, or other person responsible for the
352 child's welfare. The central abuse hotline must immediately
353 electronically transfer such reports to the appropriate county
354 sheriff's office.

355 2. Any person who knows, or has reasonable cause to
356 suspect, that a child is the victim of sexual abuse or juvenile
357 sexual abuse shall report such knowledge or suspicion to the
358 central abuse hotline, including if the alleged incident
359 involves a child who is in the custody of or under the
360 protective supervision of the department.

361
362 Such reports may be made in writing, through the statewide toll-
363 free telephone number, or through electronic reporting.

364 (b)1. A person from the general public may make a report
365 to the central abuse hotline anonymously if he or she chooses to
366 do so.

367 2. A person making a report to the central abuse hotline
368 whose occupation is in any of the following categories is
369 required to provide his or her name to the central abuse hotline
370 counselors:

371 a. Physician, osteopathic physician, medical examiner,
372 chiropractic physician, nurse, or hospital personnel engaged in
373 the admission, examination, care, or treatment of persons;

374 b. Health care professional or mental health professional
375 other than a person listed in sub-subparagraph a.;

376 c. Practitioner who relies solely on spiritual means for
 377 healing;

378 d. School teacher or other school official or personnel;

379 e. Social worker, day care center worker, or other
 380 professional child care worker, foster care worker, residential
 381 worker, or institutional worker;

382 f. Law enforcement officer;

383 g. Judge; or

384 h. Animal control officer as defined in s. 828.27 or agent
 385 appointed under s. 828.03.

386 (c) Central abuse hotline counselors shall advise persons
 387 under subparagraph (b)2. who are making a report to the central
 388 abuse hotline that, while their names must be entered into the
 389 record of the report, the names of reporters are held
 390 confidential and exempt as provided in s. 39.202. Such
 391 counselors must receive periodic training in encouraging all
 392 reporters to provide their names when making a report.

393 (2) EXCEPTIONS TO REPORTING.—

394 (a) An additional report of child abuse, abandonment, or
 395 neglect, sexual abuse of a child, or juvenile sexual abuse is
 396 not required to be made by:

397 1. A professional who is hired by or who enters into a
 398 contract with the department for the purpose of treating or
 399 counseling a person as a result of a report of child abuse,
 400 abandonment, or neglect, sexual abuse of a child, or juvenile

401 sexual abuse if such person was the subject of the referral for
402 treatment or counseling.

403 2. An officer or employee of the judicial branch when the
404 child is currently being investigated by the department, when
405 there is an existing dependency case, or when the matter has
406 previously been reported to the department if there is
407 reasonable cause to believe that the information is already
408 known to the department. This subparagraph applies only when the
409 information related to the alleged child abuse, abandonment, or
410 neglect, sexual abuse of a child, or juvenile sexual abuse has
411 been provided to such officer or employee in the course of
412 carrying out his or her official duties.

413 3. An officer or employee of a law enforcement agency when
414 the incident under investigation by the law enforcement agency
415 was reported to law enforcement by the central abuse hotline
416 through the electronic transfer of the report or telephone call.
417 The department's central abuse hotline is not required to
418 electronically transfer calls or reports received under sub-
419 subparagraph (1)(a)1.b. to the county sheriff's office if the
420 matter was initially reported to the department by the county
421 sheriff's office or by another law enforcement agency. This
422 subparagraph applies only when the information related to the
423 alleged child abuse, abandonment, or neglect, sexual abuse of a
424 child, or juvenile sexual abuse has been provided to the officer
425 or employee of a law enforcement agency or central abuse hotline

426 counselor in the course of carrying out his or her official
427 duties.

428 (b) Nothing in this section or in the contract with
429 community-based care providers for foster care and related
430 services as specified in s. 409.987 may be construed to remove
431 or reduce the duty and responsibility of any person, including
432 any employee of the community-based care provider, to report a
433 known or suspected case of child abuse, abandonment, or neglect,
434 sexual abuse of a child, or juvenile sexual abuse to the
435 department's central abuse hotline.

436 (3) ADDITIONAL CIRCUMSTANCES RELATED TO REPORTS.—

437 (a) Abuse occurring out of state.—

438 1. Except as provided in subparagraph 2., the central
439 abuse hotline may not take a report or call of known or
440 suspected child abuse, abandonment, or neglect when the report
441 or call is related to abuse, abandonment, or neglect that
442 occurred out of state and the alleged perpetrator and alleged
443 victim do not live in this state. The central abuse hotline must
444 instead transfer the information in the report or call to the
445 appropriate state or country.

446 2. If the alleged victim is currently being evaluated in a
447 medical facility in this state, the central abuse hotline must
448 accept the report or call for investigation and must transfer
449 the information in the report or call to the appropriate state
450 or country.

451 (b) Reports received from emergency room physicians.—The
452 department must initiate an investigation when it receives a
453 report from an emergency room physician.

454 (c) Abuse involving impregnation of a child.—A report must
455 be immediately electronically transferred to the appropriate
456 county sheriff's office or other appropriate law enforcement
457 agency by the central abuse hotline if the report is of an
458 instance of known or suspected child abuse involving
459 impregnation of a child 15 years of age or younger by a person
460 21 years of age or older under s. 827.04(3). If the report is of
461 known or suspected child abuse under s. 827.04(3), subsection
462 (1) does not apply to health care professionals or other
463 professionals who provide medical or counseling services to
464 pregnant children when such reporting would interfere with the
465 provision of such medical or counseling services.

466 (d) Institutional child abuse or neglect.—Reports
467 involving known or suspected institutional child abuse or
468 neglect must be made and received in the same manner as all
469 other reports made under this section.

470 (e) Surrendered newborn infants.—

471 1. The central abuse hotline must receive reports
472 involving surrendered newborn infants as described in s. 383.50.

473 2.a. A report may not be considered a report of child
474 abuse, abandonment, or neglect solely because the infant has
475 been left at a hospital, emergency medical services station, or

476 fire station under s. 383.50.

477 b. If the report involving a surrendered newborn infant
478 does not include indications of child abuse, abandonment, or
479 neglect other than that necessarily entailed in the infant
480 having been left at a hospital, emergency medical services
481 station, or fire station, the central abuse hotline must provide
482 to the person making the report the name of an eligible licensed
483 child-placing agency that is required to accept physical custody
484 of and to place surrendered newborn infants. The department
485 shall provide names of eligible licensed child-placing agencies
486 on a rotating basis.

487 3. If the report includes indications of child abuse,
488 abandonment, or neglect beyond that necessarily entailed in the
489 infant having been left at a hospital, emergency medical
490 services station, or fire station, the report must be considered
491 as a report of child abuse, abandonment, or neglect and,
492 notwithstanding chapter 383, is subject to s. 39.395 and all
493 other relevant provisions of this chapter.

494 (4) REPORTS OF CHILD ABUSE, ABANDONMENT, OR NEGLECT BY A
495 PARENT, LEGAL CUSTODIAN, CAREGIVER, OR OTHER PERSON RESPONSIBLE
496 FOR A CHILD'S WELFARE.—

497 (a)1. Upon receiving a report made to the central abuse
498 hotline, the department shall determine if the received report
499 meets the statutory criteria for child abuse, abandonment, or
500 neglect.

501 2. Any report meeting the statutory criteria for child
502 abuse, abandonment, or neglect must be accepted for a child
503 protective investigation pursuant to part III of this chapter.

504 (b)1. Any call received from a parent or legal custodian
505 seeking assistance for himself or herself which does not meet
506 the criteria for being a report of child abuse, abandonment, or
507 neglect may be accepted by the central abuse hotline for
508 response to ameliorate a potential future risk of harm to a
509 child.

510 2. The department must refer the parent or legal custodian
511 for appropriate voluntary community services if it is determined
512 by the department that a need for community services exists.

513 (5) REPORTS OF SEXUAL ABUSE OF A CHILD OR JUVENILE SEXUAL
514 ABUSE; REPORTS OF A CHILD WHO HAS EXHIBITED INAPPROPRIATE SEXUAL
515 BEHAVIOR.—

516 (a)1. Sexual abuse of a child or juvenile sexual abuse
517 must be reported immediately to the central abuse hotline,
518 including any alleged incident involving a child who is in the
519 custody of or under the protective supervision of the
520 department. Such reports may be made in writing, through the
521 statewide toll-free telephone number, or through electronic
522 reporting.

523 2. Within 48 hours after the central abuse hotline
524 receives a report under subparagraph 1., the department shall
525 conduct an assessment, assist the family in receiving

526 appropriate services under s. 39.307, and send a written report
527 of the allegation to the appropriate county sheriff's office.

528 (b) Reports involving a child who has exhibited
529 inappropriate sexual behavior must be made and received by the
530 central abuse hotline. Within 48 hours after receiving a report
531 under this paragraph, the department shall conduct an
532 assessment, assist the family in receiving appropriate services
533 under s. 39.307, and send a written report of the allegation to
534 the appropriate county sheriff's office.

535 (c) The services identified in the assessment conducted
536 under paragraph (a) or paragraph (b) must be provided in the
537 least restrictive environment possible and must include, but are
538 not limited to, child advocacy center services under s. 39.3035
539 and sexual abuse treatment programs developed and coordinated by
540 the Children's Medical Services Program in the Department of
541 Health under s. 39.303.

542 (d) The department shall ensure that the facts and results
543 of any investigation of sexual abuse of a child or juvenile
544 sexual abuse involving a child in the custody of or under the
545 protective supervision of the department are made known to the
546 court at the next hearing and are included in the next report to
547 the court concerning the child.

548 (e)1. In addition to conducting an assessment and
549 assisting the family in receiving appropriate services, the
550 department shall conduct a child protective investigation under

551 part III of this chapter if the incident leading to a report
552 occurs on school premises, on school transportation, at a
553 school-sponsored off-campus event, at a public or private school
554 readiness or prekindergarten program, at a public K-12 school,
555 at a private school, at a Florida College System institution, at
556 a state university, or at any other school. The child protective
557 investigation must include an interview with the child's parent
558 or legal custodian.

559 2. The department shall orally notify the Department of
560 Education; the law enforcement agency having jurisdiction over
561 the municipality or county in which the school, program,
562 institution, or university is located; and, as appropriate, the
563 superintendent of the school district in which the school is
564 located, the administrative officer of the private school, or
565 the owner of the private school readiness or prekindergarten
566 program provider.

567 3. The department shall make a full written report to the
568 law enforcement agency having jurisdiction over the municipality
569 or county in which the school, program, institution, or
570 university is located within 3 business days after making the
571 oral report. Whenever possible, any criminal investigation must
572 be coordinated with the department's child protective
573 investigation. Any interested person who has information
574 regarding sexual abuse of a child or juvenile sexual abuse may
575 forward a statement to the department.

576 (6) MANDATORY REPORTS OF A CHILD DEATH.—Any person
577 required to report or investigate cases of suspected child
578 abuse, abandonment, or neglect who has reasonable cause to
579 suspect that a child died as a result of child abuse,
580 abandonment, or neglect shall report his or her suspicion to the
581 appropriate medical examiner. The medical examiner shall accept
582 the report for investigation and report his or her findings, in
583 writing, to the local law enforcement agency, the appropriate
584 state attorney, and the department. Autopsy reports maintained
585 by the medical examiner are not subject to the confidentiality
586 requirements under s. 39.202.

587 Section 4. Effective October 1, 2021, subsection (11) of
588 section 39.2015, Florida Statutes, is renumbered as subsection
589 (12), present subsections (3), (7), and (11) of that section are
590 amended, and a new subsection (11) is added to that section, to
591 read:

592 39.2015 Critical incident rapid response team; sexual
593 abuse report investigations.—

594 (3) Each investigation shall be conducted by a multiagency
595 team of at least five professionals with expertise in child
596 protection, child welfare, and organizational management. The
597 team may consist of employees of the department, community-based
598 care lead agencies, Children's Medical Services, and community-
599 based care provider organizations; faculty from the institute
600 consisting of public and private universities offering degrees

601 in social work established pursuant to s. 1004.615; or any other
602 person with the required expertise. The team shall include, at a
603 minimum, a Child Protection Team medical director, a
604 representative from a child advocacy center under s. 39.3035 who
605 has specialized training in sexual abuse of a child if sexual
606 abuse of the child who is the subject of the report is alleged,
607 or a combination of such specialists if deemed appropriate. The
608 majority of the team must reside in judicial circuits outside
609 the location of the incident. The secretary shall appoint a team
610 leader for each group assigned to an investigation.

611 (7) The secretary shall develop cooperative agreements
612 with other entities and organizations as necessary to facilitate
613 the work required under this section ~~of the team~~.

614 (11) The department shall conduct investigations of
615 reports of sexual abuse of children in out-of-home care. The
616 purpose of such investigations is to identify root causes and to
617 rapidly determine the need to change policies and practices
618 related to preventing and addressing sexual abuse of children in
619 out-of-home care.

