

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Busatta Cabrera offered the following:

2
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Section 39.00146, Florida Statutes, is created
6 to read:

7 39.00146 Case record face sheet.-

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

9 (a) "Multidisciplinary team" has the same meaning as
10 provided in s. 39.4022(2).

11 (b) "Placement change" has the same meaning as provided in
12 s. 39.4023(2).

13 (c) "School" has the same meaning as in s. 39.4023(2).

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

14 (d) "Sibling" has the same meaning as in s. 39.4024(2).

15 (2) The case record of every child under the supervision
16 or in the custody of the department or the department's
17 authorized agents, including community-based care lead agencies
18 and their subcontracted providers, must include a face sheet
19 containing relevant information about the child and his or her
20 case, including at least all of the following:

21 (a) General case information, including, but not limited
22 to:

23 1. The child's name and date of birth;

24 2. The current county of residence and the county of
25 residence at the time of the referral;

26 3. The reason for the referral and any family safety
27 concerns;

28 4. The personal identifying information of the parents or
29 legal custodians who had custody of the child at the time of the
30 referral, including name, date of birth, and county of
31 residence;

32 5. The date of removal from the home; and

33 6. The name and contact information of the attorney or
34 attorneys assigned to the case in all capacities, including the
35 attorney or attorneys that represent the department and the
36 parents, and the guardian ad litem, if one has been appointed.

37 (b) The name and contact information for any employees of
38 the department, the department's authorized agents, or providers

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

39 contracting with the department, including community-based care
40 lead agencies and their subcontracted service providers, who
41 have worked with the child, including the child's current and
42 previous case managers, and the supervisor information for such
43 employees.

44 (c) The personal information of relevant family members
45 and other fictive kin, including, but not limited to, the name
46 and contact information of:

47 1. The child's parents;

48 2. The child's siblings, including the location of their
49 current out-of-home placement, if applicable;

50 3. The child's current caregivers and any previous out-of-
51 home placements;

52 4. Any other caretaking adults; and

53 5. All children in the out-of-home placement, if
54 applicable.

55 (d) A description of any threats of danger placing the
56 child at imminent risk of removal.

57 (e) A description of individual parent or caregiver
58 concerns for the child.

59 (f) Any concerns that exist regarding the parent or the
60 current caregiver's ability to:

61 1. Maintain a safe home;

62 2. Engage or bond with the child if the child is an
63 infant;

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

64 3. Structure daily activities that stimulate the child;

65 4. Manage the child's behavior; or

66 5. Make good health decisions for the child.

67 (g) Any transitions in placement the child has experienced
68 since the child's initial placement and a description of how
69 such transitions were accomplished in accordance with s.
70 39.4023.

71 (h) If the child has any siblings and they are not placed
72 in the same out-of-home placement, the reasons the children are
73 not in joint placement and the reasonable efforts that the
74 department or appropriate lead agency will make to provide
75 frequent visitation or other ongoing interaction between the
76 siblings, unless the court determines that the interaction would
77 be contrary to a sibling's safety or well-being in accordance s.
78 39.4024.

79 (i) Information pertaining to recent and upcoming court
80 hearings, including, but not limited to, the date, subject
81 matter, and county of court jurisdiction of the most recent and
82 next scheduled court hearing.

83 (j) Any other information the department, the department's
84 authorized agents, or providers contracting with the department,
85 including community-based care lead agencies deem relevant.

86 (3) The department, the department's authorized agents, or
87 providers contracting with the department, including community-
88 based care lead agencies, must ensure that the face sheet for

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

89 each case is updated at least once per month. This requirement
90 includes ensuring that the department, its authorized agents, or
91 providers contracting with the department gather any relevant
92 information from any subcontracted providers who provide
93 services for the case record information required to be included
94 under this section.

95 (4) The case record face sheet must be in a uniform and
96 standardized format for use statewide and must be developed,
97 either by the department or a third party, using real-time data
98 from the state child welfare information system. The department
99 may develop a specific case record face sheet or may contract
100 with a third party to use existing software that, at a minimum,
101 meets the requirements of subsection (2). The case record face
102 sheet developed or contracted for use under this section must be
103 electronic and have the capability to be printed. The community-
104 based care lead agencies shall use this uniform and standardized
105 case record face sheet to comply with this section.

106 (5) The department shall adopt rules to implement this
107 section.

108 Section 2. Section 39.01375, Florida Statutes, is created
109 to read:

110 39.01375 Best interest determination for placement.-The
111 department, community-based care lead agency, or court shall
112 consider all of the following factors when determining whether a

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

113 proposed placement under this chapter is in the child's best
114 interest:

115 (1) The child's age.

116 (2) The physical, mental, and emotional health benefits to
117 the child by remaining in his or her current placement or moving
118 to the proposed placement.

119 (3) The stability and longevity of the child's current
120 placement.

121 (4) The established bonded relationship between the child
122 and the current or proposed caregiver.

123 (5) The reasonable preference of the child, if the child
124 is of a sufficient age and capacity to express a preference.

125 (6) The recommendation of the child's current caregiver,
126 if applicable.

127 (7) The recommendation of the child's guardian ad litem,
128 if one has been appointed.

129 (8) The child's previous and current relationship with a
130 sibling and if the change of legal or physical custody or
131 placement will separate or reunite siblings, evaluated in
132 accordance with s. 39.4024.

133 (9) The likelihood of the child attaining permanency in
134 the current or proposed placement.

135 (10) The likelihood the child will be required to change
136 schools or child care placement, the impact of such change on
137 the child, and the parties' recommendations as to the timing of

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

138 | the change, including an education transition plan required
139 | under s. 39.4023.

140 | (11) The child's receipt of medical, behavioral health,
141 | dental, or other treatment services in the current placement;
142 | the availability of such services and the degree to which they
143 | meet the child's needs; and whether the child will be able to
144 | continue to receive services from the same providers and the
145 | relative importance of such continuity of care.

146 | (12) The allegations of any abuse, abandonment, or
147 | neglect, including sexual abuse and human trafficking history,
148 | which caused the child to be placed in out-of-home care and any
149 | history of additional allegations of abuse, abandonment, or
150 | neglect.

151 | (13) The likely impact on activities that are important to
152 | the child and the ability of the child to continue such
153 | activities in the proposed placement.

154 | (14) The likely impact on the child's access to education,
155 | Medicaid, and independent living benefits if moved to the
156 | proposed placement.

157 | (15) Any other relevant factor.

158 | Section 3. Subsection (3) of section 39.401, Florida
159 | Statutes, is amended to read:

160 | 39.401 Taking a child alleged to be dependent into
161 | custody; law enforcement officers and authorized agents of the
162 | department.—

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

163 (3) If the child is taken into custody by, or is delivered
164 to, an authorized agent of the department, the agent shall
165 review the facts supporting the removal with an attorney
166 representing the department. The purpose of the review is to
167 determine whether there is probable cause for the filing of a
168 shelter petition.

169 (a) If the facts are not sufficient, the child shall
170 immediately be returned to the custody of the parent or legal
171 custodian.

172 (b) If the facts are sufficient and the child has not been
173 returned to the custody of the parent or legal custodian, the
174 department shall file the petition and schedule a hearing, and
175 the attorney representing the department shall request that a
176 shelter hearing be held within 24 hours after the removal of the
177 child.

178 (c) While awaiting the shelter hearing, the authorized
179 agent of the department may place the child in out-of-home care,
180 and placement shall be determined based on priority of
181 placements as provided in s. 39.4021 and what is in the child's
182 best interest based on the criteria and factors set out in s.
183 39.01375 licensed shelter care or may release the child to a
184 parent or legal custodian or responsible adult relative or the
185 adoptive parent of the child's sibling who shall be given
186 priority consideration over a licensed placement, or a

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

187 ~~responsible adult approved by the department if this is in the~~
188 ~~best interests of the child.~~

189 (d) Placement of a child which is not in a licensed
190 shelter must be preceded by a criminal history records check as
191 required under s. 39.0138.

192 (e) In addition, the department may authorize placement of
193 a housekeeper/homemaker in the home of a child alleged to be
194 dependent until the parent or legal custodian assumes care of
195 the child.

196 Section 4. Paragraph (h) of subsection (8) of section
197 39.402, Florida Statutes, is amended to read:

198 39.402 Placement in a shelter.—

199 (8)

200 (h) The order for placement of a child in shelter care
201 must identify the parties present at the hearing and must
202 contain written findings:

203 1. That placement in shelter care is necessary based on
204 the criteria in subsections (1) and (2).

205 2. That placement in shelter care is in the best interest
206 of the child.

207 3. That continuation of the child in the home is contrary
208 to the welfare of the child because the home situation presents
209 a substantial and immediate danger to the child's physical,
210 mental, or emotional health or safety which cannot be mitigated
211 by the provision of preventive services.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

212 4. That based upon the allegations of the petition for
213 placement in shelter care, there is probable cause to believe
214 that the child is dependent or that the court needs additional
215 time, which may not exceed 72 hours, in which to obtain and
216 review documents pertaining to the family in order to
217 appropriately determine the risk to the child.

218 5. That the department has made reasonable efforts to
219 prevent or eliminate the need for removal of the child from the
220 home. A finding of reasonable effort by the department to
221 prevent or eliminate the need for removal may be made and the
222 department is deemed to have made reasonable efforts to prevent
223 or eliminate the need for removal if:

224 a. The first contact of the department with the family
225 occurs during an emergency;

226 b. The appraisal of the home situation by the department
227 indicates that the home situation presents a substantial and
228 immediate danger to the child's physical, mental, or emotional
229 health or safety which cannot be mitigated by the provision of
230 preventive services;

231 c. The child cannot safely remain at home, either because
232 there are no preventive services that can ensure the health and
233 safety of the child or because, even with appropriate and
234 available services being provided, the health and safety of the
235 child cannot be ensured; or

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

236 d. The parent or legal custodian is alleged to have
237 committed any of the acts listed as grounds for expedited
238 termination of parental rights in s. 39.806(1)(f)-(i).

239 6. That the department has made reasonable efforts to
240 place the child in order of priority as provided in s. 39.4021
241 unless such priority placement is not a placement option or in
242 the best interest of the child based on the criteria and factors
243 set out in s. 39.01375.

244 7. That the department has made reasonable efforts to keep
245 siblings together if they are removed and placed in out-of-home
246 care unless such placement is not in the best interest of each
247 child. It is preferred that siblings be kept together in a
248 foster home, if available. Other reasonable efforts shall
249 include short-term placement in a group home with the ability to
250 accommodate sibling groups if such a placement is available. The
251 department shall report to the court its efforts to place
252 siblings together unless the court finds that such placement is
253 not in the best interest of a child or his or her sibling.

254 ~~8.7.~~ That the court notified the parents, relatives that
255 are providing out-of-home care for the child, or legal
256 custodians of the time, date, and location of the next
257 dependency hearing and of the importance of the active
258 participation of the parents, relatives that are providing out-
259 of-home care for the child, or legal custodians in all
260 proceedings and hearings.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

261 ~~9.8.~~ That the court notified the parents or legal
262 custodians of their right to counsel to represent them at the
263 shelter hearing and at each subsequent hearing or proceeding,
264 and the right of the parents to appointed counsel, pursuant to
265 the procedures set forth in s. 39.013.

266 ~~10.9.~~ That the court notified relatives who are providing
267 out-of-home care for a child as a result of the shelter petition
268 being granted that they have the right to attend all subsequent
269 hearings, to submit reports to the court, and to speak to the
270 court regarding the child, if they so desire.

271 ~~11.10.~~ That the department has placement and care
272 responsibility for any child who is not placed in the care of a
273 parent at the conclusion of the shelter hearing.

274 Section 5. Section 39.4021, Florida Statutes, is created
275 to read:

276 39.4021 Priority placement for out-of-home placements.—

277 (1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds
278 that it is a basic tenet of child welfare practice and the law
279 that a child be placed in the least restrictive, most family-
280 like setting available in close proximity to the home of his or
281 her parents which meets the needs of the child, and that a child
282 be placed in a permanent home in a timely manner.

283 (2) PLACEMENT PRIORITY.—

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

284 (a) When a child cannot safely remain at home with a
285 parent, out-of-home placement options must be considered in the
286 following order:

287 1. Non-offending parent.

288 2. Relative caregiver.

289 3. Adoptive parent of the child's sibling, when the
290 department or community-based care lead agency is aware of such
291 sibling.