620 (a) At a minimum, the department shall investigate a
621 verified report of sexual abuse of a child in out-of-home care
622 under this subsection if the child was the subject of a verified
623 report of abuse or neglect during the previous 6 months. The
624 investigation must be initiated as soon as possible, but not
625 later than 2 business days after a determination of verified

626 findings of sexual abuse or immediately if a case has been open
 627 for 45 days. One investigation shall be initiated for an
 628 allegation of sexual abuse that is based on the same act,
 629 criminal episode, or transaction regardless of the number of
 630 reports that are made about the allegations to the central abuse
 631 hotline.

632 (b) Each investigation must be conducted by, at a minimum,
 633 a trained department employee and one or more professionals who
 634 are employees of other organizations and who are involved in
 635 conducting critical incident rapid response investigations. The
 636 investigation, or any part thereof, may be conducted remotely.
 637 Subsections (5), (6), (8), and (10) apply to investigations
 638 conducted under this subsection. The secretary, in consultation
 639 with the institute established under s. 1004.615, shall develop
 640 any necessary guidelines specific to such investigations.

641 (c) A preliminary report on each case must be provided to
 642 the secretary no later than 45 days after the investigation
 643 begins.

644 (12)~~(11)~~ The secretary shall appoint an advisory committee
 645 made up of experts in child protection and child welfare,
 646 including, but not limited to, the Statewide Medical Director
 647 for Child Protection under the Department of Health, a
 648 representative from the institute established under ~~pursuant to~~
 649 s. 1004.615, an expert in organizational management, and an
 650 attorney with experience in child welfare, to conduct an

651 independent review of investigative reports from the critical
652 incident rapid response teams and sexual abuse report
653 investigations and to make recommendations to improve policies
654 and practices related to child protection and child welfare
655 services. The advisory committee shall meet at least once each
656 quarter to review the critical incident rapid response teams'
657 reports and sexual abuse report investigations and shall submit
658 quarterly reports to the secretary which include findings and
659 recommendations. The secretary shall submit each report to the
660 Governor, the President of the Senate, and the Speaker of the
661 House of Representatives.

662 Section 5. Subsections (7) through (9) of section 39.202,
663 Florida Statutes, are renumbered as subsections (8) through
664 (10), respectively, paragraphs (a) and (h) of subsection (2) are
665 amended, and a new subsection (7) is added to that section, to
666 read:

667 39.202 Confidentiality of reports and records in cases of
668 child abuse or neglect; exception.—

669 (2) Except as provided in subsection (4), access to such
670 records, excluding the name of, or other identifying information
671 with respect to, the reporter which shall be released only as
672 provided in subsection (5), shall be granted only to the
673 following persons, officials, and agencies:

674 (a) Employees, authorized agents, or contract providers of
675 the department, the Department of Health, the Agency for Persons

676 with Disabilities, the Agency for Health Care Administration,
677 the office of Early Learning, or county agencies responsible for
678 carrying out:

- 679 1. Child or adult protective investigations;
- 680 2. Ongoing child or adult protective services;
- 681 3. Early intervention and prevention services;
- 682 4. Healthy Start services;
- 683 5. Licensure or approval of adoptive homes, foster homes,
684 child care facilities, facilities licensed under chapters 393
685 and 394 ~~chapter 393~~, family day care homes, providers who
686 receive school readiness funding under part VI of chapter 1002,
687 or other homes used to provide for the care and welfare of
688 children;
- 689 6. Employment screening for caregivers in residential
690 group homes and facilities licensed under chapters 393, 394, and
691 409; or
- 692 7. Services for victims of domestic violence when provided
693 by certified domestic violence centers working at the
694 department's request as case consultants or with shared clients.

695
696 Also, employees or agents of the Department of Juvenile Justice
697 responsible for the provision of services to children, pursuant
698 to chapters 984 and 985.

699 (h) Any appropriate official of the department, the Agency
700 for Health Care Administration, or the Agency for Persons with

701 Disabilities who is responsible for:

702 1. Administration or supervision of the department's
 703 program for the prevention, investigation, or treatment of child
 704 abuse, abandonment, or neglect, or abuse, neglect, or
 705 exploitation of a vulnerable adult, when carrying out his or her
 706 official function;

707 2. Taking appropriate administrative action concerning an
 708 employee of the department or the agency who is alleged to have
 709 perpetrated child abuse, abandonment, or neglect, or abuse,
 710 neglect, or exploitation of a vulnerable adult; or

711 3. Employing and continuing employment of personnel of the
 712 department or the agency.

713 (7) Custodians of records made confidential and exempt
 714 under this section must grant access to such records within 7
 715 business days after such records are requested by a legislative
 716 committee under s. 11.143, if requested within that timeframe.

717 Section 6. Subsections (1), (3), and (4) of section
 718 39.205, Florida Statutes, are amended, and subsection (11) is
 719 added to that section, to read:

720 39.205 Penalties relating to reporting of child abuse,
 721 abandonment, or neglect.—

722 (1) A person who ~~is required to report known or suspected~~
 723 ~~child abuse, abandonment, or neglect and who~~ knowingly and
 724 willfully fails to report to the central abuse hotline known or
 725 suspected child abuse, abandonment, or neglect ~~do so~~, or who

726 knowingly and willfully prevents another person from doing so,
 727 commits a felony of the third degree, punishable as provided in
 728 s. 775.082, s. 775.083, or s. 775.084. A judge subject to
 729 discipline pursuant to s. 12, Art. V of the State Florida
 730 Constitution may ~~shall~~ not be subject to criminal prosecution
 731 when the information was received in the course of official
 732 duties.

733 (3) Any Florida College System institution, state
 734 university, or nonpublic college, university, or school, as
 735 defined in s. 1000.21 or s. 1005.02, whose administrators
 736 ~~knowingly and willfully~~, upon receiving information from
 737 faculty, staff, or other institution employees, knowingly and
 738 willfully fail to report to the central abuse hotline known or
 739 suspected child abuse, abandonment, or neglect committed on the
 740 property of the university, college, or school, or during an
 741 event or function sponsored by the university, college, or
 742 school, or who knowingly and willfully prevent another person
 743 from doing so, shall be subject to fines of \$1 million for each
 744 such failure.

745 (a) A Florida College System institution subject to a fine
 746 shall be assessed by the State Board of Education.

747 (b) A state university subject to a fine shall be assessed
 748 by the Board of Governors.

749 (c) A nonpublic college, university, or school subject to
 750 a fine shall be assessed by the Commission for Independent

751 Education.

752 (4) Any Florida College System institution, state
753 university, or nonpublic college, university, or school, as
754 defined in s. 1000.21 or s. 1005.02, whose law enforcement
755 agency fails to report to the central abuse hotline known or
756 suspected child abuse, abandonment, or neglect committed on the
757 property of the university, college, or school, or during an
758 event or function sponsored by the university, college, or
759 school, shall be subject to fines of \$1 million for each such
760 failure, assessed in the same manner as specified in subsection
761 (3).

762 (11) This section may not be construed to remove or reduce
763 the requirement of any person, including, but not limited to,
764 any employee of a school readiness program provider determined
765 to be eligible under s. 1002.88; a private prekindergarten
766 provider or a public school prekindergarten provider, as those
767 terms are defined in s. 1002.51; a public K-12 school as
768 described in s. 1000.04; a private school as defined in s.
769 1002.01; a Florida College System institution or a state
770 university, as those terms are defined in s. 1000.21; a college
771 as defined in s. 1005.02; or a school as defined in s. 1005.02,
772 to directly report a known or suspected case of child abuse,
773 abandonment, or neglect or the sexual abuse of a child or
774 juvenile sexual abuse to the department's central abuse hotline.
775 A person required to report to the central abuse hotline is not

776 relieved of such obligation by notifying his or her supervisor.

777 Section 7. Paragraph (a) of subsection (9) of section
778 39.301, Florida Statutes, is amended, and subsection (24) is
779 added to that section, to read:

780 39.301 Initiation of protective investigations.—

781 (9) (a) For each report received from the central abuse
782 hotline and accepted for investigation, the department or the
783 sheriff providing child protective investigative services under
784 s. 39.3065, shall perform the following child protective
785 investigation activities to determine child safety:

786 1. Conduct a review of all relevant, available information
787 specific to the child and family and alleged maltreatment;
788 family child welfare history; local, state, and federal criminal
789 records checks; and requests for law enforcement assistance
790 provided by the abuse hotline. Based on a review of available
791 information, including the allegations in the current report, a
792 determination shall be made as to whether immediate consultation
793 should occur with law enforcement, the Child Protection Team, a
794 domestic violence shelter or advocate, or a substance abuse or
795 mental health professional. Such consultations should include
796 discussion as to whether a joint response is necessary and
797 feasible. A determination shall be made as to whether the person
798 making the report should be contacted before the face-to-face
799 interviews with the child and family members.

800 2. Conduct face-to-face interviews with the child; other

801 | siblings, if any; and the parents, legal custodians, or
802 | caregivers.

803 | 3. Assess the child's residence, including a determination
804 | of the composition of the family and household, including the
805 | name, address, date of birth, social security number, sex, and
806 | race of each child named in the report; any siblings or other
807 | children in the same household or in the care of the same
808 | adults; the parents, legal custodians, or caregivers; and any
809 | other adults in the same household.

810 | 4. Determine whether there is any indication that any
811 | child in the family or household has been abused, abandoned, or
812 | neglected; the nature and extent of present or prior injuries,
813 | abuse, or neglect, and any evidence thereof; and a determination
814 | as to the person or persons apparently responsible for the
815 | abuse, abandonment, or neglect, including the name, address,
816 | date of birth, social security number, sex, and race of each
817 | such person.

818 | 5. Complete assessment of immediate child safety for each
819 | child based on available records, interviews, and observations
820 | with all persons named in subparagraph 2. and appropriate
821 | collateral contacts, which may include other professionals, and
822 | continually assess the child's safety throughout the
823 | investigation. The department's child protection investigators
824 | are hereby designated a criminal justice agency for the purpose
825 | of accessing criminal justice information to be used for

826 enforcing this state's laws concerning the crimes of child
827 abuse, abandonment, and neglect. This information shall be used
828 solely for purposes supporting the detection, apprehension,
829 prosecution, pretrial release, posttrial release, or
830 rehabilitation of criminal offenders or persons accused of the
831 crimes of child abuse, abandonment, or neglect and may not be
832 further disseminated or used for any other purpose.

833 6. Document the present and impending dangers to each
834 child based on the identification of inadequate protective
835 capacity through utilization of a standardized safety assessment
836 instrument. If present or impending danger is identified, the
837 child protective investigator must implement a safety plan or
838 take the child into custody. If present danger is identified and
839 the child is not removed, the child protective investigator
840 shall create and implement a safety plan before leaving the home
841 or the location where there is present danger. If impending
842 danger is identified, the child protective investigator shall
843 create and implement a safety plan as soon as necessary to
844 protect the safety of the child. The child protective
845 investigator may modify the safety plan if he or she identifies
846 additional impending danger.

847 a. If the child protective investigator implements a
848 safety plan, the plan must be specific, sufficient, feasible,
849 and sustainable in response to the realities of the present or
850 impending danger. A safety plan may be an in-home plan or an

851 out-of-home plan, or a combination of both. A safety plan may
852 include tasks or responsibilities for a parent, caregiver, or
853 legal custodian. However, a safety plan may not rely on
854 promissory commitments by the parent, caregiver, or legal
855 custodian who is currently not able to protect the child or on
856 services that are not available or will not result in the safety
857 of the child. A safety plan may not be implemented if for any
858 reason the parents, guardian, or legal custodian lacks the
859 capacity or ability to comply with the plan. If the department
860 is not able to develop a plan that is specific, sufficient,
861 feasible, and sustainable, the department shall file a shelter
862 petition. A child protective investigator shall implement
863 separate safety plans for the perpetrator of domestic violence,
864 if the investigator, using reasonable efforts, can locate the
865 perpetrator to implement a safety plan, and for the parent who
866 is a victim of domestic violence as defined in s. 741.28.
867 Reasonable efforts to locate a perpetrator include, but are not
868 limited to, a diligent search pursuant to the same requirements
869 as in s. 39.503. If the perpetrator of domestic violence is not
870 the parent, guardian, or legal custodian of any child in the
871 home and if the department does not intend to file a shelter
872 petition or dependency petition that will assert allegations
873 against the perpetrator as a parent of a child in the home, the
874 child protective investigator shall seek issuance of an
875 injunction authorized by s. 39.504 to implement a safety plan

876 for the perpetrator and impose any other conditions to protect
877 the child. The safety plan for the parent who is a victim of
878 domestic violence may not be shared with the perpetrator. If any
879 party to a safety plan fails to comply with the safety plan
880 resulting in the child being unsafe, the department shall file a
881 shelter petition.

882 b. The child protective investigator shall collaborate
883 with the community-based care lead agency in the development of
884 the safety plan as necessary to ensure that the safety plan is
885 specific, sufficient, feasible, and sustainable. The child
886 protective investigator shall identify services necessary for
887 the successful implementation of the safety plan. The child
888 protective investigator and the community-based care lead agency
889 shall mobilize service resources to assist all parties in
890 complying with the safety plan. The community-based care lead
891 agency shall prioritize safety plan services to families who
892 have multiple risk factors, including, but not limited to, two
893 or more of the following:

894 (I) The parent or legal custodian is of young age;

895 (II) The parent or legal custodian, or an adult currently
896 living in or frequently visiting the home, has a history of
897 substance abuse, mental illness, or domestic violence;

898 (III) The parent or legal custodian, or an adult currently
899 living in or frequently visiting the home, has been previously
900 found to have physically or sexually abused a child;

901 (IV) The parent or legal custodian, or an adult currently
 902 living in or frequently visiting the home, has been the subject
 903 of multiple allegations by reputable reports of abuse or
 904 neglect;

905 (V) The child is physically or developmentally disabled;
 906 or

907 (VI) The child is 3 years of age or younger.

908 c. The child protective investigator shall monitor the
 909 implementation of the plan to ensure the child's safety until
 910 the case is transferred to the lead agency at which time the
 911 lead agency shall monitor the implementation.

912 d. The department may file a petition for shelter or
 913 dependency without a new child protective investigation or the
 914 concurrence of the child protective investigator if the child is
 915 unsafe but for the use of a safety plan and the parent or
 916 caregiver has not sufficiently increased protective capacities
 917 within 90 days after the transfer of the safety plan to the lead
 918 agency.

919 (24) At the beginning of and throughout an investigation
 920 of an allegation of sexual abuse of a child placed in out-of-
 921 home care, the child protective investigator must assess and
 922 take appropriate protective actions to address the safety of
 923 other children in the out-of-home placement, or who are
 924 accessible to the alleged perpetrator, who are not the subject
 925 of the allegation.

926 Section 8. Subsections (1) and (2) of section 39.302,
927 Florida Statutes, are amended to read:

928 39.302 Protective investigations of institutional child
929 abuse, abandonment, or neglect.—

930 (1) The department shall conduct a child protective
931 investigation of each report of institutional child abuse,
932 abandonment, or neglect. Upon receipt of a report that alleges
933 that an employee or agent of the department, or any other entity
934 or person covered by s. 39.01(37) or (54), acting in an official
935 capacity, has committed an act of child abuse, abandonment, or
936 neglect, the department shall initiate a child protective
937 investigation within the timeframe established under s.
938 39.101(2) ~~s. 39.201(5)~~ and notify the appropriate state
939 attorney, law enforcement agency, and licensing agency, which
940 shall immediately conduct a joint investigation, unless
941 independent investigations are more feasible. When conducting
942 investigations or having face-to-face interviews with the child,
943 investigation visits shall be unannounced unless it is
944 determined by the department or its agent that unannounced
945 visits threaten the safety of the child. If a facility is exempt
946 from licensing, the department shall inform the owner or
947 operator of the facility of the report. Each agency conducting a
948 joint investigation is entitled to full access to the
949 information gathered by the department in the course of the
950 investigation. A protective investigation must include an

951 interview with the child's parent or legal guardian. The
952 department shall make a full written report to the state
953 attorney within 3 business ~~working~~ days after making the oral
954 report. A criminal investigation shall be coordinated, whenever
955 possible, with the child protective investigation of the
956 department. Any interested person who has information regarding
957 the offenses described in this subsection may forward a
958 statement to the state attorney as to whether prosecution is
959 warranted and appropriate. Within 15 days after the completion
960 of the investigation, the state attorney shall report the
961 findings to the department and shall include in the report a
962 determination of whether or not prosecution is justified and
963 appropriate in view of the circumstances of the specific case.

964 (2) (a) If in the course of the child protective
965 investigation, the department finds that a subject of a report,
966 by continued contact with children in care, constitutes a
967 threatened harm to the physical health, mental health, or
968 welfare of the children, the department may restrict a subject's
969 access to the children pending the outcome of the investigation.
970 The department or its agent shall employ the least restrictive
971 means necessary to safeguard the physical health, mental health,
972 and welfare of the children in care. This authority shall apply
973 only to child protective investigations in which there is some
974 evidence that child abuse, abandonment, or neglect has occurred.
975 A subject of a report whose access to children in care has been

976 restricted is entitled to petition the circuit court for
977 judicial review. The court shall enter written findings of fact
978 based upon the preponderance of evidence that child abuse,
979 abandonment, or neglect did occur and that the department's
980 restrictive action against a subject of the report was justified
981 in order to safeguard the physical health, mental health, and
982 welfare of the children in care. The restrictive action of the
983 department shall be effective for no more than 90 days without a
984 judicial finding supporting the actions of the department.

985 (b) During an investigation, the alleged perpetrator may
986 be represented by an attorney, at his or her own expense, or may
987 be accompanied by another person, if the attorney or the other
988 person executes an affidavit of understanding with the
989 department and agrees to comply with the confidentiality
990 requirements under s. 39.202. The absence of an attorney or
991 accompanying person does not prevent the department from
992 proceeding with other aspects of the investigation, including
993 interviews with other persons. In institutional child abuse,
994 abandonment, or neglect cases when the institution is not
995 operational and the child cannot otherwise be located, the
996 investigation must commence immediately upon the institution
997 resuming operation. If requested by a state attorney or local
998 law enforcement agency, the department shall furnish all
999 investigative reports to such state attorney or agency.

1000 (c) ~~(b)~~ Upon completion of the department's child

1001 protective investigation, the department may make application to
1002 the circuit court for continued restrictive action against any
1003 person necessary to safeguard the physical health, mental
1004 health, and welfare of the children in care.

1005 Section 9. Subsections (1), (2), and (3) of section
1006 39.3035, Florida Statutes, are renumbered as subsections (2),
1007 (3), and (4), respectively, present subsection (3) is amended,
1008 and a new subsection (1) is added to that section, to read:

1009 39.3035 Child advocacy centers; standards; state funding.—

1010 (1) Child advocacy centers are facilities that offer
1011 multidisciplinary services in a community-based, child-focused
1012 environment to children who are alleged to be victims of child
1013 abuse, abandonment, or neglect. The children served by such
1014 centers may have experienced a variety of types of child abuse,
1015 abandonment, or neglect, including, but not limited to, sexual
1016 abuse or severe physical abuse. The centers bring together,
1017 often in one location, child protective investigators, law
1018 enforcement officers, prosecutors, health care professionals,
1019 and mental health professionals to provide a coordinated,
1020 comprehensive response to victims and their caregivers.

1021 ~~(4)(3)~~ A child advocacy center within this state may not
1022 receive the funds generated pursuant to s. 938.10, state or
1023 federal funds administered by a state agency, or any other funds
1024 appropriated by the Legislature unless all of the standards of
1025 subsection (2) ~~(1)~~ are met and the screening requirement of

1026 subsection (3) ~~(2)~~ is met. The Florida Network of Children's
1027 Advocacy Centers, Inc., shall be responsible for tracking and
1028 documenting compliance with subsections (2) and (3) ~~(1) and (2)~~
1029 for any of the funds it administers to member child advocacy
1030 centers.

1031 (a) Funds for the specific purpose of funding children's
1032 advocacy centers shall be appropriated to the Department of
1033 Children and Families from funds collected from the additional
1034 court cost imposed in cases of certain crimes against minors
1035 under s. 938.10. Funds shall be disbursed to the Florida Network
1036 of Children's Advocacy Centers, Inc., as established under this
1037 section, for the purpose of providing community-based services
1038 that augment, but do not duplicate, services provided by state
1039 agencies.

1040 (b) The board of directors of the Florida Network of
1041 Children's Advocacy Centers, Inc., shall retain 10 percent of
1042 all revenues collected to be used to match local contributions,
1043 at a rate not to exceed an equal match, in communities
1044 establishing children's advocacy centers. The board of directors
1045 may use up to 5 percent of the remaining funds to support the
1046 activities of the network office and must develop funding
1047 criteria and an allocation methodology that ensures an equitable
1048 distribution of remaining funds among network participants. The
1049 criteria and methodologies must take into account factors that
1050 include, but need not be limited to, the center's accreditation

1051 status with respect to the National Children's Alliance, the
 1052 number of clients served, and the population of the area being
 1053 served by the children's advocacy center.

1054 (c) At the end of each fiscal year, each children's
 1055 advocacy center receiving revenue as provided in this section
 1056 must provide a report to the board of directors of the Florida
 1057 Network of Children's Advocacy Centers, Inc., which reflects
 1058 center expenditures, all sources of revenue received, and
 1059 outputs that have been standardized and agreed upon by network
 1060 members and the board of directors, such as the number of
 1061 clients served, client demographic information, and number and
 1062 types of services provided. The Florida Network of Children's
 1063 Advocacy Centers, Inc., must compile reports from the centers
 1064 and provide a report to the President of the Senate and the
 1065 Speaker of the House of Representatives in August of each year.

1066 Section 10. Paragraphs (c), (k), and (l) of subsection (1)
 1067 of section 39.4087, Florida Statutes, are amended to read:

1068 39.4087 Department goals and requirements relating to
 1069 caregivers; dispute resolution.—

1070 (1) To provide the best care to children, the Legislature
 1071 establishes as goals for the department to treat foster parents,
 1072 kinship caregivers, and nonrelative caregivers with dignity,
 1073 respect, and trust while ensuring delivery of child welfare
 1074 services is focused on the best interest of the child. To that
 1075 end, regarding foster parents, kinship caregivers, and

1076 nonrelative caregivers caring for dependent children in their
1077 home, to the extent not otherwise prohibited by state or federal
1078 law and to the extent of current resources, the department will
1079 strive to:

1080 (c)1. Fully disclose all relevant information regarding
1081 the child and the background of his or her biological family. A
1082 ~~caregiver must maintain the confidentiality of any information~~
1083 ~~as required by law.~~ Such disclosure includes, but is not limited
1084 to:

1085 ~~a.1.~~ Any issues relative to the child that may jeopardize
1086 the health and safety of the caregiver or other individuals
1087 residing in the household or alter the manner in which the
1088 caregiver would normally provide care.

1089 ~~b.2.~~ Any delinquency or criminal record of the child,
1090 including, but not limited to, any pending petitions or
1091 adjudications of delinquency when the conduct constituting the
1092 delinquent act, if committed by an adult, would constitute
1093 murder in the first degree, murder in the second degree, rape,
1094 robbery, or kidnapping.

1095 ~~c.3.~~ Information about any physical or sexual abuse the
1096 child has experienced.

1097 ~~d.4.~~ Any behavioral issues that may affect the care and
1098 supervision of the child.

1099 ~~e.5.~~ With parental consent to the extent required by law,
1100 any known health history and medical, psychological, or

1101 behavioral ~~mental~~ health issues or needs of the child,
 1102 including, but not limited to, current infectious diseases the
 1103 child has or any episodes of hospitalization due to mental or
 1104 physical illness.

1105 2. A caregiver must maintain the confidentiality of any
 1106 information provided under this paragraph as required by law.

1107 (k) Give at least 7 days' notice to a caregiver, to the
 1108 extent possible, of any meeting or court hearing related to a
 1109 child in his or her care. The notice must ~~shall~~ include, at
 1110 minimum, ~~but is not limited to~~, the name of the judge or hearing
 1111 officer, the docket number, and the purpose and location of the
 1112 hearing or meeting. If the department is providing such
 1113 information to a child's biological parent, the department shall
 1114 provide notice to the caregiver at the same time as the
 1115 biological parent.

1116 (l) ~~If the caregiver agrees,~~ Consider the caregiver as a
 1117 placement option for a child if such child, who was formerly
 1118 placed with the caregiver, reenters out-of-home care and the
 1119 caregiver agrees to the child being placed with the caregiver
 1120 upon reentry and reenters out-of-home care.

1121 Section 11. Section 39.4092, Florida Statutes, is created
 1122 to read:

1123 39.4092 Multidisciplinary legal representation model
 1124 program for parents of children in the dependency system.-

1125 (1) LEGISLATIVE FINDINGS.-

1126 (a) The Legislature finds that the use of a specialized
1127 team that includes an attorney, a social worker, and a parent-
1128 peer specialist, also known as a multidisciplinary legal
1129 representation model program, in dependency judicial matters is
1130 effective in reducing safety risks to children and providing
1131 families with better outcomes, such as significantly reducing
1132 the time the children spend in out-of-home care and achieving
1133 permanency more quickly.

1134 (b) The Legislature finds that parents in dependency court
1135 often suffer from multiple challenges, such as mental illness,
1136 substance abuse disorder, domestic violence or other trauma,
1137 unstable housing, or unemployment. These challenges are often a
1138 contributing factor to children experiencing instability or
1139 safety risks. While these challenges may result in legal
1140 involvement or require legal representation, addressing the
1141 underlying challenges in a manner that achieves stability often
1142 falls within the core functions of the practice of social work.