292 4. Fictive kin with a close existing relationship to the
293 child.

294 5. Nonrelative caregiver that does not have an existing
295 relationship with the child.

296 6. Licensed foster care.

297 7. Group or congregate care.

298 (b) Except as otherwise provided for in ss. 39.4022 and
299 39.4024, sibling groups must be placed in the same placement
300 whenever possible and if placement together is in the best
301 interest of each child in the sibling group. Placement decisions
302 for sibling groups must be made pursuant to ss. 39.4022 and
303 39.4024.

304 (c) Except as otherwise provided for in this chapter, a
305 change to a child's physical or legal placement after the child
306 has been sheltered but before the child has achieved permanency
307 must be made in compliance with this section. Placements made
308 pursuant to s. 63.082(6) are exempt from this section.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

309 Section 6. Section 39.4022, Florida Statutes, is created
310 to read:

311 39.4022 Multidisciplinary teams; staffings; assessments;
312 report.-

313 (1) LEGISLATIVE INTENT.-

314 (a) The Legislature finds that services for children and
315 families are most effective when delivered in the context of a
316 single integrated multidisciplinary team staffing that includes
317 the child, his or her family, natural and community supports,
318 and professionals who join together to empower, motivate, and
319 strengthen a family and collaboratively develop a plan of care
320 and protection to achieve child safety, child permanency, and
321 child and family well-being.

322 (b) The Legislature also finds that effective assessment
323 through an integrated multidisciplinary team is particularly
324 important for children who are vulnerable due to existing
325 histories of trauma which led to the child's entrance into the
326 child welfare system. This assessment is especially important
327 for young children who are 3 years of age or younger, as a
328 result of the enhanced need for such children to have healthy
329 and stable attachments to assist with necessary brain
330 development. Stable and nurturing relationships in the first
331 years of life, as well as the quality of such relationships, are
332 integral to healthy brain development, providing a foundation

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

333 for lifelong mental health and determining well-being as an
334 adult.

335 (2) DEFINITIONS.—For purposes of this section, the term:

336 (a) "Change in physical custody" means a change by the
337 department or the community-based care lead agency to the
338 child's physical residential address, regardless of whether such
339 change requires a court order changing the legal custody of the
340 child.

341 (b) "Emergency situation" means that there is an imminent
342 risk to the health or safety of the child, other children, or
343 others in the home or facility if the child remains in the
344 placement.

345 (c) "Multidisciplinary team" means an integrated group of
346 individuals which meets to collaboratively develop and attempt
347 to reach a consensus decision on the most suitable out-of-home
348 placement, educational placement, or other specified important
349 life decision that is in the best interest of the child.

350 (3) CREATION AND GOALS.—

351 (a) Multidisciplinary teams must be established for the
352 purpose of allowing better engagement with families and a shared
353 commitment and accountability from the family and their circle
354 of support.

355 (b) The multidisciplinary teams must adhere to the
356 following goals:

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

357 1. Secure a child's safety in the least restrictive and
358 intrusive placement that can meet his or her needs;

359 2. Minimize the trauma associated with separation from the
360 child's family and help the child to maintain meaningful
361 connections with family members and others who are important to
362 him or her;

363 3. Provide input into the proposed placement decision made
364 by the community-based care lead agency and the proposed
365 services to be provided in order to support the child;

366 4. Provide input into the decision to preserve or maintain
367 the placement, including necessary placement preservation
368 strategies;

369 5. Contribute to an ongoing assessment of the child and
370 the family's strengths and needs;

371 6. Ensure that plans are monitored for progress and that
372 such plans are revised or updated as the child's or family's
373 circumstances change; and

374 7. Ensure that the child and family always remain the
375 primary focus of each multidisciplinary team meeting.

376 (4) PARTICIPANTS.—

377 (a) Collaboration among diverse individuals who are part
378 of the child's network is necessary to make the most informed
379 decisions possible for the child. A diverse team is preferable
380 to ensure that the necessary combination of technical skills,
381 cultural knowledge, community resources, and personal

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

382 relationships is developed and maintained for the child and
383 family. The participants necessary to achieve an appropriately
384 diverse team for a child may vary by child and may include
385 extended family, friends, neighbors, coaches, clergy, coworkers,
386 or others the family identifies as potential sources of support.

387 1. Each multidisciplinary team staffing must invite the
388 following members:

389 a. The child, unless he or she is not of an age or
390 capacity to participate in the team;

391 b. The child's family members and other individuals
392 identified by the family as being important to the child,
393 provided that a parent who has a no contact order or injunction,
394 is alleged to have sexually abused the child, or is subject to a
395 termination of parental rights may not participate;

396 c. The current caregiver, provided the caregiver is not a
397 parent who meets the criteria of one of the exceptions under
398 sub-subparagraph b.;

399 d. A representative from the department other than the
400 Children's Legal Services attorney, when the department is
401 directly involved in the goal identified by the staffing;

402 e. A representative from the community-based care lead
403 agency, when the lead agency is directly involved in the goal
404 identified by the staffing; and

405 f. The case manager for the child, or his or her case
406 manager supervisor.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

407 2. The multidisciplinary team must make reasonable efforts
408 to have all mandatory invitees attend. However, the
409 multidisciplinary team staffing may not be delayed if the
410 invitees in subparagraph 1. fail to attend after being provided
411 reasonable opportunities.

412 (b) Based on the particular goal the multidisciplinary
413 team staffing identifies as the purpose of convening the
414 staffing as provided under subsection (5), the department or
415 lead agency may also invite to the meeting other professionals,
416 including, but not limited to:

- 417 1. A representative from Children's Medical Services;
- 418 2. A guardian ad litem, if one is appointed;
- 419 3. A school personnel representative who has direct
420 contact with the child;
- 421 4. A therapist or other behavioral health professional, if
422 applicable.
- 423 5. A mental health professional with expertise in sibling
424 bonding, if the department or lead agency deems such expert is
425 necessary; or
- 426 6. Other community providers of services to the child or
427 stakeholders, when applicable.

428 (c) Members of the multidisciplinary team who are required
429 to attend under subparagraph (a)1. or who are invited to
430 participate under paragraph (b) may attend the multidisciplinary
431 team staffing in person or remotely.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

432 (d) Each multidisciplinary team staffing must be led by a
433 person who serves as a facilitator and whose main responsibility
434 is to help team participants use the strengths within the family
435 to develop a safe plan for the child. The person serving as the
436 facilitator must be a trained professional who is otherwise
437 required to attend the multidisciplinary team staffing under
438 this section in his or her official capacity. Further, the
439 trained professional serving as the facilitator does not need to
440 be the same person for each meeting convened in a child's case
441 under this section or in the service area of the designated lead
442 agency handling a child's case.

443 (5) SCOPE OF MULTIDISCIPLINARY TEAM.-

444 (a) A multidisciplinary team staffing must be held when an
445 important decision is required to be made about a child's life,
446 including all of the following:

447 1. Initial placement decisions for a child who is placed
448 in out-of-home care. A multidisciplinary team staffing required
449 under this subparagraph may occur before the initial placement
450 or, if a staffing is not possible before the initial placement,
451 must occur as soon as possible after initial removal and
452 placement to evaluate the appropriateness of the initial
453 placement and to ensure that any adjustments to the placement,
454 if necessary, are promptly handled.

455 2. Changes in physical custody after the child is placed
456 in out-of-home care by a court and, if necessary, determination

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

457 of an appropriate mandatory transition plan in accordance with
458 s. 39.4023.

459 3. Changes in a child's educational placement and, if
460 necessary, determination of an appropriate mandatory transition
461 plan in accordance with s. 39.4023.

462 4. Placement decisions for a child as required by
463 subparagraph 1., subparagraph 2., or subparagraph 3. which
464 involve sibling groups that require placement in accordance with
465 s. 39.4024.

466 5. Any other important decisions in the child's life which
467 are so complex that the department or appropriate community-
468 based care lead agency determines convening a multidisciplinary
469 team staffing is necessary to ensure the best interest of the
470 child is maintained.

471 (b) A multidisciplinary team convened under this section
472 may address multiple needs and decisions under paragraph (a)
473 regarding the child or sibling group for which the team is
474 convened during the same staffing.

475 (c) This section does not apply to multidisciplinary team
476 staffings that occur for one of the decisions specified in
477 paragraph (a) and that are facilitated by a children's advocacy
478 center in accordance with s. 39.3035. The children's advocacy
479 center that facilitates a staffing is encouraged to include
480 family members or other persons important to the family in the

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

481 staffing if the children's advocacy center determines it is safe
482 for the child to involve such persons.

483 (d) This section does not apply to placements made
484 pursuant to s. 63.082(6).

485 (6) ASSESSMENTS.-

486 (a)1. The multidisciplinary team staffing participants
487 must, before formulating a decision under this section, gather
488 and consider data and information on the child which is known at
489 the time, including, but not limited to information allowing the
490 team to address the best interest factors under s. 39.01375.

491 2. Multidisciplinary team staffings may not be delayed to
492 accommodate pending behavioral health screenings or assessments
493 or pending referrals for services.

494 (b) The assessment conducted by the multidisciplinary team
495 may also use an evidence-based assessment instrument or tool
496 that is best suited for determining the specific decision of the
497 staffing and the needs of that individual child and family.

498 (c) To adequately prepare for a multidisciplinary staffing
499 team meeting to consider a decision related to a child 3 years
500 of age or younger, all of the following information on the child
501 which is known at the time must be gathered and considered by
502 the team:

503 1. Identified kin and relatives who express interest in
504 caring for the child, including strategies to overcome potential

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

505 delays in placing the child with such persons if they are
506 suitable.

507 2. The likelihood that the child can remain with the
508 prospective caregiver past the point of initial removal and
509 placement with, or subsequent transition to, the caregiver and
510 the willingness of the caregiver to provide care for any
511 duration deemed necessary if placement is made.

512 3. The prospective caregiver's ability and willingness to:

513 a. Accept supports related to early childhood development
514 and services addressing any possible developmental delays;

515 b. Address the emotional needs of the child and accept
516 infant mental health supports, if needed;

517 c. Help nurture the child during the transition into out-
518 of-home care;

519 d. Work with the parent to build or maintain the
520 attachment relationship between parent and child;

521 e. Effectively co-parent with the parent; and

522 f. Ensure frequent family visits and sibling visits.

523 4. Placement decisions for each child in out-of-home
524 placement which are made under this paragraph must be reviewed
525 as often as necessary to ensure permanency for that child and to
526 address special issues that may arise which are unique to
527 younger children.

528 (d)1. If the participants of a multidisciplinary team
529 staffing reach a unanimous consensus decision, it becomes the

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

530 official position of the community-based care lead agency
531 regarding the decision under subsection (5) for which the team
532 convened. Such decision is binding upon all department and lead
533 agency participants, who are obligated to support it.

534 2. If the participants of a multidisciplinary team
535 staffing cannot reach a unanimous consensus decision on a plan
536 to address the identified goal, the trained professional acting
537 as the facilitator shall notify the court and the department
538 within 48 hours after the conclusion of the staffing. The
539 department shall then determine how to address the identified
540 goal of the staffing by what is in the child's best interest.

541 (7) CONVENING A TEAM UPON REMOVAL.—The formation of a
542 multidisciplinary team staffing must begin as soon as possible
543 when a child is removed from a home. The multidisciplinary team
544 must convene a staffing no later than 72 hours from the date of
545 a subsequent removal in an emergency situation in accordance
546 with s. 39.4023.

547 (8) REPORT.—If a multidisciplinary team staffing fails to
548 reach a unanimous consensus decision, the facilitator must
549 prepare and submit a written report to the court within 5
550 business days after the conclusion of the staffing which details
551 the decision made at the conclusion of the multidisciplinary
552 team staffing under subsection (6) and the positions of the
553 staffing's participants.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

554 (9) CONFIDENTIALITY.—Notwithstanding any other provision
555 of law, participants representing the department and the
556 community-based care lead agency may discuss confidential
557 information during a multidisciplinary team staffing in the
558 presence of individuals who participate in the staffing.
559 Information collected by any agency or entity that participates
560 in the multidisciplinary team staffing which is confidential and
561 exempt upon collection remains confidential and exempt when
562 discussed in a staffing required under this section. All
563 individuals who participate in the staffing shall maintain the
564 confidentiality of any information shared during the staffing.

565 (10) CONSTRUCTION.—This section may not be construed to
566 mean that multidisciplinary team staffings coordinated by the
567 department or the appropriate lead agency for purposes other
568 than those provided for in subsection (5) before October 1,
569 2021, are no longer required to be conducted or are required to
570 be conducted in accordance with this section. Further, this
571 section may not be construed to create a duty on the department
572 or lead agency to attend multidisciplinary staffings that the
573 department or lead agency does not attend for any purpose
574 specified in subsection (5) for which the department or lead
575 agency is not required to attend before October 1, 2021.

576 (11) RULEMAKING.—The department shall adopt rules to
577 implement this section.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

578 Section 7. The department shall contract for the
579 development of model placement transition plans and related
580 explanatory material that may be the basis for developing
581 individualized transition plans for children in out-of-home care
582 who are changing placements. Such plans must provide specific
583 recommendations regarding transition plan elements that may
584 include, but are not limited to, the length and pace of the
585 transition and the sequence of steps needed to gradually
586 introduce new caregivers and to build relationships and
587 attachments. The model transition plans shall consider and vary
588 in response to important factors affecting how a child's
589 placement transition should proceed to mitigate trauma and
590 encourage the child's healthy development and the stability of
591 the placement, which may include, but is not limited to, the
592 child's age or developmental stage; the level and type of abuse,
593 neglect, or trauma experienced by the child; attachment to or
594 the length of time the child has spent with the current
595 caregiver; and familiarity with, location of, and attachment to
596 the proposed caregiver. The model transition plans and
597 accompanying explanatory material must be provided to, at a
598 minimum, all staff who develops transition plans for children in
599 out-of-home care, whether such staff works for the department, a
600 community-based care lead agency, or a subcontracted provider.
601 The model transition plans and accompanying material may also be
602 provided to caregivers and other child welfare professionals.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

603 Section 8. Section 39.4023, Florida Statutes, is created
604 to read:

605 39.4023 Placement and education transitions; transition
606 plans.-

607 (1) LEGISLATIVE FINDINGS AND INTENT.-

608 (a) The Legislature finds that many children in out-of-
609 home care experience multiple changes in placement, and those
610 transitions often result in trauma not only for the child but
611 also for caregivers, families, siblings, and all professionals
612 involved.

613 (b) The Legislature further finds that poorly planned and
614 executed or improperly timed transitions may adversely impact a
615 child's healthy development as well as the child's continuing
616 capacity to trust, attach to others, and build relationships in
617 the future.

618 (c) The Legislature finds that the best child welfare
619 practices recognize the need to prioritize the minimization of
620 the number of placements for every child in out-of-home care.
621 Further, the Legislature finds that efforts must be made to
622 support caregivers in order to promote stability. When placement
623 changes are necessary, they must be thoughtfully planned.

624 (d) The Legislature finds that transition plans are
625 critical when moving all children, including infants, toddlers,
626 school-age children, adolescents, and young adults.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

627 (e) It is the intent of the Legislature that a placement
628 change or an educational change for a child in out-of-home care
629 be achieved ideally through a period of transition that is
630 unique to each child, provides support for all individuals
631 affected by the change, and has flexible planning to allow for
632 changes necessary to meet the needs of the child.

633 (2) DEFINITIONS.—As used in this section, the term:

634 (a) "Educational change" means any time a child is moved
635 between schools when such move is not the result of the natural
636 transition from elementary school to middle school or middle
637 school to high school. The term also includes changes in child
638 care or early education programs for infants and toddlers.

639 (b) "Emergency situation" means that there is an imminent
640 risk to the health or safety of the child, other children, or
641 others in the home or facility if the child remains in the
642 placement.

643 (c) "Placement change" means any time a child is moved
644 from one caregiver to another, including moves to a foster home,
645 a group home, relatives, prospective guardians, or prospective
646 adoptive parents and removal from or reunification with parents
647 or legal custodian. A child being moved temporarily to respite
648 care for the purpose of providing the primary caregiver relief
649 does not constitute a placement change.

650 (d) "School" means any child care, early education,
651 elementary, secondary, or postsecondary educational setting.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

652 (3) PLACEMENT TRANSITIONS.—

653 (a) Mandatory transition plans.—Except as otherwise
654 provided, the department or the community-based care lead agency
655 shall create and implement an individualized transition plan
656 before each placement change experienced by a child.

657 (b) Minimizing placement transitions.—Once a caregiver
658 accepts the responsibility of caring for a child, the child may
659 be removed from the home of the caregiver only for the reasons
660 specified in s. 409.1415(2) (b)7.

661 (c) Services to prevent disruption.—The community-based
662 care lead agency shall provide any supportive services deemed
663 necessary to a caregiver and a child if the child's current out-
664 of-home placement with the caregiver is in danger of needing
665 modification. The supportive services must be offered in an
666 effort to remedy the factors contributing to the placement being
667 considered unsuitable and therefore contributing to the need for
668 a change in placement.

669 (d) Transition planning.—

670 1. If the supportive services provided pursuant to
671 paragraph (c) have not been successful to make the maintenance
672 of the placement suitable or if there are other circumstances
673 that require the child to be moved, the department or the
674 community-based care lead agency must convene a
675 multidisciplinary team staffing as required under s. 39.4022
676 before the child's placement is changed, or within 72 hours of

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

677 moving the child in an emergency situation, for the purpose of
678 developing an appropriate transition plan.

679 2. A placement change may occur immediately in an
680 emergency situation without convening a multidisciplinary team
681 staffing. However, a multidisciplinary team staffing must be
682 held within 72 hours after the emergency situation arises.

683 3. The department or the community-based care lead agency
684 must provide written notice of the planned move at least 14 days
685 before the move or within 72 hours after an emergency situation,
686 to the greatest extent possible and consistent with the child's
687 needs and preferences. The notice must include the reason a
688 placement change is necessary. A copy of the notice must be
689 filed with the court and be provided to:

690 a. The child, unless he or she, due to age or capacity, is
691 unable to comprehend the written notice, which will necessitate
692 the department or lead agency to provide notice in an age-
693 appropriate and capacity-appropriate alternative manner;

694 b. The child's parents, unless prohibited by court order;

695 c. The child's out-of-home caregiver;

696 d. The guardian ad litem, if one is appointed;

697 e. The attorney for the child, if one is appointed; and

698 f. The attorney for the department.

699 4.a. The transition plan must be developed through
700 cooperation among the persons included in subparagraph 3., and
701 such persons must share any relevant information necessary for

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

702 its development. Subject to the child's needs and preferences,
703 the transition plan must meet the requirements of s.
704 409.1415(2)(b)8. and exclude any placement changes that occur
705 between 7 p.m. and 8 a.m.

706 5. The department or the community-based care lead agency
707 shall file the transition plan with the court within 48 hours
708 after the creation of such plan and provide a copy of the plan
709 to the persons included in subparagraph 3.

710 (e) Additional considerations for transitions of infants
711 and children under school age.—Relationship patterns over the
712 first year of life are important predictors of future
713 relationships. Research demonstrates that babies begin to form a
714 strong attachment to a caregiver at approximately 7 months of
715 age. From that period of time through age 2, moving a child from
716 a caregiver who is the psychological parent is considerably more
717 damaging. Placement decisions must focus on promoting security
718 and continuity for infants and children under 5 years of age in
719 out-of-home care. Transition plans for infants and young
720 children must describe the facts that were considered when each
721 of the following were discussed and must specify what decision
722 was made as to how each of the following applies to the child:

723 1. The age of the child and the child's current ability to
724 accomplish developmental tasks, with consideration made for
725 whether the child is:

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

726 a. Six months of age or younger, thereby indicating that
727 it may be in the child's best interest to move the child sooner
728 rather than later; or

729 b. Seven months of age or older, but younger than 3 years
730 of age, thereby indicating it may not be a healthy time to move
731 the child.

732 2. The length of time the child has lived with the current
733 caregiver, the strength of attachment to the current caregiver,
734 and the harm of disrupting a healthy attachment compared to the
735 possible advantage of a change in placement.

736 3. The relationship, if any, the child has with the new
737 caregiver and whether a reciprocal agreement exists between the
738 current caregiver and the prospective caregiver to maintain the
739 child's relationship with both caregivers.

740 4. The pace of the transition and whether flexibility
741 exists to accelerate or slow down the transition based on the
742 child's needs and reactions.

743 (f) Preparation of prospective caregivers before
744 placement.-

745 1. Prospective caregivers must be fully informed of the
746 child's needs and circumstances and be willing and able to
747 accept responsibility for providing high-quality care for such
748 needs and circumstances before placement.

749 2. The community-based care lead agency shall review with
750 the prospective caregiver the caregiver's roles and

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

751 responsibilities according to the parenting partnerships plan
752 for children in out-of-home care pursuant to s. 409.1415. The
753 case manager shall sign a copy of the parenting partnerships
754 plan and obtain the signature of the prospective caregiver
755 acknowledging explanation of the requirements before placement.

756 (4) EDUCATION TRANSITIONS.—

757 (a) Findings.—Children in out-of-home care frequently
758 change child care, early education programs, and schools. These
759 changes can occur when the child first enters out-of-home care,
760 when the child must move from one caregiver to another, or when
761 the child returns home upon reunification. Research shows that
762 children who change schools frequently make less academic
763 progress than their peers and fall further behind with each
764 school change. Additionally, educational instability at any
765 level makes it difficult for children to develop supportive
766 relationships with teachers or peers. State and federal law
767 contain requirements that must be adhered to in order to ensure
768 educational stability for a child in out-of-home care. A child's
769 educational setting should only be changed when maintaining the
770 educational setting is not in the best interest of the child.

771 (b) Mandatory educational transition plans.—The department
772 or the community-based care lead agency shall create and
773 implement an individualized transition plan each time a child
774 experiences a school change.

775 (c) Minimizing school changes.—

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

776 1. Every effort must be made to keep a child in the school
777 of origin if it is in the child's best interest. Any placement
778 decision must include thoughtful consideration of which school a
779 child will attend if a school change is necessary.

780 2. Members of a multidisciplinary team staffing convened
781 for a purpose other than a school change must determine the
782 child's best interest regarding remaining in the school or
783 program of origin if the child's educational options are
784 affected by any other decision being made by the
785 multidisciplinary team.

786 3. The determination of whether it is in the child's best
787 interest to remain in the school of origin, and if not, of which
788 school the child will attend in the future, must be made in
789 consultation with the following individuals, including, but not
790 limited to, the child; the parents; the caregiver; the child
791 welfare professional; the guardian ad litem, if appointed; the
792 educational surrogate, if appointed; child care and educational
793 staff, including teachers and guidance counselors; and the
794 school district representative or foster care liaison. A
795 multidisciplinary team member may contact any of these
796 individuals in advance of a multidisciplinary team staffing to
797 obtain his or her recommendation. An individual may remotely
798 attend the multidisciplinary team staffing if one of the
799 identified goals is related to determining an educational
800 placement. The multidisciplinary team may rely on a report from

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

801 the child's current school or program district and, if
802 applicable, any other school district being considered for the
803 educational placement if the required school personnel are not
804 available to attend the multidisciplinary team staffing in
805 person or remotely.

806 4. The multidisciplinary team and the individuals listed
807 in subparagraph 3. must consider, at a minimum, all of the
808 following factors when determining whether remaining in the
809 school or program of origin is in the child's best interest or,
810 if not, when selecting a new school or program:

811 a. The child's desire to remain in the school or program
812 of origin.

813 b. The preference of the child's parents or legal
814 guardians.

815 c. Whether the child has siblings, close friends, or
816 mentors at the school or program of origin.

817 d. The child's cultural and community connections in the
818 school or program of origin.

819 e. Whether the child is suspected of having a disability
820 under the Individuals with Disabilities Education Act (IDEA) or
821 s. 504 of the Rehabilitation Act of 1973, or has begun receiving
822 interventions under this state's multitiered system of supports.

823 f. Whether the child has an evaluation pending for special
824 education and related services under IDEA or s. 504 of the
825 Rehabilitation Act of 1973.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

826 g. Whether the child is a student with a disability under
827 IDEA who is receiving special education and related services or
828 a student with a disability under s. 504 of the Rehabilitation
829 Act of 1973 who is receiving accommodations and services and, if
830 so, whether those required services are available in a school or
831 program other than the school or program of origin.

832 h. Whether the child is an English Language Learner
833 student and is receiving language services, and if so, whether
834 those required services are available in a school or program
835 other than the school or program of origin.

836 i. The impact a change to the school or program of origin
837 would have on academic credits and progress toward promotion.