1143 (c) The Legislature also finds that social work
1144 professionals have a unique skill set, including client
1145 assessment and clinical knowledge of family dynamics. This
1146 unique skill set allows these professionals to interact and
1147 engage with families in meaningful and unique ways that are
1148 distinct from the ways in which the families interact with
1149 attorneys or other professional staff involved in dependency
1150 matters. Additionally, social work professionals are skilled at

1151 quickly connecting families facing crisis to resources that can
1152 address the specific underlying challenges.

1153 (d) The Legislature finds that there is a great benefit to
1154 using parent-peer specialists in the dependency system, which
1155 allows parents who have successfully navigated the dependency
1156 system and have been successfully reunified with their children
1157 to be paired with parents whose children are currently involved
1158 in the dependency system. By working with someone who has
1159 personally lived the experience of overcoming great personal
1160 crisis, parents currently involved in the dependency system have
1161 a greater ability to address the underlying challenges that
1162 resulted in the instability and safety risk to the children, to
1163 provide a safe and stable home environment, and to be
1164 successfully reunified.

1165 (e) The Legislature further finds that current federal law
1166 authorizes the reimbursement of a portion of the cost of
1167 attorneys for parents and children in eligible cases, whereas
1168 such funds were formerly restricted to foster care
1169 administrative costs.

1170 (f) The Legislature finds it is necessary to encourage and
1171 facilitate the use of a multidisciplinary legal representation
1172 model for parents and their children in order to improve
1173 outcomes for those families involved in the dependency system
1174 and to provide the families who find themselves in a crisis the
1175 best opportunity to be successful in creating safe and stable

1176 | homes for their children.

1177 | (2) ESTABLISHMENT.—Each office of criminal conflict and
 1178 | civil regional counsel established under s. 27.511 may establish
 1179 | a multidisciplinary legal representation model program to serve
 1180 | families in the dependency system.

1181 | (3) DUTIES.—

1182 | (a) The department shall collaborate with the office of
 1183 | criminal conflict and civil regional counsel to determine and
 1184 | execute any necessary documentation for approval of federal
 1185 | Title IV-E matching funding. The department shall submit such
 1186 | documentation as promptly as possible upon the establishment of
 1187 | a multidisciplinary legal representation model program and shall
 1188 | execute the necessary agreements to ensure the program accesses
 1189 | available federal matching funding for the program in order to
 1190 | help eligible families involved in the dependency system.

1191 | (b) An office of criminal conflict and civil regional
 1192 | counsel that establishes a multidisciplinary legal
 1193 | representation model program must, at a minimum:

1194 | 1. Use a team that consists of an attorney, a forensic
 1195 | social worker, and a parent-peer specialist. For purposes of
 1196 | this section, the term "parent-peer specialist" means a person
 1197 | who has:

1198 | a. Previously had his or her child involved in the
 1199 | dependency system and removed from his or her care to be placed
 1200 | in out-of-home care.

1201 b. Been successfully reunified with the child for more
1202 than 2 years.

1203 c. Received specialized training to become a parent-peer
1204 specialist.

1205 2. Comply with any necessary cost-sharing or other
1206 agreements to maximize financial resources and enable access to
1207 available federal Title IV-E matching funding.

1208 3. Provide specialized training and support for attorneys,
1209 forensic social workers, and parent-peer specialists involved in
1210 the model program.

1211 4. Collect uniform data on each child whose parent is
1212 served by the program and ensure that reporting of data is
1213 conducted through the child's unique identification number in
1214 the Florida Safe Families Network or any successor system, if
1215 applicable.

1216 5. Develop consistent operational program policies and
1217 procedures throughout each region that establishes the model
1218 program.

1219 6. Obtain agreements with universities relating to
1220 approved placements for social work students to ensure the
1221 placement of social workers in the program.

1222 7. Execute conflict of interest agreements with each team
1223 member.

1224 (4) REPORTING.—

1225 (a) Beginning October 1, 2022, and annually thereafter

1226 through October 1, 2025, each office of criminal conflict and
1227 civil regional counsel that establishes a multidisciplinary
1228 legal representation model program must submit an annual report
1229 to the Office of Program Policy Analysis and Government
1230 Accountability. The annual report must use the uniform data
1231 collected on each unique child whose parents are served by the
1232 program and must detail, at a minimum, all of the following:

- 1233 1. Reasons the family was originally involved in the
1234 dependency system.
- 1235 2. Length of time it takes to achieve a permanency goal
1236 for children whose parents are served by the program.
- 1237 3. Frequency of each type of permanency goal achieved by
1238 children whose parents are served by the program.
- 1239 4. Rate of subsequent abuse or removal of children whose
1240 parents are served by the program.
- 1241 5. Any other relevant factors that tend to show the impact
1242 of the use of such multidisciplinary legal representation model
1243 programs on the outcomes for children in the dependency system.

1244 Each region that has established a model program must agree on
1245 the additional factors and how to collect data on such
1246 additional factors for the annual report.

1247 (b) The Office of Program Policy Analysis and Government
1248 Accountability shall compile the results of the reports required
1249 under paragraph (a) and conduct an analysis comparing the
1250 reported outcomes from the multidisciplinary legal

1251 representation model program to known outcomes of children in
1252 the dependency system whose parents are not served by a
1253 multidisciplinary legal representation model program. Each
1254 office of criminal conflict and civil regional counsel shall
1255 provide any additional information or data requested by the
1256 Office of Program Policy Analysis and Government Accountability
1257 for its analysis. By December 1, 2022, and annually thereafter
1258 through December 1, 2025, the Office of Program Policy Analysis
1259 and Government Accountability must submit its analysis in a
1260 report to the Governor, the President of the Senate, and the
1261 Speaker of the House of Representatives.

1262 Section 12. Subsection (15) of section 39.6225, Florida
1263 Statutes, is renumbered as subsection (13), and present
1264 subsections (13) and (14) are amended to read:

1265 39.6225 Guardianship Assistance Program.—

1266 ~~(13) The Florida Institute for Child Welfare shall~~
1267 ~~evaluate the implementation of the Guardianship Assistance~~
1268 ~~Program. This evaluation shall be designed to determine the~~
1269 ~~impact of implementation of the Guardianship Assistance Program,~~
1270 ~~identify any barriers that may prevent eligible caregivers from~~
1271 ~~participating in the program, and identify recommendations~~
1272 ~~regarding enhancements to the state's system of supporting~~
1273 ~~kinship caregivers. The institute shall submit the report to the~~
1274 ~~Governor, the President of the Senate, and the Speaker of the~~
1275 ~~House of Representatives no later than January 1, 2021. At a~~

1276 ~~minimum, the evaluation shall include:~~

1277 ~~(a) Information about the perspectives and experiences of~~
1278 ~~program participants, individuals who applied for licensure as~~
1279 ~~child-specific foster homes or program participation but were~~
1280 ~~determined to be ineligible, and individuals who were likely~~
1281 ~~eligible for licensure as a child-specific foster home or for~~
1282 ~~the program but declined to apply. The institute shall collect~~
1283 ~~this information through methodologies including, but not~~
1284 ~~limited to, surveys and focus groups.~~

1285 ~~(b) An assessment of any communications procedures and~~
1286 ~~print and electronic materials developed to publicize the~~
1287 ~~program and recommendations for improving these materials. If~~
1288 ~~possible, individuals with expertise in marketing and~~
1289 ~~communications shall contribute to this assessment.~~

1290 ~~(c) An analysis of the program's impact on caregivers and~~
1291 ~~children, including any differences in impact on children placed~~
1292 ~~with caregivers who were licensed and those who were not.~~

1293 ~~(d) Recommendations for maximizing participation by~~
1294 ~~eligible caregivers and improving the support available to~~
1295 ~~kinship caregivers.~~

1296 ~~(14) The program shall take effect July 1, 2019.~~

1297 Section 13. Subsection (4) of section 39.6251, Florida
1298 Statutes, is amended to read:

1299 39.6251 Continuing care for young adults.—

1300 (4) (a) The young adult must reside in a supervised living

1301 environment that is approved by the department or a community-
 1302 based care lead agency. The young adult shall live
 1303 independently, but in an environment in which he or she is
 1304 provided supervision, case management, and supportive services
 1305 by the department or lead agency. Such an environment must offer
 1306 developmentally appropriate freedom and responsibility to
 1307 prepare the young adult for adulthood.

1308 1. For the purposes of this subsection:7

1309 a. A supervised living arrangement may include a licensed
 1310 foster home, licensed group home, college dormitory, shared
 1311 housing, apartment, or another housing arrangement if the
 1312 arrangement is approved by the community-based care lead agency
 1313 and is acceptable to the young adult.

1314 b. A supervised living arrangement may not include a
 1315 detention facility, a forestry camp, a training school, or any
 1316 other facility operated primarily for the detention of children
 1317 who are determined to be delinquent.

1318 2. A young adult may continue to reside with the same
 1319 licensed foster family or group care provider with whom he or
 1320 she was residing at the time he or she reached the age of 18
 1321 years. A young adult may not reside in any setting in which the
 1322 young adult is involuntarily placed, unless the placement is
 1323 through a court-appointed guardian.

1324 (b) Before approving the residential setting in which the
 1325 young adult will voluntarily live, the department or community-

1326 based care lead agency must ensure that:

1327 1. The young adult will be provided with a level of
 1328 supervision consistent with his or her individual education,
 1329 health care needs, permanency plan, and independent living goals
 1330 as assessed by the department or lead agency with input from the
 1331 young adult. Twenty-four hour onsite supervision is not
 1332 required; however, 24-hour crisis intervention and support must
 1333 be available.

1334 2. The young adult will live in an independent living
 1335 environment that offers, at a minimum, life skills instruction,
 1336 counseling, educational support, employment preparation and
 1337 placement, and development of support networks. The
 1338 determination of the type and duration of services shall be
 1339 based on the young adult's assessed needs, interests, and input
 1340 and must be consistent with the goals set in the young adult's
 1341 case plan.

1342 Section 14. Paragraph (m) is added to subsection (3) and
 1343 paragraph (u) is added to subsection (5) of section 394.9082,
 1344 Florida Statutes, to read:

1345 394.9082 Behavioral health managing entities.—

1346 (3) DEPARTMENT DUTIES.—The department shall:

1347 (m) Collect and publish, and update annually, all of the
 1348 following information on its website for each managing entity:

1349 1. All compensation earned or awarded, whether paid or
 1350 accrued, regardless of contingency, by position, for any

1351 employee, and any other person compensated through a contract
1352 for services whose services include those commonly associated
1353 with a chief executive, chief administrator, or other chief
1354 officer of a business or corporation, who receives compensation
1355 from state-appropriated funds in excess of 150 percent of the
1356 annual salary paid to the secretary of the department. For
1357 purposes of this paragraph, the term "employee" has the same
1358 meaning as in s. 448.095(1).

1359 2. The most recent 3 years of the Return of Organization
1360 Exempt from Income Tax, Internal Revenue Service Form 990 and
1361 related documents filed with the Internal Revenue Service,
1362 auditor reports, and annual reports for each managing entity or
1363 affiliated entity.

1364 (5) MANAGING ENTITY DUTIES.—A managing entity shall:

1365 (u) Include the statement "(managing entity name) is a
1366 managing entity contracted with the Department of Children and
1367 Families" on its website and, at a minimum, in its promotional
1368 literature, managing entity-created documents and forms provided
1369 to families served by the managing entity, business cards, and
1370 stationery letterhead.

1371 Section 15. Section 394.90825, Florida Statutes, is
1372 created to read:

1373 394.90825 Boards of behavioral health managing entities;
1374 conflicts of interest.—

1375 (1) As used in this section, the term:

1376 (a) "Activity" includes, but is not limited to, a contract
1377 for goods and services, a contract for the purchase of any real
1378 or tangible property, or an agreement to engage with the
1379 managing entity for the benefit of a third party in exchange for
1380 an interest in real or tangible property, a monetary benefit, or
1381 an in-kind contribution.

1382 (b) "Conflict of interest" means when a board member or an
1383 officer, or a relative of a board member or an officer, of the
1384 managing entity does any of the following:

1385 1. Enters into a contract or other transaction for goods
1386 or services with the managing entity.

1387 2. Holds a direct or indirect interest in a corporation,
1388 limited liability corporation, partnership, limited liability
1389 partnership, or other business entity that conducts business
1390 with the managing entity or proposes to enter into a contract or
1391 other transaction with the managing entity. For purposes of this
1392 paragraph, the term "indirect interest" has the same meaning as
1393 in s. 112.312.

1394 3. Knowingly obtains a direct or indirect personal,
1395 financial, professional, or other benefit as a result of the
1396 relationship of such board member or officer, or relative of the
1397 board member or officer, with the managing entity. For purposes
1398 of this paragraph, the term "benefit" does not include per diem
1399 and travel expenses paid or reimbursed to board members or
1400 officers of the managing entity in connection with their service

1401 on the board.

1402 (c) "Managing entity" has the same meaning as in s.
1403 394.9082.

1404 (d) "Relative" means a relative within the third degree of
1405 consanguinity by blood or marriage.