838 j. The availability of extracurricular activities
839 important to the child.

840 k. The child's known individualized educational plan or
841 other medical and behavioral health needs and whether such plan
842 or needs are able to be met at a school or program other than
843 the school or program of origin.

844 l. The child's permanency goal and timeframe for achieving
845 permanency.

846 m. The child's history of school transfers and how such
847 transfers have impacted the child academically, emotionally, and
848 behaviorally.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

849 n. The length of the commute to the school or program from
850 the child's home or placement and how such commute would impact
851 the child.

852 o. The length of time the child has attended the school or
853 program of origin.

854 5. The cost of transportation cannot be a factor in making
855 a best interest determination.

856 (d) *Transitions between child care and early education*
857 *programs.*—When a child enters out-of-home care or undergoes a
858 placement change, the child shall, if possible, remain with a
859 familiar child care provider or early education program unless
860 there is an opportunity to transition to a higher quality
861 program. If it is not possible for the child to remain with the
862 familiar child care provider or early education program or
863 transition to a higher quality program, the child's transition
864 plan must be made with the participation of the child's current
865 and future school or program. The plan must give the child an
866 opportunity to say goodbye to important figures in the
867 educational environment.

868 (e) *Transitions between K-12 schools.*—The transition plan
869 for a transition between K-12 schools must include all of the
870 following:

871 1. Documentation that the department or community-based
872 care lead agency has made the decision to change the child's
873 school in accordance with paragraph (c). The plan must include a

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

874 detailed discussion of all factors considered in reaching the
875 decision to change the child's school.

876 2. Documentation that the department or community-based
877 care lead agency has coordinated, or will coordinate before the
878 school change, with local educational agencies to provide
879 immediate and appropriate enrollment in a new school, including
880 transfer of educational records, any record of a school-entry
881 health examination, and arrangements for transportation to the
882 new school.

883 3. Discussion of the timing of the proposed school change
884 which addresses the potential impact on the child's education
885 and extracurricular activities. This section must include, at a
886 minimum, grading periods, exam schedules, credit acquisitions,
887 sports eligibility, and participation in extracurricular
888 activities.

889 4. Details concerning the transportation of the child to
890 school.

891 (5) TRANSITION PLAN AND DOCUMENTATION.—

892 (a) The department, in collaboration with the Quality
893 Parenting Initiative, shall develop a form to be completed and
894 updated each time a child in out-of-home care is moved from one
895 placement to another.

896 (b) A completed form must be attached to the case record
897 face sheet required to be included in the case file pursuant to

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

898 s. 39.00146. The form must be used statewide and, at a minimum,
899 must include all of the following information:

900 1. The membership of the multidisciplinary team staffing
901 convened under s. 39.4022 to develop a transition plan for the
902 change in placement and the dates on which the team met.

903 2. The name of the person who served as the facilitator in
904 that specific multidisciplinary team staffing.

905 3. The topics considered by the multidisciplinary team
906 staffing in order to ensure an appropriate transition.

907 4. The recommendations of the multidisciplinary team and
908 the name of each individual or entity responsible for carrying
909 out each recommendation.

910 (c) The department or the community-based care lead agency
911 shall document all multidisciplinary team staffings and
912 placement transition decisions in the Florida Safe Families
913 Network and must include the information in the social study
914 report for judicial review, as required under s. 39.701.

915 (6) EXEMPTION.—Placements made pursuant to s. 63.082(6)
916 are exempt from this section.

917 (7) RULEMAKING.—The department shall adopt rules to
918 implement this section.

919 Section 9. Section 39.4024, Florida Statutes, is created
920 to read:

921 39.4024 Placement of siblings; visitation; continuing
922 contact.—

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

923 (1) LEGISLATIVE FINDINGS.—

924 (a) The Legislature finds that sibling relationships can
925 provide a significant source of continuity throughout a child's
926 life and are likely to be the longest relationships that most
927 individuals experience. Further, the placement of siblings
928 together can increase the likelihood of achieving permanency and
929 is associated with a significantly higher rate of family
930 reunification.

931 (b) The Legislature finds that it is beneficial for a
932 child who is placed in out-of-home care to be able to continue
933 existing relationships with his or her siblings, regardless of
934 age, so that they may share their strengths and association in
935 their everyday and often common experiences.

936 (c) The Legislature also finds that healthy connections
937 with siblings can serve as a protective factor for children who
938 have been placed in out-of-home care. The Legislature finds that
939 child protective investigators and caseworkers should be aware
940 of the variety of demographic and external situational factors
941 that may present challenges to placement in order to identify
942 such factors relevant to a particular group of siblings and
943 ensure that these factors are not the sole reasons that siblings
944 are not placed together.

945 (d) The Legislature also finds that it is the
946 responsibility of all entities and adults involved in a child's
947 life, including, but not limited to, the department, community-

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

948 based care lead agencies, parents, foster parents, guardians ad
949 litem, next of kin, and other persons important to the child to
950 seek opportunities to foster sibling relationships to promote
951 continuity and help sustain family connections.

952 (e) While there is a presumption in law and policy that it
953 is in the best interest of a child going into out-of-home care
954 to be placed with any siblings, the Legislature finds that
955 overall well-being of the child and family improves when the
956 person or team responsible for placement decisions evaluates the
957 child's sibling and family bonds and prioritizes the bonds that
958 are unique drivers of the child's ability to maintain and
959 develop healthy relationships. The person or team with an
960 understanding of the need to balance all attachment bonds of a
961 child and the potential need to prioritize existing and healthy
962 sibling relationships differently than a potential or unhealthy
963 sibling relationship over a healthy existing bond with a
964 caregiver will result in more stable and healthier placements
965 for all children in out-of-home care.

966 (2) DEFINITIONS.—As used in this section, the term:

967 (a) "Lead agency" means a community-based care lead agency
968 under contract with the department to provide care to children
969 in foster care under chapter 409.

970 (b) "Multidisciplinary team" has the same meaning as
971 provided in s. 39.4022.

972 (c) "Sibling" means:

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

973 1. A child who shares a birth parent or legal parent with
974 one or more other children; or

975 2. A child who has lived together in a family with one or
976 more other children whom he or she identifies as siblings.

977 (3) PLACEMENT OF SIBLINGS IN OUT-OF-HOME CARE.-

978 (a) General provisions.-

979 1. The department or lead agency shall make reasonable
980 efforts to place sibling groups that are removed from their home
981 in the same foster, kinship, adoptive, or guardianship home when
982 it is in the best interest of each sibling and when an
983 appropriate, capable, and willing joint placement for the
984 sibling group is available.

985 2. If a child enters out-of-home care after his or her
986 sibling, the department or lead agency and the multidisciplinary
987 team shall make reasonable efforts to initially place the child
988 who has entered out-of-home care with his or her siblings in the
989 sibling's existing placement, provided it would not jeopardize
990 the stability of such placement and it is in the best interest
991 for each child.

992 3. When determining whether to move a child from a current
993 placement to a new placement when such change is initiated by a
994 sibling relationship, all relevant factors must be considered by
995 the multidisciplinary team to ensure that the child is best
996 served by the decision. A uniform policy that does not consider
997 and apply a balancing test to ensure all existing attachment

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

998 bonds for a child and his or her siblings are honored and
999 evaluated holistically may result in placement decisions or
1000 changes of placement decisions that may result in additional
1001 trauma.

1002 4. The department and the court are not required to make a
1003 change in placement, whether such change is to the physical
1004 residential address of the child or the legal custody of the
1005 child, to develop a relationship between siblings which did not
1006 exist at the time a child is placed in out-of-home care and must
1007 determine whether the change in placement is contrary to the
1008 child's safety and well-being by evaluating all of the factors
1009 in this section and ss. 39.01375, 39.4022, and 39.4023.

1010 (b) *Factors to consider when placing sibling groups.*—

1011 1. At the time a child who is a part of a sibling group is
1012 removed from the home, the department or lead agency shall
1013 convene a multidisciplinary team staffing in accordance with s.
1014 39.4022 to determine and assess the sibling relationships from
1015 the perspective of each child to ensure the best placement of
1016 each child in the sibling group. The multidisciplinary team
1017 shall consider all relevant factors included in s. 39.01375 and
1018 this section, including, but not limited to, the existing
1019 emotional ties between and among the siblings, the degree of
1020 harm each child is likely to experience as a result of
1021 separation, and the standard protocols established by the
1022 Quality Parenting Initiative under paragraph (d).

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1023 2.a. If the department or the appropriate lead agency is
1024 able to locate a caregiver that will accept the sibling group
1025 and the multidisciplinary team determines that the placement is
1026 suitable for each child, the sibling group must be placed
1027 together.

1028 b. If the department or appropriate lead agency is not
1029 able to locate a caregiver or placement option that allows the
1030 sibling group to be placed together in an initial placement, the
1031 department or lead agency must make all reasonable efforts to
1032 ensure contact and visitation between siblings placed in
1033 separate out-of-home care placements and provide reviews of the
1034 placements in accordance with this section.

1035 3. If all the siblings are unable to be placed in an
1036 existing placement and the siblings do not have an existing
1037 relationship, when determining whether to move any child who is
1038 part of the sibling group from his or her current placement to a
1039 new placement that will unite the sibling group, the department
1040 or lead agency must consider all of the following additional
1041 factors:

1042 a. The presence and quality of current attachment
1043 relationships, including:

1044 (I) The quality and length of the attachment of the child
1045 to both the current and prospective caregiver;

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1046 (II) The age of the child at placement with the current
1047 caregiver and the child's current age as well as the ages of any
1048 siblings;

1049 (III) The ease with which the child formed an attachment
1050 to the current family;

1051 (IV) Any indications of attachment difficulty in the
1052 child's history; and

1053 (V) The number of moves and number of caregivers the child
1054 has experienced.

1055 b. The potential of the new caregiver to be a primary
1056 attachment figure to the sibling group by ensuring care for each
1057 child's physical needs and the willingness and availability to
1058 meet each child's emotional needs.

1059 c. The quality of existing sibling relationships and the
1060 potential quality of sibling relationships that can be formed
1061 between the children.

1062 d. The consideration of any costs and benefits of
1063 disrupting existing emotional attachments to a primary caregiver
1064 to place children in a new placement with siblings, including:

1065 (I) The length and quality of the established and current
1066 primary attachment relationships between the siblings and
1067 between the siblings and their current caregivers; and

1068 (II) Relationships between any other siblings and whether
1069 such relationships appear adequate and not stressful or harmful.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1070 e. The ability to establish and maintain sibling
1071 visitation and contact pursuant to this section in a manner and
1072 schedule that makes sense for an infant or young child if it is
1073 determined that the infant or young child is to remain with his
1074 or her primary caregivers rather than be placed with his or her
1075 siblings.

1076 f. The ability to establish and maintain contact with the
1077 sibling and new caregiver as part of a transition plan developed
1078 in accordance with paragraph (c) and s. 39.4023 before changing
1079 the child's placement to allow the child, his or her siblings,
1080 and new caregiver to adjust and form bonds.

1081 (c) *Transitioning a child after a determination.*—If after
1082 considering the provisions and factors described in paragraphs
1083 (a) and (b) it is determined that the child would benefit from
1084 being placed with his or her siblings, the transition of the
1085 child to the new home must be carried out gradually in
1086 accordance with s. 39.4023.

1087 (d) *Standards for evaluating sibling placements.*—The
1088 department, in collaboration with the Quality Parenting
1089 Initiative, must develop standard protocols for the department
1090 and lead agency which incorporate the provisions and factors
1091 described in paragraphs (a), (b), and (c) and any other factors
1092 deemed relevant for use in making decisions about when placing
1093 siblings together would be contrary to a child's well-being or

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1094 safety or decisions providing for frequent visitation and
1095 contact under subsection (4).

1096 (4) MAINTAINING CONTACT WHEN SIBLINGS ARE SEPARATED.—

1097 (a) Regular contact among a sibling group that cannot be
1098 placed together, especially among siblings with existing
1099 attachments to each other, is critical for the siblings to
1100 maintain their existing bonds and relationships or to develop
1101 such bonds and attachments, if appropriate. The following
1102 practices must be considered in helping to maintain or
1103 strengthen the relationships of separated siblings:

1104 1. Respect and support the child's ties to his or her
1105 birth or legal family, including parents, siblings, and extended
1106 family members, must be provided by the caregiver, and he or she
1107 must assist the child in maintaining allowable visitation and
1108 other forms of communication. The department and lead agency
1109 shall provide a caregiver with the information, guidance,
1110 training, and support necessary for fulfilling this
1111 responsibility.