1406 (2) (a) For any activity that is presented to the board of
1407 a managing entity for its initial consideration and approval
1408 after July 1, 2021, or any activity that involves a contract
1409 that is being considered for renewal on or after July 1, 2021,
1410 but before January 1, 2022, a board member or an officer of a
1411 managing entity shall disclose to the board any activity that
1412 may reasonably be construed to be a conflict of interest before
1413 such activity is initially considered and approved or a contract
1414 is renewed by the board. A rebuttable presumption of a conflict
1415 of interest exists if the activity was acted on by the board
1416 without prior notice as required under subsection (3).

1417 (b) For contracts with a managing entity which are in
1418 existence on July 1, 2021, and are not subject to renewal before
1419 January 1, 2022, a board member or an officer of the managing
1420 entity shall disclose to the board any activity that may
1421 reasonably be construed to be a conflict of interest under this
1422 section by December 31, 2021.

1423 (3) (a) If a board member or an officer of the managing
1424 entity, or a relative of a board member or an officer, proposes
1425 to engage in an activity as described in paragraph (2) (a), the

1426 proposed activity must be listed on the meeting agenda for the
1427 next general or special meeting of the board members, and copies
1428 of all contracts and transactional documents related to the
1429 proposed activity must be included in the agenda. The meeting
1430 agenda must clearly identify the existence of a potential
1431 conflict of interest for the proposed activity. Before a board
1432 member or an officer of the managing entity, or a relative of a
1433 board member or an officer, engages in the proposed activity,
1434 the activity and contract or other transactional documents must
1435 be approved by an affirmative vote of two-thirds of all other
1436 board members present.

1437 (b) If a board member or an officer of the managing entity
1438 notifies the board of a potential conflict of interest with the
1439 board member or officer, or a relative of the board member or
1440 officer, under an existing contract as described in paragraph
1441 (2) (b), the board must notice the activity on a meeting agenda
1442 for the next general or special meeting of the board members,
1443 and copies of all contracts and transactional documents related
1444 to the activity must be attached. The meeting agenda must
1445 clearly identify the existence of a potential conflict of
1446 interest. The board must be given the opportunity to approve or
1447 disapprove the conflict of interest by a vote of two-thirds of
1448 all other board members present.

1449 (4) (a) If the board votes against the proposed activity
1450 under paragraph (3) (a), the board member or officer of the

1451 managing entity, or the relative of the board member or officer,
1452 must notify the board in writing of his or her intention, or his
1453 or her relative's intention, not to pursue the proposed
1454 activity, or the board member or officer shall withdraw from
1455 office before the next scheduled board meeting. If the board
1456 finds that a board member or officer has violated this
1457 paragraph, the board member or officer shall be removed from
1458 office before the next scheduled board meeting.

1459 (b) In the event that the board does not approve a
1460 conflict of interest as required under paragraph (3) (b), the
1461 parties to the activity may opt to cancel the activity or, in
1462 the alternative, the board member or officer of the managing
1463 entity must resign from the board before the next scheduled
1464 board meeting. If the activity canceled is a contract, the
1465 managing entity is only liable for the reasonable value of the
1466 goods and services provided up to the time of cancellation and
1467 is not liable for any termination fee, liquidated damages, or
1468 other form of penalty for such cancellation.

1469 (5) A board member or an officer of the managing entity,
1470 or a relative of a board member or an officer, who is a party
1471 to, or has an interest in, an activity that is a possible
1472 conflict of interest may attend the meeting at which the
1473 activity is considered by the board and may make a presentation
1474 to the board regarding the activity. After the presentation, the
1475 board member or officer, or the relative of the board member or

1476 officer, must leave the meeting during the discussion of, and
1477 the vote on, the activity. A board member or an officer who is a
1478 party to, or has an interest in, the activity shall recuse
1479 himself or herself from the vote.

1480 (6) A contract entered into between a board member or an
1481 officer of the managing entity, or a relative of a board member
1482 or an officer, and the managing entity which has not been
1483 properly disclosed as a conflict of interest or potential
1484 conflict of interest under this section is voidable and
1485 terminates upon the filing of a written notice terminating the
1486 contract with the board of directors which contains the consent
1487 of at least 20 percent of the voting interests of the managing
1488 entity.

1489 Section 16. Subsection (3) of section 409.1415, Florida
1490 Statutes, is renumbered as subsection (4), paragraphs (b) and
1491 (c) of subsection (2) are amended, and a new subsection (3) is
1492 added to that section, to read:

1493 409.1415 Parenting partnerships for children in out-of-
1494 home care; resources.-

1495 (2) PARENTING PARTNERSHIPS.-

1496 (b) To ensure that a child in out-of-home care receives
1497 support for healthy development which gives the child the best
1498 possible opportunity for success, caregivers, birth or legal
1499 parents, the department, and the community-based care lead
1500 agency shall work cooperatively in a respectful partnership by

1501 adhering to the following requirements:

1502 1. All members of the partnership must interact and
1503 communicate professionally with one another, must share all
1504 relevant information promptly, and must respect the
1505 confidentiality of all information related to the child and his
1506 or her family.

1507 2. The caregiver; the birth or legal parent; the child, if
1508 appropriate; the department; and the community-based care lead
1509 agency must participate in developing a case plan for the child
1510 and the birth or legal parent. All members of the team must work
1511 together to implement the case plan. The caregiver must have the
1512 opportunity to participate in all team meetings or court
1513 hearings related to the child's care and future plans. The
1514 department and community-based care lead agency must support and
1515 facilitate caregiver participation through timely notification
1516 of such meetings and hearings and provide alternative methods
1517 for participation for a caregiver who cannot be physically
1518 present at a meeting or hearing.

1519 3. A caregiver must strive to provide, and the department
1520 and community-based care lead agency must support, excellent
1521 parenting, which includes:

1522 a. A loving commitment to the child and the child's safety
1523 and well-being.

1524 b. Appropriate supervision and positive methods of
1525 discipline.

- 1526 c. Encouragement of the child's strengths.
- 1527 d. Respect for the child's individuality and likes and
1528 dislikes.
- 1529 e. Providing opportunities to develop the child's
1530 interests and skills.
- 1531 f. Being aware of the impact of trauma on behavior.
- 1532 g. Facilitating equal participation of the child in family
1533 life.
- 1534 h. Involving the child within his or her community.
- 1535 i. A commitment to enable the child to lead a normal life.
- 1536 4. A child in out-of-home care must be placed with a
1537 caregiver who has the ability to care for the child, is willing
1538 to accept responsibility for providing care, and is willing and
1539 able to learn about and be respectful of the child's culture,
1540 religion, and ethnicity; special physical or psychological
1541 needs; circumstances unique to the child; and family
1542 relationships. The department, the community-based care lead
1543 agency, and other agencies must provide a caregiver with all
1544 available information necessary to assist the caregiver in
1545 determining whether he or she is able to appropriately care for
1546 a particular child.
- 1547 5. A caregiver must have access to and take advantage of
1548 all training that he or she needs to improve his or her skills
1549 in parenting a child who has experienced trauma due to neglect,
1550 abuse, or separation from home; to meet the child's special

1551 needs; and to work effectively with child welfare agencies, the
1552 courts, the schools, and other community and governmental
1553 agencies.

1554 6. The department and community-based care lead agency
1555 must provide a caregiver with the services and support they need
1556 to enable them to provide quality care for the child pursuant to
1557 subsection (3).

1558 7. Once a caregiver accepts the responsibility of caring
1559 for a child, the child may be removed from the home of the
1560 caregiver only if:

1561 a. The caregiver is clearly unable to safely or legally
1562 care for the child;

1563 b. The child and the birth or legal parent are reunified;

1564 c. The child is being placed in a legally permanent home
1565 in accordance with a case plan or court order; or

1566 d. The removal is demonstrably in the best interests of
1567 the child.

1568 8. If a child must leave the caregiver's home for one of
1569 the reasons stated in subparagraph 7., and in the absence of an
1570 unforeseeable emergency, the transition must be accomplished
1571 according to a plan that involves cooperation and sharing of
1572 information among all persons involved, respects the child's
1573 developmental stage and psychological needs, ensures the child
1574 has all of his or her belongings, allows for a gradual
1575 transition from the caregiver's home, and, if possible, allows

1576 for continued contact with the caregiver after the child leaves.

1577 9. When the case plan for a child includes reunification,
1578 the caregiver, the department, and the community-based care lead
1579 agency must work together to assist the birth or legal parent in
1580 improving his or her ability to care for and protect the child
1581 and to provide continuity for the child.

1582 10. A caregiver must respect and support the child's ties
1583 to his or her birth or legal family, including parents,
1584 siblings, and extended family members, and must assist the child
1585 in maintaining allowable visitation and other forms of
1586 communication. The department and community-based care lead
1587 agency must provide a caregiver with the information, guidance,
1588 training, and support necessary for fulfilling this
1589 responsibility.

1590 11. A caregiver must work in partnership with the
1591 department and community-based care lead agency to obtain and
1592 maintain records that are important to the child's well-being,
1593 including, but not limited to, child resource records, medical
1594 records, school records, photographs, and records of special
1595 events and achievements.

1596 12. A caregiver must advocate for a child in his or her
1597 care with the child welfare system, the court, and community
1598 agencies, including schools, child care providers, health and
1599 mental health providers, and employers. The department and
1600 community-based care lead agency must support a caregiver in

1601 advocating for a child and may not retaliate against the
1602 caregiver as a result of this advocacy.

1603 13. A caregiver must be as fully involved in the child's
1604 medical, psychological, and dental care as he or she would be
1605 for his or her biological child. The department and community-
1606 based care lead agency must support and facilitate such
1607 participation. The caregiver, the department, and the community-
1608 based care lead agency must share information with each other
1609 about the child's health and well-being.

1610 14. A caregiver must support a child's school success,
1611 including, when possible, maintaining school stability by
1612 participating in school activities and meetings. The department
1613 and community-based care lead agency must facilitate this
1614 participation and be informed of the child's progress and needs.

1615 15. A caregiver must ensure that a child in his or her
1616 care who is between 13 and 17 years of age learns and masters
1617 independent living skills. The department shall make available
1618 training for caregivers developed in collaboration with the
1619 Florida Foster and Adoptive Parent Association and the Quality
1620 Parenting Initiative on the life skills necessary for children
1621 in out-of-home care.

1622 16. The case manager and case manager supervisor must
1623 mediate disagreements that occur between a caregiver and the
1624 birth or legal parent.

1625 (c) An employee of a residential group home must meet the

1626 background screening requirements under s. 39.0138 and the level
1627 2 screening standards for screening under chapter 435. An
1628 employee of a residential group home who works directly with a
1629 child as a caregiver must meet, at a minimum, the same education
1630 ~~and, training, background, and other screening~~ requirements as
1631 caregivers in family foster homes licensed as level II under s.
1632 409.175(5).

1633 (3) RESOURCES AND SUPPORT FOR CAREGIVERS.-

1634 (a) Foster parents.-The department shall establish the
1635 Foster Information Center to connect current and former foster
1636 parents, known as foster parent advocates, to prospective and
1637 current foster parents in order to provide information and
1638 services, including, but not limited to:

1639 1. Navigating the application and approval process,
1640 including timelines for each; preparing for transitioning from
1641 approval for placement to accepting a child into the home; and
1642 learning about and connecting with any available resources in
1643 the prospective foster parent's community.

1644 2. Accessing available resources and services, including,
1645 but not limited to, those from the Florida Foster and Adoptive
1646 Parent Association, for any current foster parents who need
1647 additional assistance.

1648 3. Providing information specific to a foster parent's
1649 individual needs.

1650 4. Providing immediate assistance when needed.

1651 (b) Kinship caregivers.—

1652 1. A community-based care lead agency shall provide a
1653 caregiver with resources and supports that are available and
1654 discuss whether the caregiver meets any eligibility criteria for
1655 such resources and supports. If the caregiver is unable to
1656 access resources and supports beneficial to the well-being of
1657 the child, the community-based care lead agency or case
1658 management agency must assist the caregiver in initiating access
1659 to resources by:

1660 a. Providing referrals to kinship navigation services, if
1661 available.

1662 b. Assisting with linkages to community resources and
1663 completion of program applications.

1664 c. Scheduling appointments.

1665 d. Initiating contact with community service providers.

1666 2. The community-based care lead agency shall provide each
1667 caregiver with a telephone number to call during normal business
1668 hours whenever immediate assistance is needed and the child's
1669 caseworker is unavailable. The telephone number must be staffed
1670 and answered by individuals possessing the knowledge and
1671 authority necessary to assist caregivers.

1672 Section 17. Section 409.1453, Florida Statutes, is
1673 repealed.

1674 Section 18. Subsection (3) of section 409.175, Florida
1675 Statutes, is amended to read:

1676 409.175 Licensure of family foster homes, residential
1677 child-caring agencies, and child-placing agencies; public
1678 records exemption.—

1679 (3) (a) The total number of children placed in a each
1680 family foster home shall be based on ~~the recommendation of the~~
1681 ~~department, or the community-based care lead agency where one is~~
1682 ~~providing foster care and related services, based on~~ the needs
1683 of each child in care, the ability of the foster family to meet
1684 the individual needs of each child, including any adoptive or
1685 biological children or young adults remaining in foster care
1686 living in the home, the amount of safe physical plant space, the
1687 ratio of active and appropriate adult supervision, and the
1688 background, experience, and skill of the family foster parents.

1689 (b) The department must grant a capacity waiver before
1690 another child may be placed in the home if:

1691 1. The total number of dependent children in a family
1692 foster home is six or more; or will exceed five, including the
1693 family's own children,

1694 2. The total number of children in a family foster home,
1695 including both dependent children and the family's own children,
1696 is eight or more.

1697 (c) Before granting a capacity waiver, the department must
1698 conduct an assessment of each child to be placed in the home.
1699 ~~must be completed by a family services counselor and approved in~~
1700 ~~writing by the counselor's supervisor prior to placement of any~~

1701 ~~additional children in the home, except that,~~ If the placement
1702 involves a child whose sibling is already in the home or a child
1703 who has been in placement in the home previously, the assessment
1704 must be completed within 72 hours after placement. The
1705 assessment must assess and document the mental, physical, and
1706 psychosocial needs of the child and whether those needs will be
1707 met by placement in the home ~~and recommend the maximum number of~~
1708 ~~children in a family foster home that will allow the child's~~
1709 ~~needs to be met.~~

1710 (d)(e) For any licensed family foster home, the
1711 appropriateness of the number of children in the home must be
1712 reassessed annually as part of the relicensure process. For a
1713 home with more than eight ~~five~~ children, including the family's
1714 own children, if it is determined by the licensure study at the
1715 time of relicensure that the total number of children in the
1716 home is appropriate and that there have been no substantive
1717 licensure violations and no indications of child maltreatment or
1718 child-on-child sexual abuse within the past 12 months, the
1719 relicensure of the home may ~~shall~~ not be denied based on the
1720 total number of children in the home.

1721 (e) The department may adopt rules to implement this
1722 subsection.

1723 Section 19. Section 409.1753, Florida Statutes, is
1724 repealed.

1725 Section 20. Subsections (6) and (7) are added to section

1726 409.987, Florida Statutes, to read:

1727 409.987 Lead agency procurement; boards; conflicts of
 1728 interest.—

1729 (6) In communities in which conditions make it not
 1730 feasible to competitively contract with a lead agency, the
 1731 department may collaborate with the local community alliance to
 1732 establish an alternative approach to providing community-based
 1733 child welfare services in the service area that would otherwise
 1734 be served by a lead agency.

1735 (a) The department and local community alliance shall
 1736 develop a plan that must detail how the community will continue
 1737 to implement community-based care through competitively
 1738 procuring either the specific components of foster care and
 1739 related services or comprehensive services for defined eligible
 1740 populations of children and families from qualified entities as
 1741 part of the community's efforts to develop the local capacity
 1742 for a community-based system of coordinated care. The plan must
 1743 ensure local control over the management and administration of
 1744 service provision. At a minimum, the plan must describe the
 1745 reasons for the department's inability to competitively contract
 1746 for lead agency services, the proposed alternative approach to
 1747 providing lead agency services, the entities that will be
 1748 involved in service provision, how local control will be
 1749 maintained, how services will be managed to ensure that federal
 1750 and state requirements are met and outcome goals under s.

1751 409.986 are achieved, and recommendations for increasing the
1752 ability of the department to contract with a lead agency in that
1753 area.

1754 (b) The department shall submit the plan to the Governor,
1755 the President of the Senate, and the Speaker of the House of
1756 Representatives before implementation. The department shall
1757 submit quarterly updates about the plan's implementation to the
1758 Governor, the President of the Senate, and the Speaker of the
1759 House of Representatives until 2 years after full implementation
1760 of the plan.

1761 (7) (a) As used in this subsection, the term:

1762 1. "Activity" includes, but is not limited to, a contract
1763 for goods and services, a contract for the purchase of any real
1764 or tangible property, or an agreement to engage with a lead
1765 agency for the benefit of a third party in exchange for an
1766 interest in real or tangible property, a monetary benefit, or an
1767 in-kind contribution.

1768 2. "Conflict of interest" means when a board member or an
1769 officer, or a relative of a board member or an officer, of a
1770 lead agency does any of the following:

1771 a. Enters into a contract or other transaction for goods
1772 or services with the lead agency.

1773 b. Holds a direct or indirect interest in a corporation,
1774 limited liability corporation, partnership, limited liability
1775 partnership, or other business entity that conducts business

1776 with the lead agency or proposes to enter into a contract or
1777 other transaction with the lead agency. For purposes of this
1778 paragraph, the term "indirect interest" has the same meaning as
1779 in s. 112.312.

1780 c. Knowingly obtains a direct or indirect personal,
1781 financial, professional, or other benefit as a result of the
1782 relationship of such board member or officer, or relative of the
1783 board member or officer, with the lead agency. For purposes of
1784 this paragraph, the term "benefit" does not include per diem and
1785 travel expenses paid or reimbursed to board members or officers
1786 of the lead agency in connection with their service on the
1787 board.

1788 3. "Relative" means a relative within the third degree of
1789 consanguinity by blood or marriage.

1790 (b)1. For any activity that is presented to the board of a
1791 lead agency for its initial consideration and approval after
1792 July 1, 2021, or any activity that involves a contract that is
1793 being considered for renewal on or after July 1, 2021, but
1794 before January 1, 2022, a board member or an officer of a lead
1795 agency shall disclose to the board any activity that may
1796 reasonably be construed to be a conflict of interest before such
1797 activity is initially considered and approved or a contract is
1798 renewed by the board. A rebuttable presumption of a conflict of
1799 interest exists if the activity was acted on by the board
1800 without prior notice as required under paragraph (c).

1801 2. For contracts with a lead agency which are in existence
1802 on July 1, 2021, and are not subject to renewal before January
1803 1, 2022, a board member or an officer of the lead agency shall
1804 disclose to the board any activity that may reasonably be
1805 construed to be a conflict of interest under this section by
1806 December 31, 2021.

1807 (c)1. If a board member or an officer of a lead agency, or
1808 a relative of a board member or an officer, proposes to engage
1809 in an activity as described in subparagraph (b)1., the proposed
1810 activity must be listed on the meeting agenda for the next
1811 general or special meeting of the board members, and copies of
1812 all contracts and transactional documents related to the
1813 proposed activity must be included in the agenda. The meeting
1814 agenda must clearly identify the existence of a potential
1815 conflict of interest for the proposed activity. Before a board
1816 member or an officer of the lead agency, or a relative of a
1817 board member or an officer, engages in the proposed activity,
1818 the activity and contract or other transactional documents must
1819 be approved by an affirmative vote of two-thirds of all other
1820 board members present.

1821 2. If a board member or an officer of the lead agency
1822 notifies the board of a potential conflict of interest with the
1823 board member or officer, or a relative of the board member or
1824 officer, under an existing contract as described in subparagraph
1825 (b)2., the board must notice the activity on a meeting agenda

1826 for the next general or special meeting of the board members,
1827 and copies of all contracts and transactional documents related
1828 to the activity must be attached. The meeting agenda must
1829 clearly identify the existence of a potential conflict of
1830 interest. The board must be given the opportunity to approve or
1831 disapprove the conflict of interest by a vote of two-thirds of
1832 all other board members present.

1833 (d)1. If the board votes against the proposed activity
1834 under subparagraph (c)1., the board member or officer of the
1835 lead agency, or the relative of the board member or officer,
1836 must notify the board in writing of his or her intention, or his
1837 or her relative's intention, not to pursue the proposed
1838 activity, or the board member or officer shall withdraw from
1839 office before the next scheduled board meeting. If the board
1840 finds that a board member or officer has violated this
1841 paragraph, the board member or officer shall be removed from
1842 office before the next scheduled board meeting.

1843 2. In the event that the board does not approve a conflict
1844 of interest as required under subparagraph (c)2., the parties to
1845 the activity may opt to cancel the activity or, in the
1846 alternative, the board member or officer of the lead agency must
1847 resign from the board before the next scheduled board meeting.
1848 If the activity canceled is a contract, the lead agency is only
1849 liable for the reasonable value of the goods and services
1850 provided up to the time of cancellation and is not liable for

1851 any termination fee, liquidated damages, or other form of
1852 penalty for such cancellation.

1853 (e) A board member or an officer of a lead agency, or a
1854 relative of a board member or an officer, who is a party to, or
1855 has an interest in, an activity that is a possible conflict of
1856 interest may attend the meeting at which the activity is
1857 considered by the board and may make a presentation to the board
1858 regarding the activity. After the presentation, the board member
1859 or officer, or the relative of the board member or officer, must
1860 leave the meeting during the discussion of, and the vote on, the
1861 activity. A board member or an officer who is a party to, or has
1862 an interest in, the activity shall recuse himself or herself
1863 from the vote.

1864 (f) A contract entered into between a board member or an
1865 officer of a lead agency, or a relative of a board member or an
1866 officer, and the lead agency which has not been properly
1867 disclosed as a conflict of interest or potential conflict of
1868 interest under this section is voidable and terminates upon the
1869 filing of a written notice terminating the contract with the
1870 board of directors which contains the consent of at least 20
1871 percent of the voting interests of the lead agency.

1872 Section 21. Subsection (1) of section 409.988, Florida
1873 Statutes, is amended to read:

1874 409.988 Lead agency duties; general provisions.—

1875 (1) DUTIES.—A lead agency:

1876 (a) Shall serve all children referred as a result of a
 1877 report of abuse, neglect, or abandonment to the department's
 1878 central abuse hotline, including, but not limited to, children
 1879 who are the subject of verified reports and children who are not
 1880 the subject of verified reports but who are at moderate to
 1881 extremely high risk of abuse, neglect, or abandonment, as
 1882 determined using the department's risk assessment instrument,
 1883 regardless of the level of funding allocated to the lead agency
 1884 by the state if all related funding is transferred. The lead
 1885 agency may also serve children who have not been the subject of
 1886 reports of abuse, neglect, or abandonment, but who are at risk
 1887 of abuse, neglect, or abandonment, to prevent their entry into
 1888 the child protection and child welfare system.

1889 (b) Shall provide accurate and timely information
 1890 necessary for oversight by the department pursuant to the child
 1891 welfare results-oriented accountability system required by s.
 1892 409.997.

1893 (c) Shall follow the financial guidelines developed by the
 1894 department and provide for a regular independent auditing of its
 1895 financial activities. Such financial information shall be
 1896 provided to the community alliance established under s.
 1897 20.19(5).

1898 ~~(d) Shall post on its website the current budget for the~~
 1899 ~~lead agency, including the salaries, bonuses, and other~~
 1900 ~~compensation paid, by position, for the agency's chief executive~~

1901 ~~officer, chief financial officer, and chief operating officer,~~
1902 ~~or their equivalents.~~

1903 (d)~~(e)~~ Shall prepare all judicial reviews, case plans, and
1904 other reports necessary for court hearings for dependent
1905 children, except those related to the investigation of a
1906 referral from the department's child abuse hotline, and shall
1907 submit these documents timely to the department's attorneys for
1908 review, any necessary revision, and filing with the court. The
1909 lead agency shall make the necessary staff available to
1910 department attorneys for preparation for dependency proceedings,
1911 and shall provide testimony and other evidence required for
1912 dependency court proceedings in coordination with the
1913 department's attorneys. This duty does not include the
1914 preparation of legal pleadings or other legal documents, which
1915 remain the responsibility of the department.

1916 (e)~~(f)~~ Shall ensure that all individuals providing care
1917 for dependent children receive:

1918 1. Appropriate training and meet the minimum employment
1919 standards established by the department. Appropriate training
1920 shall include, but is not limited to, training on the
1921 recognition of and responses to head trauma and brain injury in
1922 a child under 6 years of age developed by the Child Protection
1923 Team Program within the Department of Health.

1924 2. Contact information for the local mobile response team
1925 established under s. 394.495.

1926 ~~(f)~~ ~~(g)~~ Shall maintain eligibility to receive all available
 1927 federal child welfare funds.

1928 (g) Shall adhere to all best child welfare practices under
 1929 ss. 39.4087, 39.523, 409.1415, and 409.145.

1930 (h) Shall maintain written agreements with Healthy
 1931 Families Florida lead entities in its service area pursuant to
 1932 s. 409.153 to promote cooperative planning for the provision of
 1933 prevention and intervention services.

1934 (i) Shall comply with federal and state statutory
 1935 requirements and agency rules in the provision of contractual
 1936 services.