1112 2. Provide adequate support to address any caregiver
1113 concerns and to enhance the caregiver's ability to facilitate
1114 contact between siblings who are not in the same out-of-home
1115 placement and promote the benefits of sibling contact.

1116 3. Prioritize placements with kinship caregivers who have
1117 an established personal relationship with each child so that

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1118 even when siblings cannot be placed together in the same home,
1119 kinship caregivers are more likely to facilitate contact.

1120 4. Prioritize placement of siblings geographically near
1121 each other, such as in the same neighborhood or school district,
1122 to make it easier for the siblings to see each other regularly.

1123 5. Encourage frequent and regular visitation, if the
1124 siblings choose to do so, to allow the children to be actively
1125 involved in each other's lives and to participate in
1126 celebrations, including, but not limited to, birthdays,
1127 graduations, holidays, school and extracurricular activities,
1128 cultural customs, and other milestones.

1129 6. Provide other forms of contact when regular in-person
1130 meetings are not possible or are not sufficient to meet the
1131 needs or desires of the siblings, such as maintaining frequent
1132 contact through letters, e-mail, social media, cards, or
1133 telephone calls.

1134 7. Coordinate, when possible, joint outings or summer or
1135 weekend camp experiences to facilitate time together, including,
1136 but not limited to, activities or camps specifically designed
1137 for siblings in out-of-home care.

1138 8. Encourage joint respite care to assist the caregivers
1139 who are caring for separated siblings to have needed breaks
1140 while also facilitating contact among the siblings, including,
1141 but not limited to, providing babysitting or respite care for
1142 each other. A child being moved temporarily as respite care for

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1143 the purpose of providing the primary caregiver relief and
1144 encouraging and facilitating contact among the siblings does not
1145 constitute a placement change or require the convening of a
1146 multidisciplinary team.

1147 9. Prohibit the withholding of communication or visitation
1148 among the siblings as a form of punishment.

1149 (b) The court may not limit or restrict communication or
1150 visitation under this subsection unless there is a finding that
1151 the communication or visitation between the child and his or her
1152 siblings is contrary to the safety or well-being of the child.
1153 If the court makes such a finding, and services are available
1154 that would reasonably be expected to ameliorate the risk to the
1155 child's safety or well-being that are the basis of the court's
1156 finding and that may result in the communication and visitation
1157 being restored, the court must direct the department or
1158 community-based care lead agency to immediately provide such
1159 services.

1160 (5) SUBSEQUENT REVIEWS.—

1161 (a) The department and the lead agency shall periodically,
1162 but at least once every 6 months, reassess sibling placement,
1163 visitation, and other sibling contact decisions in cases where
1164 siblings are separated, not visiting, or not maintaining contact
1165 to determine if a change in placement is warranted unless the
1166 decision to not place a child with his or her sibling group was

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1167 made due to such placement being inappropriate, unhealthy, or
1168 unsafe for the child.

1169 (b) If a child in a sibling group who has been placed in
1170 an out-of-home care placement with his or her siblings does not
1171 adjust to the placement, the lead agency must provide services
1172 to the caregiver and sibling group in accordance with s.
1173 39.4023(3) to try to prevent the disruption of the placement. If
1174 after reasonable efforts are made under s. 39.4023(3), the child
1175 still has not adjusted to the out-of-home placement, a
1176 multidisciplinary team staffing must be convened to determine
1177 what is best for all of the children. The multidisciplinary team
1178 shall review the current placement of the sibling group and
1179 choose a plan that will be least detrimental to each child. If
1180 the team determines that the best decision is to move the child
1181 who has not adjusted to a new out-of-home placement, the team
1182 must develop a transition plan in accordance with ss. 39.4022
1183 and 39.4023 which ensures the opportunity for the siblings to
1184 maintain contact in accordance with subsection (4) of this
1185 section.

1186 (c) If it becomes known that a child in out-of-home care
1187 has a sibling of whom the child, department, or lead agency was
1188 previously unaware, the department or lead agency must convene a
1189 multidisciplinary team staffing within a reasonable amount of
1190 time after the discovery of such sibling to decide if the
1191 current placement or permanency plan requires modification.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1192 (6) ADDITIONAL REQUIREMENTS AND CONSIDERATIONS.—

1193 (a) The department shall promptly provide a child with the
1194 location of and contact information for his or her siblings. If
1195 the existence or location of or contact information for a
1196 child's siblings is not known, the department must make
1197 reasonable efforts to ascertain such information.

1198 (b)1. If a child's sibling is also in out-of-home care and
1199 such sibling leaves out-of-home care due to emancipation or
1200 reunification with his or her parent or guardian, the child must
1201 be allowed to communicate with that emancipated or reunified
1202 sibling, if the emancipated sibling or the reunified sibling and
1203 his or her parent consent.

1204 2. If a child's sibling is also in out-of-home care and
1205 such sibling leaves out-of-home care for any reason, including,
1206 but not limited to, the reasons in subparagraph 1. and
1207 communication is not occurring, the child has a right to have
1208 the court consider the appropriateness of continued
1209 communication with his or her sibling. The court shall consider
1210 the recommendation of the department or community-based care
1211 lead agency and any other information deemed relevant by the
1212 court.

1213 3. If a child's sibling leaves out-of-home care because he
1214 or she is adopted, the child may be allowed to have continued
1215 communication with the sibling either by consent of the adoptive
1216 parent or by order of the court in accordance with s. 63.0427.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1217 (c) The department or the lead agency must document in
1218 writing any decision to separate siblings in the case file as
1219 required in s. 39.00146 and document the decision in the Florida
1220 Safe Families Network. The documentation must include any
1221 efforts made to keep the siblings together, an assessment of the
1222 short-term and long-term effects of separation on each child and
1223 the sibling group as a whole, and a description of the plan for
1224 communication or contact between the children if separation is
1225 approved.

1226 (7) EXEMPTION.—Placements made pursuant to s. 63.082(6)
1227 are exempt from this section.

1228 (8) RULEMAKING AUTHORITY.—The department shall adopt rules
1229 to implement this section.

1230 Section 10. Section 39.522, Florida Statutes, is amended
1231 to read:

1232 39.522 Postdisposition change of custody.—

1233 (1) The court may change the temporary legal custody or
1234 the conditions of protective supervision at a postdisposition
1235 hearing, without the necessity of another adjudicatory hearing.

1236 (2) (a) ~~(1) (a)~~ At any time before a child is residing in the
1237 permanent placement approved at the permanency hearing, a child
1238 who has been placed in the child's own home under the protective
1239 supervision of an authorized agent of the department, in the
1240 home of a relative, in the home of a legal custodian, or in some
1241 other place may be brought before the court by the department or

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1242 by any other interested person, upon the filing of a motion
1243 alleging a need for a change in the conditions of protective
1244 supervision or the placement. If any party or the current
1245 caregiver denies ~~the parents or other legal custodians deny~~ the
1246 need for a change, the court shall hear all parties in person or
1247 by counsel, or both.

1248 (b) Upon the admission of a need for a change or after
1249 such hearing, the court shall enter an order changing the
1250 placement, modifying the conditions of protective supervision,
1251 or continuing the conditions of protective supervision as
1252 ordered. The standard for changing custody of the child shall be
1253 the best interests of the child. When determining whether a
1254 change of legal custody or placement is in the best interests of
1255 the child, the court shall consider the factors listed in s.
1256 39.01375 and the report filed by the multidisciplinary team, if
1257 applicable, unless the change of custody or placement is made
1258 pursuant to s. 63.082(6). The court shall also consider the
1259 priority of placements established under s. 39.4021 when making
1260 a decision regarding the best interest of the child in out-of-
1261 home care.

1262 ~~1. The child's age.~~

1263 ~~2. The physical, mental, and emotional health benefits to~~
1264 ~~the child by remaining in his or her current placement or moving~~
1265 ~~to the proposed placement.~~

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1266 ~~3. The stability and longevity of the child's current~~
1267 ~~placement.~~

1268 ~~4. The established bonded relationship between the child~~
1269 ~~and the current or proposed caregiver.~~

1270 ~~5. The reasonable preference of the child, if the court~~
1271 ~~has found that the child is of sufficient intelligence,~~
1272 ~~understanding, and experience to express a preference.~~

1273 ~~6. The recommendation of the child's current caregiver.~~

1274 ~~7. The recommendation of the child's guardian ad litem, if~~
1275 ~~one has been appointed.~~

1276 ~~8. The child's previous and current relationship with a~~
1277 ~~sibling, if the change of legal custody or placement will~~
1278 ~~separate or reunite siblings.~~

1279 ~~9. The likelihood of the child attaining permanency in the~~
1280 ~~current or proposed placement.~~

1281 ~~10. Any other relevant factors.~~

1282 ~~(c)(b)~~ If the child is not placed in foster care, the new
1283 placement for the child must meet the home study criteria and
1284 court approval under this chapter.

1285 (3)(a) For purposes of this subsection, the term "change
1286 in physical custody" means a change by the department or
1287 community-based care lead agency to the child's physical
1288 residential address, regardless of whether such change requires
1289 a court order to change the legal custody of the child. However,

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1290 this term does not include a change in placement made pursuant
1291 to s. 63.082(6).

1292 (b)1. In a hearing on the change of physical custody under
1293 this section, there shall be a rebuttable presumption that it is
1294 in the child's best interest to remain permanently in his or her
1295 current physical placement if:

1296 a. The child has been in the same safe and stable
1297 placement for 9 consecutive months or more;

1298 b. Reunification is not a permanency option for the child;

1299 c. The caregiver is able, willing, and eligible for
1300 consideration as an adoptive parent or permanent custodian for
1301 the child;

1302 d. The caregiver is not requesting the change in physical
1303 placement; and

1304 e. The change in physical placement being sought is not to
1305 reunify the child with his or her parent or sibling or
1306 transition the child from a safe and stable nonrelative
1307 caregiver to a safe and stable relative caregiver.

1308 2. In order to rebut the presumption established in this
1309 paragraph, the court shall hold an evidentiary hearing on the
1310 change in physical custody to determine if the change in
1311 placement is in the best interest of the child. As part of the
1312 evidentiary hearing, the court must consider competent and
1313 substantial evidence and testimony related to the factors
1314 enumerated in s. 39.01375 and any other evidence deemed relevant

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1315 to a determination of placement, including evidence from a
1316 court-selected neutral and independent expert in the science and
1317 research of child-parent bonding and attachment.

1318 3. This presumption may not be rebutted solely by the
1319 expressed wishes of a biological parent, a biological relative,
1320 or a caregiver of a sibling of the child.

1321 (c)1. The department or community-based care lead agency
1322 must notify a current caregiver who has been in the physical
1323 custody placement for at least 9 consecutive months and who
1324 meets all the established criteria in paragraph (b) of an intent
1325 to change the physical custody of the child, and a
1326 multidisciplinary team staffing must be held in accordance with
1327 ss. 39.4022 and 39.4023 at least 21 days before the intended
1328 date for the child's change in physical custody, unless there is
1329 an emergency situation as defined in s. 39.4022(2) (b). If there
1330 is not a unanimous consensus decision reached by the
1331 multidisciplinary team, the department's official position must
1332 be provided to the parties within the designated time period as
1333 provided for in s. 39.4022.

1334 2. A caregiver who objects to the department's official
1335 position on the change in physical custody must notify the court
1336 and the department or community-based care lead agency of his or
1337 her objection and the intent to request an evidentiary hearing
1338 in writing in accordance with this section within 5 days after
1339 receiving notice of the department's official position provided

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1340 under subparagraph 1. The transition of the child to the new
1341 caregiver may not begin before the expiration of the 5-day
1342 period within which the current caregiver may object.

1343 3. Upon the department or community-based care lead agency
1344 receiving written notice of the caregiver's objection, the
1345 change to the child's physical custody must be placed in
1346 abeyance and the child may not be transitioned to a new physical
1347 placement without a court order, unless there is an emergency
1348 situation as defined in s. 39.4022(2) (b).