1937 (j) May subcontract for the provision of services required
 1938 by the contract with the lead agency and the department;
 1939 however, the subcontracts must specify how the provider will
 1940 contribute to the lead agency meeting the performance standards
 1941 established pursuant to the child welfare results-oriented
 1942 accountability system required by s. 409.997. The lead agency
 1943 shall directly provide no more than 35 percent of all child
 1944 welfare services provided unless it can demonstrate a need,
 1945 within the lead agency's geographic service area, to exceed this
 1946 threshold. The local community alliance in the geographic
 1947 service area in which the lead agency is seeking to exceed the
 1948 threshold shall review the lead agency's justification for need
 1949 and recommend to the department whether the department should
 1950 approve or deny the lead agency's request for an exemption from

1951 the services threshold. If there is not a community alliance
 1952 operating in the geographic service area in which the lead
 1953 agency is seeking to exceed the threshold, such review and
 1954 recommendation shall be made by representatives of local
 1955 stakeholders, including at least one representative from each of
 1956 the following:

- 1957 1. The department.
- 1958 2. The county government.
- 1959 3. The school district.
- 1960 4. The county United Way.
- 1961 5. The county sheriff's office.
- 1962 6. The circuit court corresponding to the county.
- 1963 7. The county children's board, if one exists.

1964 (k) Shall publish ~~post~~ on its website by the 15th day of
 1965 each month at a minimum the data specified ~~information contained~~
 1966 in subparagraphs 1.-5., calculated using a standard methodology
 1967 determined by the department, ~~subparagraphs 1.-4.~~ for the
 1968 preceding calendar month regarding its case management services.
 1969 The following information shall be reported by each individual
 1970 subcontracted case management provider, by the lead agency, if
 1971 the lead agency provides case management services, and in total
 1972 for all case management services subcontracted or directly
 1973 provided by the lead agency:

- 1974 1. The average caseload of case managers, including only
 1975 filled positions;

1976 2. The total number and percentage of case managers who
 1977 have 25 or more cases on their caseloads;
 1978 ~~3.2.~~ The turnover rate for case managers and case
 1979 management supervisors for the previous 12 months;
 1980 ~~4.3.~~ The percentage of required home visits completed; and
 1981 ~~5.4.~~ Performance on outcome measures required pursuant to
 1982 s. 409.997 for the previous 12 months.
 1983 (1) Shall identify an employee to serve as a liaison with
 1984 the community alliance and community-based and faith-based
 1985 organizations interested in collaborating with the lead agency
 1986 or offering services or other assistance on a volunteer basis to
 1987 the children and families served by the lead agency. The lead
 1988 agency shall ensure that appropriate lead agency staff and
 1989 subcontractors, including, but not limited to, case managers,
 1990 are informed of the specific services or assistance available
 1991 from community-based and faith-based organizations.
 1992 (m) Shall include the statement "(community-based care
 1993 lead agency name) is a community-based care lead agency
 1994 contracted with the Department of Children and Families" on its
 1995 website and, at a minimum, in its promotional literature, lead
 1996 agency-created documents and forms provided to families served
 1997 by the lead agency, business cards, and stationery letterhead.
 1998 Section 22. Subsection (7) of section 409.990, Florida
 1999 Statutes, is renumbered as subsection (8), and a new subsection
 2000 (7) is added to that section to read:

2001 409.990 Funding for lead agencies.—A contract established
 2002 between the department and a lead agency must be funded by a
 2003 grant of general revenue, other applicable state funds, or
 2004 applicable federal funding sources.

2005 (7) If subcontracted service providers must provide
 2006 services that are beyond the contract limits due to increased
 2007 client need or caseload, the lead agencies shall fund the cost
 2008 of increased care.

2009 Section 23. Subsections (3) through (25) of section
 2010 409.996, Florida Statutes, are renumbered as subsections (5)
 2011 through (27), respectively, subsections (1) and (2) and
 2012 paragraph (d) of present subsection (25) are amended, and new
 2013 subsections (3) and (4) are added to that section, to read:

2014 409.996 Duties of the Department of Children and
 2015 Families.—The department shall contract for the delivery,
 2016 administration, or management of care for children in the child
 2017 protection and child welfare system. In doing so, the department
 2018 retains responsibility for the quality of contracted services
 2019 and programs and shall ensure that, at a minimum, services are
 2020 delivered in accordance with applicable federal and state
 2021 statutes and regulations and the performance standards and
 2022 metrics specified in the strategic plan created under s.
 2023 20.19(1).

2024 (1) The department shall enter into contracts with lead
 2025 agencies for the performance of the duties by the lead agencies

2026 | established in s. 409.988. At a minimum, the contracts must do
 2027 | all of the following:

2028 | (a) Provide for the services needed to accomplish the
 2029 | duties established in s. 409.988. ~~and~~

2030 | (b) Require the lead agency to provide information to the
 2031 | department which specifies how the lead agency will adhere to
 2032 | all best child welfare practices under ss. 39.4087, 39.523,
 2033 | 409.1415, and 409.145.

2034 | (c) Provide information to the department which is
 2035 | necessary to meet the requirements for a quality assurance
 2036 | program under subsection (21) ~~(19)~~ and the child welfare
 2037 | results-oriented accountability system under s. 409.997.

2038 | (d) ~~(b)~~ Provide for tiered interventions and graduated
 2039 | penalties for failure to comply with contract terms or in the
 2040 | event of performance deficiencies. Such interventions and
 2041 | penalties shall include, but are not limited to:

- 2042 | 1. Enhanced monitoring and reporting.
- 2043 | 2. Corrective action plans.
- 2044 | 3. Requirements to accept technical assistance and
 2045 | consultation from the department under subsection (6) ~~(4)~~.
- 2046 | 4. Financial penalties, which shall require a lead agency
 2047 | to reallocate funds from administrative costs to direct care for
 2048 | children.
- 2049 | 5. Early termination of contracts, as provided in s.
 2050 | 402.1705(3)(f).

2051 (e)~~(e)~~ Ensure that the lead agency shall furnish current
2052 and accurate information on its activities in all cases in
2053 client case records in the state's statewide automated child
2054 welfare information system.

2055 (f)~~(d)~~ Specify the procedures to be used by the parties to
2056 resolve differences in interpreting the contract or to resolve
2057 disputes as to the adequacy of the parties' compliance with
2058 their respective obligations under the contract.

2059 (2) The department must adopt written policies and
2060 procedures for monitoring the contract for delivery of services
2061 by lead agencies which must be published ~~posted~~ on the
2062 department's website. These policies and procedures must, at a
2063 minimum, address the evaluation of fiscal accountability and
2064 program operations, including provider achievement of
2065 performance standards, provider monitoring of subcontractors,
2066 and timely followup of corrective actions for significant
2067 monitoring findings related to providers and subcontractors.
2068 These policies and procedures must also include provisions for
2069 reducing the duplication of the department's program monitoring
2070 activities both internally and with other agencies, to the
2071 extent possible. The department's written procedures must ensure
2072 that the written findings, conclusions, and recommendations from
2073 monitoring the contract for services of lead agencies are
2074 communicated to the director of the provider agency and the
2075 community alliance as expeditiously as possible.

2076 (3) The department shall annually conduct a comprehensive,
2077 multiyear review of the revenues, expenditures, and financial
2078 position of all community-based care lead agencies which must
2079 cover the most recent 2 consecutive fiscal years. The review
2080 must include a comprehensive system-of-care analysis. All
2081 community-based care lead agencies must develop and maintain a
2082 plan to achieve financial viability. The department's review and
2083 the agency's plan shall be submitted to the Governor, the
2084 President of the Senate, and the Speaker of the House of
2085 Representatives by November 1 of each year.

2086 (4) (a) The department shall collect and publish on its
2087 website, and annually update, all of the following information
2088 for each lead agency under contract with the department:

2089 1. All compensation earned or awarded, whether paid or
2090 accrued, regardless of contingency, by position, for any
2091 employee, and any other person who is compensated through a
2092 contract for services whose services include those commonly
2093 associated with a chief executive, chief administrator, or other
2094 chief officer of a business or corporation, who receives
2095 compensation from state-appropriated funds in excess of 150
2096 percent of the annual salary paid to the secretary of the
2097 department. For purposes of this paragraph, the term "employee"
2098 has the same meaning as in s. 448.095.

2099 2. All findings of the review under subsection (3).

2100 (b) The department shall collect and publish on its

2101 website, and update monthly, the information required under s.
2102 409.988(1)(k).

2103 ~~(27)-(25)~~ Subject to an appropriation, for the 2020-2021
2104 and 2021-2022 fiscal years, the department shall implement a
2105 pilot project in the Sixth and Thirteenth Judicial Circuits,
2106 respectively, aimed at improving child welfare outcomes.

2107 (d) The department shall include the results of the pilot
2108 projects in the report required in subsection ~~(26)~~ ~~(24)~~ of this
2109 section. The report must include the department's findings and
2110 recommendations relating to the pilot projects.

2111 Section 24. Paragraph (c) is added to subsection (6) of s.
2112 1012.795, Florida Statutes, to read:

2113 1012.795 Education Practices Commission; authority to
2114 discipline.—

2115 (6)

2116 (c) If the Department of Education determines that any
2117 instructional personnel or school administrator, as defined in
2118 s. 1012.01(2) or (3), respectively, has knowingly failed to
2119 report known or suspected child abuse as required under s.
2120 39.201, and the Education Practices Commission has issued a
2121 final order for a previous instance of failure to report by the
2122 individual, the Education Practices Commission shall, at a
2123 minimum, suspend the educator certificate of the instructional
2124 personnel or school administrator for a period of at least 1
2125 year.

2126 Section 25. Subsection (6) of section 39.301, Florida
 2127 Statutes, is amended to read:

2128 39.301 Initiation of protective investigations.—

2129 (6) Upon commencing an investigation under this part, if a
 2130 report was received from a reporter under s. 39.201(1)(a)2. ~~s.~~
 2131 ~~39.201(1)(b)~~, the protective investigator must provide his or
 2132 her contact information to the reporter within 24 hours after
 2133 being assigned to the investigation. The investigator must also
 2134 advise the reporter that he or she may provide a written summary
 2135 of the report made to the central abuse hotline to the
 2136 investigator which shall become a part of the electronic child
 2137 welfare case file.

2138 Section 26. Paragraph (d) of subsection (4) of section
 2139 119.071, Florida Statutes, is amended to read:

2140 119.071 General exemptions from inspection or copying of
 2141 public records.—

2142 (4) AGENCY PERSONNEL INFORMATION.—

2143 (d)1. For purposes of this paragraph, the term:

2144 a. "Home addresses" means the dwelling location at which
 2145 an individual resides and includes the physical address, mailing
 2146 address, street address, parcel identification number, plot
 2147 identification number, legal property description, neighborhood
 2148 name and lot number, GPS coordinates, and any other descriptive
 2149 property information that may reveal the home address.

2150 b. "Telephone numbers" includes home telephone numbers,

2151 personal cellular telephone numbers, personal pager telephone
2152 numbers, and telephone numbers associated with personal
2153 communications devices.

2154 2.a. The home addresses, telephone numbers, dates of
2155 birth, and photographs of active or former sworn law enforcement
2156 personnel or of active or former civilian personnel employed by
2157 a law enforcement agency, including correctional and
2158 correctional probation officers, personnel of the Department of
2159 Children and Families whose duties include the investigation of
2160 abuse, neglect, exploitation, fraud, theft, or other criminal
2161 activities, personnel of the Department of Health whose duties
2162 are to support the investigation of child abuse or neglect, and
2163 personnel of the Department of Revenue or local governments
2164 whose responsibilities include revenue collection and
2165 enforcement or child support enforcement; the names, home
2166 addresses, telephone numbers, photographs, dates of birth, and
2167 places of employment of the spouses and children of such
2168 personnel; and the names and locations of schools and day care
2169 facilities attended by the children of such personnel are exempt
2170 from s. 119.07(1) and s. 24(a), Art. I of the State
2171 Constitution.

2172 b. The home addresses, telephone numbers, dates of birth,
2173 and photographs of current or former nonsworn investigative
2174 personnel of the Department of Financial Services whose duties
2175 include the investigation of fraud, theft, workers' compensation

2176 coverage requirements and compliance, other related criminal
2177 activities, or state regulatory requirement violations; the
2178 names, home addresses, telephone numbers, dates of birth, and
2179 places of employment of the spouses and children of such
2180 personnel; and the names and locations of schools and day care
2181 facilities attended by the children of such personnel are exempt
2182 from s. 119.07(1) and s. 24(a), Art. I of the State
2183 Constitution.

2184 c. The home addresses, telephone numbers, dates of birth,
2185 and photographs of current or former nonsworn investigative
2186 personnel of the Office of Financial Regulation's Bureau of
2187 Financial Investigations whose duties include the investigation
2188 of fraud, theft, other related criminal activities, or state
2189 regulatory requirement violations; the names, home addresses,
2190 telephone numbers, dates of birth, and places of employment of
2191 the spouses and children of such personnel; and the names and
2192 locations of schools and day care facilities attended by the
2193 children of such personnel are exempt from s. 119.07(1) and s.
2194 24(a), Art. I of the State Constitution.

2195 d. The home addresses, telephone numbers, dates of birth,
2196 and photographs of current or former firefighters certified in
2197 compliance with s. 633.408; the names, home addresses, telephone
2198 numbers, photographs, dates of birth, and places of employment
2199 of the spouses and children of such firefighters; and the names
2200 and locations of schools and day care facilities attended by the

2201 children of such firefighters are exempt from s. 119.07(1) and
2202 s. 24(a), Art. I of the State Constitution.

2203 e. The home addresses, dates of birth, and telephone
2204 numbers of current or former justices of the Supreme Court,
2205 district court of appeal judges, circuit court judges, and
2206 county court judges; the names, home addresses, telephone
2207 numbers, dates of birth, and places of employment of the spouses
2208 and children of current or former justices and judges; and the
2209 names and locations of schools and day care facilities attended
2210 by the children of current or former justices and judges are
2211 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2212 Constitution.

2213 f. The home addresses, telephone numbers, dates of birth,
2214 and photographs of current or former state attorneys, assistant
2215 state attorneys, statewide prosecutors, or assistant statewide
2216 prosecutors; the names, home addresses, telephone numbers,
2217 photographs, dates of birth, and places of employment of the
2218 spouses and children of current or former state attorneys,
2219 assistant state attorneys, statewide prosecutors, or assistant
2220 statewide prosecutors; and the names and locations of schools
2221 and day care facilities attended by the children of current or
2222 former state attorneys, assistant state attorneys, statewide
2223 prosecutors, or assistant statewide prosecutors are exempt from
2224 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2225 g. The home addresses, dates of birth, and telephone

2226 numbers of general magistrates, special magistrates, judges of
2227 compensation claims, administrative law judges of the Division
2228 of Administrative Hearings, and child support enforcement
2229 hearing officers; the names, home addresses, telephone numbers,
2230 dates of birth, and places of employment of the spouses and
2231 children of general magistrates, special magistrates, judges of
2232 compensation claims, administrative law judges of the Division
2233 of Administrative Hearings, and child support enforcement
2234 hearing officers; and the names and locations of schools and day
2235 care facilities attended by the children of general magistrates,
2236 special magistrates, judges of compensation claims,
2237 administrative law judges of the Division of Administrative
2238 Hearings, and child support enforcement hearing officers are
2239 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2240 Constitution.

2241 h. The home addresses, telephone numbers, dates of birth,
2242 and photographs of current or former human resource, labor
2243 relations, or employee relations directors, assistant directors,
2244 managers, or assistant managers of any local government agency
2245 or water management district whose duties include hiring and
2246 firing employees, labor contract negotiation, administration, or
2247 other personnel-related duties; the names, home addresses,
2248 telephone numbers, dates of birth, and places of employment of
2249 the spouses and children of such personnel; and the names and
2250 locations of schools and day care facilities attended by the

2251 children of such personnel are exempt from s. 119.07(1) and s.
 2252 24(a), Art. I of the State Constitution.

2253 i. The home addresses, telephone numbers, dates of birth,
 2254 and photographs of current or former code enforcement officers;
 2255 the names, home addresses, telephone numbers, dates of birth,
 2256 and places of employment of the spouses and children of such
 2257 personnel; and the names and locations of schools and day care
 2258 facilities attended by the children of such personnel are exempt
 2259 from s. 119.07(1) and s. 24(a), Art. I of the State
 2260 Constitution.

2261 j. The home addresses, telephone numbers, places of
 2262 employment, dates of birth, and photographs of current or former
 2263 guardians ad litem, as defined in s. 39.820; the names, home
 2264 addresses, telephone numbers, dates of birth, and places of
 2265 employment of the spouses and children of such persons; and the
 2266 names and locations of schools and day care facilities attended
 2267 by the children of such persons are exempt from s. 119.07(1) and
 2268 s. 24(a), Art. I of the State Constitution.

2269 k. The home addresses, telephone numbers, dates of birth,
 2270 and photographs of current or former juvenile probation
 2271 officers, juvenile probation supervisors, detention
 2272 superintendents, assistant detention superintendents, juvenile
 2273 justice detention officers I and II, juvenile justice detention
 2274 officer supervisors, juvenile justice residential officers,
 2275 juvenile justice residential officer supervisors I and II,

2276 juvenile justice counselors, juvenile justice counselor
 2277 supervisors, human services counselor administrators, senior
 2278 human services counselor administrators, rehabilitation
 2279 therapists, and social services counselors of the Department of
 2280 Juvenile Justice; the names, home addresses, telephone numbers,
 2281 dates of birth, and places of employment of spouses and children
 2282 of such personnel; and the names and locations of schools and
 2283 day care facilities attended by the children of such personnel
 2284 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 2285 Constitution.

2286 1. The home addresses, telephone numbers, dates of birth,
 2287 and photographs of current or former public defenders, assistant
 2288 public defenders, criminal conflict and civil regional counsel,
 2289 and assistant criminal conflict and civil regional counsel; the
 2290 names, home addresses, telephone numbers, dates of birth, and
 2291 places of employment of the spouses and children of current or
 2292 former public defenders, assistant public defenders, criminal
 2293 conflict and civil regional counsel, and assistant criminal
 2294 conflict and civil regional counsel; and the names and locations
 2295 of schools and day care facilities attended by the children of
 2296 current or former public defenders, assistant public defenders,
 2297 criminal conflict and civil regional counsel, and assistant
 2298 criminal conflict and civil regional counsel are exempt from s.
 2299 119.07(1) and s. 24(a), Art. I of the State Constitution.

2300 m. The home addresses, telephone numbers, dates of birth,

2301 and photographs of current or former investigators or inspectors
2302 of the Department of Business and Professional Regulation; the
2303 names, home addresses, telephone numbers, dates of birth, and
2304 places of employment of the spouses and children of such current
2305 or former investigators and inspectors; and the names and
2306 locations of schools and day care facilities attended by the
2307 children of such current or former investigators and inspectors
2308 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2309 Constitution.

2310 n. The home addresses, telephone numbers, and dates of
2311 birth of county tax collectors; the names, home addresses,
2312 telephone numbers, dates of birth, and places of employment of
2313 the spouses and children of such tax collectors; and the names
2314 and locations of schools and day care facilities attended by the
2315 children of such tax collectors are exempt from s. 119.07(1) and
2316 s. 24(a), Art. I of the State Constitution.

2317 o. The home addresses, telephone numbers, dates of birth,
2318 and photographs of current or former personnel of the Department
2319 of Health whose duties include, or result in, the determination
2320 or adjudication of eligibility for social security disability
2321 benefits, the investigation or prosecution of complaints filed
2322 against health care practitioners, or the inspection of health
2323 care practitioners or health care facilities licensed by the
2324 Department of Health; the names, home addresses, telephone
2325 numbers, dates of birth, and places of employment of the spouses

2326 and children of such personnel; and the names and locations of
2327 schools and day care facilities attended by the children of such
2328 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
2329 the State Constitution.

2330 p. The home addresses, telephone numbers, dates of birth,
2331 and photographs of current or former impaired practitioner
2332 consultants who are retained by an agency or current or former
2333 employees of an impaired practitioner consultant whose duties
2334 result in a determination of a person's skill and safety to
2335 practice a licensed profession; the names, home addresses,
2336 telephone numbers, dates of birth, and places of employment of
2337 the spouses and children of such consultants or their employees;
2338 and the names and locations of schools and day care facilities
2339 attended by the children of such consultants or employees are
2340 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2341 Constitution.

2342 q. The home addresses, telephone numbers, dates of birth,
2343 and photographs of current or former emergency medical
2344 technicians or paramedics certified under chapter 401; the
2345 names, home addresses, telephone numbers, dates of birth, and
2346 places of employment of the spouses and children of such
2347 emergency medical technicians or paramedics; and the names and
2348 locations of schools and day care facilities attended by the
2349 children of such emergency medical technicians or paramedics are
2350 exempt from s. 119.07(1) and s. 24(a), Art. I of the State

2351 Constitution.

2352 r. The home addresses, telephone numbers, dates of birth,
2353 and photographs of current or former personnel employed in an
2354 agency's office of inspector general or internal audit
2355 department whose duties include auditing or investigating waste,
2356 fraud, abuse, theft, exploitation, or other activities that
2357 could lead to criminal prosecution or administrative discipline;
2358 the names, home addresses, telephone numbers, dates of birth,
2359 and places of employment of spouses and children of such
2360 personnel; and the names and locations of schools and day care
2361 facilities attended by the children of such personnel are exempt
2362 from s. 119.07(1) and s. 24(a), Art. I of the State
2363 Constitution.

2364 s. The home addresses, telephone numbers, dates of birth,
2365 and photographs of current or former directors, managers,
2366 supervisors, nurses, and clinical employees of an addiction
2367 treatment facility; the home addresses, telephone numbers,
2368 photographs, dates of birth, and places of employment of the
2369 spouses and children of such personnel; and the names and
2370 locations of schools and day care facilities attended by the
2371 children of such personnel are exempt from s. 119.07(1) and s.
2372 24(a), Art. I of the State Constitution. For purposes of this
2373 sub-subparagraph, the term "addiction treatment facility" means
2374 a county government, or agency thereof, that is licensed
2375 pursuant to s. 397.401 and provides substance abuse prevention,

2376 intervention, or clinical treatment, including any licensed
 2377 service component described in s. 397.311(26).

2378 t. The home addresses, telephone numbers, dates of birth,
 2379 and photographs of current or former directors, managers,
 2380 supervisors, and clinical employees of a child advocacy center
 2381 that meets the standards of s. 39.3035(2) ~~s. 39.3035(1)~~ and
 2382 fulfills the screening requirement of s. 39.3035(3) ~~s.~~
 2383 ~~39.3035(2)~~, and the members of a Child Protection Team as
 2384 described in s. 39.303 whose duties include supporting the
 2385 investigation of child abuse or sexual abuse, child abandonment,
 2386 child neglect, and child exploitation or to provide services as
 2387 part of a multidisciplinary case review team; the names, home
 2388 addresses, telephone numbers, photographs, dates of birth, and
 2389 places of employment of the spouses and children of such
 2390 personnel and members; and the names and locations of schools
 2391 and day care facilities attended by the children of such
 2392 personnel and members are exempt from s. 119.07(1) and s. 24(a),
 2393 Art. I of the State Constitution.

2394 3. An agency that is the custodian of the information
 2395 specified in subparagraph 2. and that is not the employer of the
 2396 officer, employee, justice, judge, or other person specified in
 2397 subparagraph 2. shall maintain the exempt status of that
 2398 information only if the officer, employee, justice, judge, other
 2399 person, or employing agency of the designated employee submits a
 2400 written request for maintenance of the exemption to the

2401 | custodial agency.

2402 | 4. An officer, an employee, a justice, a judge, or other
2403 | person specified in subparagraph 2. may submit a written request
2404 | for the release of his or her exempt information to the
2405 | custodial agency. The written request must be notarized and must
2406 | specify the information to be released and the party that is
2407 | authorized to receive the information. Upon receipt of the
2408 | written request, the custodial agency shall release the
2409 | specified information to the party authorized to receive such
2410 | information.

2411 | 5. The exemptions in this paragraph apply to information
2412 | held by an agency before, on, or after the effective date of the
2413 | exemption.

2414 | 6. This paragraph is subject to the Open Government Sunset
2415 | Review Act in accordance with s. 119.15 and shall stand repealed
2416 | on October 2, 2024, unless reviewed and saved from repeal
2417 | through reenactment by the Legislature.

2418 | Section 27. Paragraph (g) of subsection (2) of section
2419 | 934.03, Florida Statutes, is amended to read:

2420 | 934.03 Interception and disclosure of wire, oral, or
2421 | electronic communications prohibited.—

2422 | (2)

2423 | (g) It is lawful under this section and ss. 934.04-934.09
2424 | for an employee of:

2425 | 1. An ambulance service licensed pursuant to s. 401.25, a

2426 fire station employing firefighters as defined by s. 633.102, a
 2427 public utility, a law enforcement agency as defined by s.
 2428 934.02(10), or any other entity with published emergency
 2429 telephone numbers;

2430 2. An agency operating an emergency telephone number "911"
 2431 system established pursuant to s. 365.171; or

2432 3. The central abuse hotline operated under s. 39.101
 2433 ~~pursuant to s. 39.201~~

2434
 2435 to intercept and record incoming wire communications; however,
 2436 such employee may intercept and record incoming wire
 2437 communications on designated "911" telephone numbers and
 2438 published nonemergency telephone numbers staffed by trained
 2439 dispatchers at public safety answering points only. It is also
 2440 lawful for such employee to intercept and record outgoing wire
 2441 communications to the numbers from which such incoming wire
 2442 communications were placed when necessary to obtain information
 2443 required to provide the emergency services being requested. For
 2444 the purpose of this paragraph, the term "public utility" has the
 2445 same meaning as provided in s. 366.02 and includes a person,
 2446 partnership, association, or corporation now or hereafter owning
 2447 or operating equipment or facilities in the state for conveying
 2448 or transmitting messages or communications by telephone or
 2449 telegraph to the public for compensation.

2450 Section 28. Except as otherwise expressly provided in this

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2451 | act, this act shall take effect July 1, 2021. |