1349 4. Within 7 days after receiving written notice from the
1350 caregiver, the court must conduct an initial case status
1351 hearing, at which time the court must:

1352 a. Grant party status to the current caregiver who is
1353 seeking permanent custody and has maintained physical custody of
1354 that child for at least 9 continuous months for the limited
1355 purpose of filing a motion for a hearing on the objection and
1356 presenting evidence pursuant to this subsection;

1357 b. Appoint an attorney for the child who is the subject of
1358 the permanent custody proceeding, in addition to the guardian ad
1359 litem, if one is appointed;

1360 c. Advise the caregiver of his or her right to retain
1361 counsel for purposes of the evidentiary hearing; and

1362 d. Appoint a court-selected neutral and independent expert
1363 in the science and research of child-parent bonding and
1364 attachment.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1365 (d) The court must conduct the evidentiary hearing and
1366 provide a written order of its findings regarding the placement
1367 that is in the best interest of the child no later than 90 days
1368 after the date the caregiver provided written notice to the
1369 court under this subsection. The court must provide its written
1370 order to the department or community-based care lead agency, the
1371 caregiver, and the prospective caregiver. The party status
1372 granted to the current caregiver under sub-subparagraph (c)4.a.
1373 terminates upon the written order by the court, or upon the 90-
1374 day time limit established in this paragraph, whichever occurs
1375 first.

1376 (e) If the court orders that the physical custody of the
1377 child change from the current caregiver after the evidentiary
1378 hearing, the department or community-based care lead agency must
1379 implement the appropriate transition plan developed in
1380 accordance with ss. 39.4022 and 39.4023 or as ordered by the
1381 court.

1382 (4)(2) In cases where the issue before the court is
1383 whether a child should be reunited with a parent, the court
1384 shall review the conditions for return and determine whether the
1385 circumstances that caused the out-of-home placement and issues
1386 subsequently identified have been remedied to the extent that
1387 the return of the child to the home with an in-home safety plan
1388 prepared or approved by the department will not be detrimental

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1389 to the child's safety, well-being, and physical, mental, and
1390 emotional health.

1391 ~~(5)-(3)~~ In cases where the issue before the court is
1392 whether a child who is placed in the custody of a parent should
1393 be reunited with the other parent upon a finding that the
1394 circumstances that caused the out-of-home placement and issues
1395 subsequently identified have been remedied to the extent that
1396 the return of the child to the home of the other parent with an
1397 in-home safety plan prepared or approved by the department will
1398 not be detrimental to the child, the standard shall be that the
1399 safety, well-being, and physical, mental, and emotional health
1400 of the child would not be endangered by reunification and that
1401 reunification would be in the best interest of the child.

1402 ~~(6)-(4)~~ In cases in which the issue before the court is
1403 whether to place a child in out-of-home care after the child was
1404 placed in the child's own home with an in-home safety plan or
1405 the child was reunified with a parent or caregiver with an in-
1406 home safety plan, the court must consider, at a minimum, the
1407 following factors in making its determination whether to place
1408 the child in out-of-home care:

1409 (a) The circumstances that caused the child's dependency
1410 and other subsequently identified issues.

1411 (b) The length of time the child has been placed in the
1412 home with an in-home safety plan.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1413 (c) The parent's or caregiver's current level of
1414 protective capacities.

1415 (d) The level of increase, if any, in the parent's or
1416 caregiver's protective capacities since the child's placement in
1417 the home based on the length of time the child has been placed
1418 in the home.

1419
1420 The court shall additionally evaluate the child's permanency
1421 goal and change the permanency goal as needed if doing so would
1422 be in the best interests of the child. If the court changes the
1423 permanency goal, the case plan must be amended pursuant to s.
1424 39.6013(5).

1425 Section 11. Subsections (2) and (5) of section 39.523,
1426 Florida Statutes, are amended to read:

1427 39.523 Placement in out-of-home care.-

1428 (2) ASSESSMENT AND PLACEMENT.-When any child is removed
1429 from a home and placed in ~~into~~ out-of-home care, a comprehensive
1430 placement assessment process shall be completed in accordance
1431 with s. 39.4022 to determine the level of care needed by the
1432 child and match the child with the most appropriate placement.

1433 (a) The community-based care lead agency or subcontracted
1434 agency with the responsibility for assessment and placement must
1435 coordinate a multidisciplinary team staffing as established in
1436 s. 39.4022 with the necessary participants for the stated
1437 purpose of the staffing ~~with any available individual currently~~

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1438 ~~involved with the child including, but not limited to, a~~
1439 ~~representative from the department and the case manager for the~~
1440 ~~child; a therapist, attorney ad litem, guardian ad litem,~~
1441 ~~teachers, coaches, Children's Medical Services; and other~~
1442 ~~community providers of services to the child or stakeholders as~~
1443 ~~applicable. The team may also include clergy, relatives, and~~
1444 ~~fictive kin if appropriate. Team participants must gather data~~
1445 ~~and information on the child which is known at the time~~
1446 ~~including, but not limited to:~~

- 1447 ~~1. Mental, medical, behavioral health, and medication~~
1448 ~~history;~~
- 1449 ~~2. Community ties and school placement;~~
- 1450 ~~3. Current placement decisions relating to any siblings;~~
- 1451 ~~4. Alleged type of abuse or neglect including sexual abuse~~
1452 ~~and trafficking history; and~~
- 1453 ~~5. The child's age, maturity, strengths, hobbies or~~
1454 ~~activities, and the child's preference for placement.~~

1455 (b) The comprehensive placement assessment process may
1456 also include the use of an assessment instrument or tool that is
1457 best suited for the individual child.

1458 (c) The most appropriate available out-of-home placement
1459 shall be chosen after consideration by all members of the
1460 multidisciplinary team of all of the information and data
1461 gathered, including the results and recommendations of any
1462 evaluations conducted.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1463 (d) Placement decisions for each child in out-of-home
1464 placement shall be reviewed as often as necessary to ensure
1465 permanency for that child and address special issues related to
1466 this population of children.

1467 (e) The department, a sheriff's office acting under s.
1468 39.3065, a community-based care lead agency, or a case
1469 management organization must document all placement assessments
1470 and placement decisions in the Florida Safe Families Network.

1471 (f) If it is determined during the comprehensive placement
1472 assessment process that residential treatment as defined in s.
1473 39.407 would be suitable for the child, the procedures in that
1474 section must be followed.

1475 (5) RULEMAKING.—The department shall ~~may~~ adopt rules to
1476 implement this section.

1477 Section 12. Subsection (1) of section 39.6035, Florida
1478 Statutes, is amended to read:

1479 39.6035 Transition plan.—

1480 (1) During the year ~~180-day period~~ after a child reaches
1481 16 ~~17~~ years of age, the department and the community-based care
1482 provider, in collaboration with the caregiver and any other
1483 individual whom the child would like to include, shall assist
1484 the child in developing a transition plan. The required
1485 transition plan is in addition to standard case management
1486 requirements. The transition plan must address specific options
1487 for the child to use in obtaining services, including housing,

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1488 health insurance, education, financial literacy, a driver
1489 license, and workforce support and employment services. The plan
1490 must also include tasks to establish and maintain ~~consider~~
1491 ~~establishing and maintaining~~ naturally occurring mentoring
1492 relationships and other personal support services. The
1493 transition plan may be as detailed as the child chooses. This
1494 plan shall be updated as needed before the child reaches 18
1495 years of age. In developing and updating the transition plan,
1496 the department and the community-based care lead agency ~~provider~~
1497 shall:

1498 (a) Provide the child with the documentation required
1499 under ~~pursuant to~~ s. 39.701(3).~~†~~

1500 (b) Coordinate the transition plan with the independent
1501 living provisions in the case plan and, for a child with
1502 disabilities, the Individuals with Disabilities Education Act
1503 transition plan.~~†~~ ~~and~~

1504 (c) Provide information for the financial literacy
1505 curriculum for youth offered by the Department of Financial
1506 Services.

1507 Section 13. Subsection (3) of section 39.701, Florida
1508 Statutes, is amended to read:

1509 39.701 Judicial review.—

1510 (3) REVIEW HEARINGS FOR CHILDREN 16 AND 17 YEARS OF AGE.—
1511 At each review hearing held under this subsection, the court
1512 shall give the child the opportunity to address the court and

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1513 provide any information relevant to the child's best interest,
1514 particularly in relation to independent living transition
1515 services. The foster parent, legal custodian, or guardian ad
1516 litem may also provide any information relevant to the child's
1517 best interest to the court.

1518 ~~(a)~~ In addition to the review and report required under
1519 paragraphs (1) (a) and (2) (a), respectively, the court shall:

1520 (a) Inquire about the life skills the child has acquired
1521 and whether those services are age appropriate, at the first
1522 judicial review hearing held subsequent to the child's 16th
1523 birthday. At the ~~Hold a~~ judicial review hearing, the department
1524 shall provide the court with a report that includes specific
1525 information related to the life skills that the child has
1526 acquired since the child's 13th birthday, or since the date the
1527 child came into foster care, whichever came later ~~within 90 days~~
1528 ~~after a child's 17th birthday.~~ For any child who may meet the
1529 requirements for appointment of a guardian advocate under s.
1530 393.12, or a guardian under chapter 744, the updated case plan
1531 must be developed in a face-to-face conference with the child,
1532 if appropriate; the child's attorney; any court-appointed
1533 guardian ad litem; the temporary custodian of the child; and the
1534 parent of the child, if the parent's rights have not been
1535 terminated. ~~The court shall also issue an order, separate from~~
1536 ~~the order on judicial review, that the disability of nonage of~~
1537 ~~the child has been removed pursuant to ss. 743.044, 743.045,~~

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1538 ~~743.046, and 743.047, and for any of these disabilities that the~~
1539 ~~court finds is in the child's best interest to remove. The court~~
1540 ~~shall continue to hold timely judicial review hearings. If~~
1541 ~~necessary, the court may review the status of the child more~~
1542 ~~frequently during the year before the child's 18th birthday. At~~
1543 ~~each review hearing held under this subsection, in addition to~~
1544 ~~any information or report provided to the court by the foster~~
1545 ~~parent, legal custodian, or guardian ad litem, the child shall~~
1546 ~~be given the opportunity to address the court with any~~
1547 ~~information relevant to the child's best interest, particularly~~
1548 ~~in relation to independent living transition services.~~

1549 (b) The court shall hold a judicial review hearing within
1550 90 days after a child's 17th birthday. The court shall issue an
1551 order, separate from the order on judicial review, that the
1552 disability of nonage of the child has been removed under ss.
1553 743.044, 743.045, 743.046, and 743.047, for any disability that
1554 the court finds is in the child's best interest to remove. The
1555 department shall include in the social study report for the
1556 first judicial review that occurs after the child's 17th
1557 birthday written verification that the child has:

1558 1. A current Medicaid card and all necessary information
1559 concerning the Medicaid program sufficient to prepare the child
1560 to apply for coverage upon reaching the age of 18, if such
1561 application is appropriate.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1562 2. A certified copy of the child's birth certificate and,
1563 if the child does not have a valid driver license, a Florida
1564 identification card issued under s. 322.051.

1565 3. A social security card and information relating to
1566 social security insurance benefits if the child is eligible for
1567 those benefits. If the child has received such benefits and they
1568 are being held in trust for the child, a full accounting of
1569 these funds must be provided and the child must be informed as
1570 to how to access those funds.

1571 4. All relevant information related to the Road-to-
1572 Independence Program under s. 409.1451, including, but not
1573 limited to, eligibility requirements, information on
1574 participation, and assistance in gaining admission to the
1575 program. If the child is eligible for the Road-to-Independence
1576 Program, he or she must be advised that he or she may continue
1577 to reside with the licensed family home or group care provider
1578 with whom the child was residing at the time the child attained
1579 his or her 18th birthday, in another licensed family home, or
1580 with a group care provider arranged by the department.

1581 5. An open bank account or the identification necessary to
1582 open a bank account and to acquire essential banking and
1583 budgeting skills.

1584 6. Information on public assistance and how to apply for
1585 public assistance.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1586 7. A clear understanding of where he or she will be living
1587 on his or her 18th birthday, how living expenses will be paid,
1588 and the educational program or school in which he or she will be
1589 enrolled.

1590 8. Information related to the ability of the child to
1591 remain in care until he or she reaches 21 years of age under s.
1592 39.013.

1593 9. A letter providing the dates that the child is under
1594 the jurisdiction of the court.

1595 10. A letter stating that the child is in compliance with
1596 financial aid documentation requirements.

1597 11. The child's educational records.

1598 12. The child's entire health and mental health records.

1599 13. The process for accessing the child's ~~his or her~~ case
1600 file.

1601 14. A statement encouraging the child to attend all
1602 judicial review hearings ~~occurring after the child's 17th~~
1603 ~~birthday.~~

1604 15. Information on how to obtain a driver license or
1605 learner's driver license.

1606 ~~(c)-(b)~~ At the first judicial review hearing held
1607 subsequent to the child's 17th birthday, ~~the department shall~~
1608 ~~provide the court with an updated case plan that includes~~
1609 ~~specific information related to the independent living skills~~
1610 ~~that the child has acquired since the child's 13th birthday, or~~

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1611 ~~since the date the child came into foster care, whichever came~~
1612 ~~later.~~

1613 ~~1. For any child who may meet the requirements for~~
1614 ~~appointment of a guardian pursuant to chapter 744, or a guardian~~
1615 ~~advocate pursuant to s. 393.12, the updated case plan must be~~
1616 ~~developed in a face-to-face conference with the child, if~~
1617 ~~appropriate; the child's attorney; any court-appointed guardian~~
1618 ~~ad litem; the temporary custodian of the child; and the parent,~~
1619 ~~if the parent's rights have not been terminated.~~

1620 ~~2. At the judicial review hearing,~~ if the court determines
1621 pursuant to chapter 744 that there is a good faith basis to
1622 believe that the child qualifies for appointment of a guardian
1623 advocate, limited guardian, or plenary guardian for the child
1624 and that no less restrictive decisionmaking assistance will meet
1625 the child's needs:

1626 ~~1.a.~~ The department shall complete a multidisciplinary
1627 report which must include, but is not limited to, a psychosocial
1628 evaluation and educational report if such a report has not been
1629 completed within the previous 2 years.

1630 ~~2.b.~~ The department shall identify one or more individuals
1631 who are willing to serve as the guardian advocate under ~~pursuant~~
1632 ~~to~~ s. 393.12 or as the plenary or limited guardian under
1633 ~~pursuant to~~ chapter 744. Any other interested parties or
1634 participants may make efforts to identify such a guardian
1635 advocate, limited guardian, or plenary guardian. The child's

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1636 biological or adoptive family members, including the child's
1637 parents if the parents' rights have not been terminated, may not
1638 be considered for service as the plenary or limited guardian
1639 unless the court enters a written order finding that such an
1640 appointment is in the child's best interests.

1641 ~~3.e.~~ Proceedings may be initiated within 180 days after
1642 the child's 17th birthday for the appointment of a guardian
1643 advocate, plenary guardian, or limited guardian for the child in
1644 a separate proceeding in the court division with jurisdiction
1645 over guardianship matters and pursuant to chapter 744. The
1646 Legislature encourages the use of pro bono representation to
1647 initiate proceedings under this section.

1648 ~~4.3.~~ In the event another interested party or participant
1649 initiates proceedings for the appointment of a guardian
1650 advocate, plenary guardian, or limited guardian for the child,
1651 the department shall provide all necessary documentation and
1652 information to the petitioner to complete a petition under s.
1653 393.12 or chapter 744 within 45 days after the first judicial
1654 review hearing after the child's 17th birthday.

1655 ~~5.4.~~ Any proceedings seeking appointment of a guardian
1656 advocate or a determination of incapacity and the appointment of
1657 a guardian must be conducted in a separate proceeding in the
1658 court division with jurisdiction over guardianship matters and
1659 pursuant to chapter 744.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1660 ~~(d)~~(e) If the court finds at the judicial review hearing
1661 after the child's 17th birthday that the department has not met
1662 its obligations to the child as stated in this part, in the
1663 written case plan, or in the provision of independent living
1664 services, the court may issue an order directing the department
1665 to show cause as to why it has not done so. If the department
1666 cannot justify its noncompliance, the court may give the
1667 department 30 days within which to comply. If the department
1668 fails to comply within 30 days, the court may hold the
1669 department in contempt.

1670 ~~(e)~~(d) If necessary, the court may review the status of
1671 the child more frequently during the year before the child's
1672 18th birthday. At the last review hearing before the child
1673 reaches 18 years of age, and in addition to the requirements of
1674 subsection (2), the court shall:

1675 1. Address whether the child plans to remain in foster
1676 care, and, if so, ensure that the child's transition plan
1677 includes a plan for meeting one or more of the criteria
1678 specified in s. 39.6251.

1679 2. Ensure that the transition plan includes a supervised
1680 living arrangement under s. 39.6251.

1681 3. Ensure the child has been informed of:

1682 a. The right to continued support and services from the
1683 department and the community-based care lead agency.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1684 b. The right to request termination of dependency
1685 jurisdiction and be discharged from foster care.

1686 c. The opportunity to reenter foster care under ~~pursuant~~
1687 ~~to~~ s. 39.6251.

1688 4. Ensure that the child ~~young adult~~, if he or she
1689 requests termination of dependency jurisdiction and discharge
1690 from foster care, has been informed of:

1691 a. Services or benefits for which the child ~~young adult~~
1692 may be eligible based on his or her former placement in foster
1693 care, including, but not limited to, the assistance of the
1694 Office of Continuing Care under s. 414.56.

1695 b. Services or benefits that may be lost through
1696 termination of dependency jurisdiction. ~~;~~ ~~and~~

1697 c. Other federal, state, local, or community-based
1698 services or supports available to him or her.

1699 Section 14. Paragraph (e) of subsection (1) of section
1700 39.806, Florida Statutes, is amended to read:

1701 39.806 Grounds for termination of parental rights.—

1702 (1) Grounds for the termination of parental rights may be
1703 established under any of the following circumstances:

1704 (e) When a child has been adjudicated dependent, a case
1705 plan has been filed with the court, and:

1706 1. The child continues to be abused, neglected, or
1707 abandoned by the parent or parents. The failure of the parent or
1708 parents to substantially comply with the case plan for a period

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1709 of 12 months after an adjudication of the child as a dependent
1710 child or the child's placement into shelter care, whichever
1711 occurs first, constitutes evidence of continuing abuse, neglect,
1712 or abandonment unless the failure to substantially comply with
1713 the case plan was due to the parent's lack of financial
1714 resources or to the failure of the department to make reasonable
1715 efforts to reunify the parent and child. The 12-month period
1716 begins to run only after the child's placement into shelter care
1717 or the entry of a disposition order placing the custody of the
1718 child with the department or a person other than the parent and
1719 the court's approval of a case plan having the goal of
1720 reunification with the parent, whichever occurs first; or

1721 2. The parent or parents have materially breached the case
1722 plan by their action or inaction. Time is of the essence for
1723 permanency of children in the dependency system. In order to
1724 prove the parent or parents have materially breached the case
1725 plan, the court must find by clear and convincing evidence that
1726 the parent or parents are unlikely or unable to substantially
1727 comply with the case plan before time to comply with the case
1728 plan expires.

1729 3. The child has been in care for any 12 of the last 22
1730 months and the parents have not substantially complied with the
1731 case plan so as to permit reunification under s. 39.522(4) ~~s.~~
1732 ~~39.522(2)~~ unless the failure to substantially comply with the
1733 case plan was due to the parent's lack of financial resources or

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1734 to the failure of the department to make reasonable efforts to
1735 reunify the parent and child.

1736 Section 15. Section 39.8155, Florida Statutes, is created
1737 to read:

1738 39.8155 Reinstatement of parental rights.-

1739 (1) After parental rights have been terminated in
1740 accordance with this part, the department, the parent whose
1741 rights were terminated, or the child may file a motion to
1742 reinstate the parent's parental rights. The court may consider a
1743 motion to reinstate parental rights if:

1744 (a) The grounds for termination of parental rights were
1745 based on s. 39.806(1)(a) or (e)1.-3.

1746 (b) The parent is not the verified perpetrator of sexual
1747 or physical abuse of the child.

1748 (c) The parent has not been a perpetrator involved in any
1749 verified reports of abuse, neglect, or abandonment since his or
1750 her parental rights for the child were terminated.

1751 (d) The parent has not had his or her parental rights
1752 terminated for any other child, under any grounds, in this state
1753 or any other jurisdiction, since his or her parental rights for
1754 the child were terminated.

1755 (e) The child is at least 13 years of age.

1756 (f) The child has not achieved permanency and is not in a
1757 preadoptive placement, and at least 36 months have passed since
1758 the termination of parental rights.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1759 (2) The court shall dismiss a motion to reinstate parental
1760 rights if the criteria are not met in subsection (1).

1761 (3) If a motion to reinstate parental rights is filed, the
1762 court shall consider all relevant evidence, including whether:

1763 (a) The child possesses sufficient maturity to express a
1764 preference regarding the reinstatement of parental rights.

1765 (b) The child is not in a preadoptive home or under
1766 permanent guardianship.

1767 (c) The parent has a documented change in behavior such
1768 that, given the current age and maturity of the child, the
1769 circumstances that brought the child into care are remedied.

1770 (d) The parent demonstrates sufficient protective
1771 capacities, given the child's age, physical and behavioral
1772 health, and any other specific characteristics and needs, such
1773 that the risk of the child reentering care is low.

1774 (e) Both the parent and child wish to reinstate parental
1775 rights.

1776 (f) The child's guardian ad litem recommends the
1777 reinstatement of parental rights.

1778 (g) A multidisciplinary team was convened under s. 39.4022
1779 and recommends the reinstatement of parental rights and has
1780 developed a plan to transition the child to the former parent's
1781 care pursuant to s. 39.4023.

1782 (4) Upon finding that the criteria in subsection (3) are
1783 established by clear and convincing evidence, the court shall

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1784 order the department to conduct supervised visitation and trial
1785 home visits between the child and former parent for at least 3
1786 consecutive months after the completion of a home study. In
1787 issuing the order, the court shall consider the transition plan
1788 developed by the child's multidisciplinary team. The department
1789 shall report to the court at least once every 30 days regarding
1790 the former parent's interactions with the child and recommend
1791 whether the court should reinstate parental rights. The
1792 department shall immediately cease the visitation with the
1793 former parent if there is an allegation of abuse, neglect, or
1794 abandonment of the child by the parent; if the department
1795 determines that the child's safety or well-being is threatened;
1796 or that such visitation is not in the child's best interest. The
1797 department shall immediately notify the court if it ceases
1798 visitation between the child and former parent.

1799 (5) The court may reinstate parental rights upon a finding
1800 of clear and convincing evidence that it is in the best interest
1801 of the child. Upon ordering reinstatement of parental rights,
1802 the court shall place the child in the custody of the former
1803 parent with an in-home safety plan. The court shall retain
1804 jurisdiction for at least 6 months, during which the department
1805 shall supervise the placement and report to the court on the
1806 stability of the placement. The court shall determine whether
1807 its jurisdiction should be continued or terminated 6 months
1808 after reinstating parental rights based on a report from the

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1809 department or the child's guardian ad litem and any other
1810 relevant factors.

1811 Section 16. Subsections (3), (5), and (7) of section
1812 409.1451, Florida Statutes, are amended, and subsections (1),
1813 (2), (4), (6), and (8) through (11) of that section are
1814 reenacted, to read:

1815 409.1451 The Road-to-Independence Program.—

1816 (1) LEGISLATIVE FINDINGS AND INTENT.—

1817 (a) The Legislature recognizes that most children and
1818 young adults are resilient and, with adequate support, can
1819 expect to be successful as independent adults. Not unlike many
1820 young adults, some young adults who have lived in foster care
1821 need additional support and resources for a period of time after
1822 reaching 18 years of age.

1823 (b) The Legislature finds that while it is important to
1824 provide young adults who have lived in foster care with
1825 education and independent living skills, there is also a need to
1826 focus more broadly on creating and preserving family
1827 relationships so that young adults have a permanent connection
1828 with at least one committed adult who provides a safe and stable
1829 parenting relationship.

1830 (c) It is the intent of the Legislature that young adults
1831 who choose to participate in the program receive the skills,
1832 education, and support necessary to become self-sufficient and
1833 leave foster care with a lifelong connection to a supportive

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1834 adult through the Road-to-Independence Program, either through
1835 postsecondary education services and support, as provided in
1836 subsection (2), or aftercare services.

1837 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

1838 (a) A young adult is eligible for services and support
1839 under this subsection if he or she:

1840 1. Was living in licensed care on his or her 18th birthday
1841 or is currently living in licensed care; or was at least 16
1842 years of age and was adopted from foster care or placed with a
1843 court-approved dependency guardian after spending at least 6
1844 months in licensed care within the 12 months immediately
1845 preceding such placement or adoption;

1846 2. Spent at least 6 months in licensed care before
1847 reaching his or her 18th birthday;

1848 3. Earned a standard high school diploma pursuant to s.
1849 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent
1850 pursuant to s. 1003.435;

1851 4. Has been admitted for enrollment as a full-time student
1852 or its equivalent in an eligible postsecondary educational
1853 institution as provided in s. 1009.533. For purposes of this
1854 section, the term "full-time" means 9 credit hours or the
1855 vocational school equivalent. A student may enroll part-time if
1856 he or she has a recognized disability or is faced with another
1857 challenge or circumstance that would prevent full-time
1858 attendance. A student needing to enroll part-time for any reason

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1859 other than having a recognized disability must get approval from
1860 his or her academic advisor;

1861 5. Has reached 18 years of age but is not yet 23 years of
1862 age;

1863 6. Has applied, with assistance from the young adult's
1864 caregiver and the community-based lead agency, for any other
1865 grants and scholarships for which he or she may qualify;

1866 7. Submitted a Free Application for Federal Student Aid
1867 which is complete and error free; and

1868 8. Signed an agreement to allow the department and the
1869 community-based care lead agency access to school records.

1870 (b) The amount of the financial assistance shall be as
1871 follows:

1872 1. For a young adult who does not remain in foster care
1873 and is attending a postsecondary school as provided in s.
1874 1009.533, the amount is \$1,256 monthly.

1875 2. For a young adult who remains in foster care, is
1876 attending a postsecondary school, as provided in s. 1009.533,
1877 and continues to reside in a licensed foster home, the amount is
1878 the established room and board rate for foster parents. This
1879 takes the place of the payment provided for in s. 409.145(3).

1880 3. For a young adult who remains in foster care, but
1881 temporarily resides away from a licensed foster home for
1882 purposes of attending a postsecondary school as provided in s.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1883 1009.533, the amount is \$1,256 monthly. This takes the place of
1884 the payment provided for in s. 409.145(3).

1885 4. For a young adult who remains in foster care, is
1886 attending a postsecondary school as provided in s. 1009.533, and
1887 continues to reside in a licensed group home, the amount is
1888 negotiated between the community-based care lead agency and the
1889 licensed group home provider.

1890 5. For a young adult who remains in foster care, but
1891 temporarily resides away from a licensed group home for purposes
1892 of attending a postsecondary school as provided in s. 1009.533,
1893 the amount is \$1,256 monthly. This takes the place of a
1894 negotiated room and board rate.

1895 6. A young adult is eligible to receive financial
1896 assistance during the months when he or she is enrolled in a
1897 postsecondary educational institution.

1898 (c) Payment of financial assistance for a young adult who:

1899 1. Has chosen not to remain in foster care and is
1900 attending a postsecondary school as provided in s. 1009.533,
1901 shall be made to the community-based care lead agency in order
1902 to secure housing and utilities, with the balance being paid
1903 directly to the young adult until such time the lead agency and
1904 the young adult determine that the young adult can successfully
1905 manage the full amount of the assistance.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1906 2. Has remained in foster care under s. 39.6251 and who is
1907 attending postsecondary school as provided in s. 1009.533, shall
1908 be made directly to the foster parent or group home provider.

1909 3. Community-based care lead agencies or other contracted
1910 providers are prohibited from charging a fee associated with
1911 administering the Road-to-Independence payments.

1912 (d)1. The department must advertise the availability of
1913 the stipend and must provide notification of the criteria and
1914 application procedures for the stipend to children and young
1915 adults leaving, or who were formerly in, foster care;
1916 caregivers; case managers; guidance and family services
1917 counselors; principals or other relevant school administrators;
1918 and guardians ad litem.

1919 2. If the award recipient transfers from one eligible
1920 institution to another and continues to meet eligibility
1921 requirements, the award shall be transferred with the recipient.

1922 3. The department, or an agency under contract with the
1923 department, shall evaluate each Road-to-Independence award for
1924 renewal eligibility on an annual basis. In order to be eligible
1925 for a renewal award for the subsequent year, the young adult
1926 must:

1927 a. Be enrolled for or have completed the number of hours,
1928 or the equivalent, to be considered a full-time student under
1929 subparagraph (a)4., unless the young adult qualifies for an
1930 exception under subparagraph (a)4.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1931 b. Maintain standards of academic progress as defined by
1932 the education institution, except that if the young adult's
1933 progress is insufficient to renew the award at any time during
1934 the eligibility period, the young adult may continue to be
1935 enrolled for additional terms while attempting to restore
1936 eligibility as long as progress towards the required level is
1937 maintained.

1938 4. Funds may be terminated during the interim between an
1939 award and the evaluation for a renewal award if the department,
1940 or an agency under contract with the department, determines that
1941 the award recipient is no longer enrolled in an educational
1942 institution as described in subparagraph (a)4. or is no longer a
1943 resident of this state.

1944 5. The department, or an agency under contract with the
1945 department, shall notify a recipient who is terminated and
1946 inform the recipient of his or her right to appeal.

1947 6. An award recipient who does not qualify for a renewal
1948 award or who chooses not to renew the award may apply for
1949 reinstatement. An application for reinstatement must be made
1950 before the young adult reaches 23 years of age. In order to be
1951 eligible for reinstatement, the young adult must meet the
1952 eligibility criteria and the criteria for award renewal for the
1953 program.

1954 (3) AFTERCARE SERVICES.—

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1955 (a) 1. Aftercare services are available to a young adult
1956 who has reached 18 years of age but is not yet 23 years of age
1957 and is:

1958 ~~a.1.~~ Not in foster care.

1959 ~~b.2.~~ Temporarily not receiving financial assistance under
1960 subsection (2) to pursue postsecondary education.

1961 2. Subject to available funding, aftercare services as
1962 specified in subparagraph (b)8. are also available to a young
1963 adult who is between the ages of 18 and 22, is receiving
1964 financial assistance under subsection (2), is experiencing an
1965 emergency situation, and whose resources are insufficient to
1966 meet the emergency situation. Such assistance shall be in
1967 addition to any amount specified in paragraph (2) (b).

1968 (b) Aftercare services include, but are not limited to,
1969 the following:

- 1970 1. Mentoring and tutoring.
- 1971 2. Mental health services and substance abuse counseling.
- 1972 3. Life skills classes, including credit management and
1973 preventive health activities.
- 1974 4. Parenting classes.
- 1975 5. Job and career skills training.
- 1976 6. Counselor consultations.
- 1977 7. Temporary financial assistance for necessities,
1978 including, but not limited to, education supplies,
1979 transportation expenses, security deposits for rent and

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

1980 utilities, furnishings, household goods, and other basic living
1981 expenses.

1982 8. Temporary financial assistance to address emergency
1983 situations, including, but not limited to, automobile repairs or
1984 large medical expenses.

1985 ~~9.8.~~ Financial literacy skills training under ~~pursuant to~~
1986 s. 39.6035(1)(c).

1987
1988 The specific services to be provided under this paragraph shall
1989 be determined by an assessment of the young adult and may be
1990 provided by the community-based care provider or through
1991 referrals in the community.

1992 (c) Temporary assistance provided to prevent homelessness
1993 shall be provided as expeditiously as possible and within the
1994 limitations defined by the department.

1995 (4) APPEALS PROCESS.—

1996 (a) The department shall have a procedure by which a young
1997 adult may appeal the department's refusal to provide Road-to-
1998 Independence Program services or support, or the termination of
1999 such services or support if funds for such services or support
2000 are available.

2001 (b) The appeal procedure must be readily accessible to
2002 young adults, must provide for timely decisions, and must
2003 provide for an appeal to the department. The decision of the

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2004 department constitutes final agency action and is reviewable by
2005 the court as provided in s. 120.68.

2006 (5) DEPARTMENT RESPONSIBILITIES PORTABILITY.—

2007 (a) The services provided under this section are portable
2008 across county lines and between community-based care lead
2009 agencies.

2010 ~~1.(a)~~ The service needs that are identified in the
2011 original or updated transition plan under, ~~pursuant to~~ s.
2012 39.6035 must, ~~shall~~ be provided by the lead agency where the
2013 young adult is currently residing but shall be funded by the
2014 lead agency that ~~who~~ initiated the transition plan.

2015 ~~2.(b)~~ The lead agency with primary case management
2016 responsibilities shall provide maintenance payments, case
2017 planning, including a written description of all services that
2018 will assist a child 16 years of age or older in preparing for
2019 the transition from care to independence, as well as regular
2020 case reviews that conform with all federal scheduling and
2021 content requirements, for all children in foster care who are
2022 placed or visiting out-of-state.

2023 (b) Each community-based care lead agency shall at least
2024 annually attempt to contact each young adult who has aged out of
2025 foster care, who is potentially eligible for continuing care
2026 under s. 39.6251 or for the services available under this
2027 section, and who is not participating in any of these services.
2028 Through this contact, the lead agency shall communicate the

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2029 continued availability of these programs and the services of the
2030 Office of Continuing Care established under s. 414.56. The lead
2031 agency shall also inquire into the young adult's needs and refer
2032 him or her to other programs that may be of assistance.

2033 (c) Each community-based care lead agency must offer
2034 services for intensive independent living development for young
2035 adults who have aged out of foster care and have the greatest
2036 deficits in life skills.

2037 (6) ACCOUNTABILITY.—The department shall develop outcome
2038 measures for the program and other performance measures in order
2039 to maintain oversight of the program. No later than January 31
2040 of each year, the department shall prepare a report on the
2041 outcome measures and the department's oversight activities and
2042 submit the report to the President of the Senate, the Speaker of
2043 the House of Representatives, and the committees with
2044 jurisdiction over issues relating to children and families in
2045 the Senate and the House of Representatives. The report must
2046 include:

2047 (a) An analysis of performance on the outcome measures
2048 developed under this section reported for each community-based
2049 care lead agency and compared with the performance of the
2050 department on the same measures.

2051 (b) A description of the department's oversight of the
2052 program, including, by lead agency, any programmatic or fiscal

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2053 deficiencies found, corrective actions required, and current
2054 status of compliance.

2055 (c) Any rules adopted or proposed under this section since
2056 the last report. For the purposes of the first report, any rules
2057 adopted or proposed under this section must be included.

2058 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
2059 secretary shall establish the Independent Living Services
2060 Advisory Council for the purpose of reviewing and making
2061 recommendations concerning the implementation and operation of
2062 ~~the provisions of s. 39.6251 and the Road-to-Independence~~
2063 ~~Program. The advisory council shall function as specified in~~
2064 ~~this subsection until the Legislature determines that the~~
2065 ~~advisory council can no longer provide a valuable contribution~~
2066 ~~to the department's efforts to achieve the goals of the services~~
2067 ~~designed to enable a young adult to live independently.~~

2068 (a) The advisory council shall assess the implementation
2069 and operation of the Road-to-Independence Program and advise the
2070 department on actions that would improve the ability of the
2071 ~~these~~ Road-to-Independence Program services to meet the
2072 established goals. The advisory council shall keep the
2073 department informed of problems being experienced with the
2074 services, barriers to the effective and efficient integration of
2075 services and support across systems, and successes that the
2076 system of services has achieved. The department shall consider,

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2077 but is not required to implement, the recommendations of the
2078 advisory council.

2079 (b)1. The advisory council shall report to the secretary
2080 on the status of the implementation of the Road-to-Independence
2081 Program, efforts to publicize the availability of the Road-to-
2082 Independence Program, the success of the services under the
2083 program, problems identified with the program, and
2084 recommendations for department or legislative action,~~and the~~
2085 ~~department's implementation of the recommendations contained in~~
2086 ~~the Independent Living Services Integration Workgroup Report~~
2087 ~~submitted to the appropriate substantive committees of the~~
2088 ~~Legislature by December 31, 2013.~~

2089 2. The department shall submit a report by December 31 of
2090 each year to the Governor, the President of the Senate, and the
2091 Speaker of the House of Representatives which includes ~~a summary~~
2092 ~~of the factors reported on by the council and identifies the~~
2093 recommendations of the advisory council and the department's
2094 response either describes the department's actions to implement
2095 ~~the recommendations or provides the department's rationale for~~
2096 ~~not implementing the recommendations.~~ The report must also
2097 include the most recent data regarding the status of and
2098 outcomes for young adults who turned 18 years of age while in
2099 foster care, relating to education, employment, housing,
2100 financial, transportation, health and well-being, and
2101 connections, and an analysis of such data and outcomes.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2102 (c) Members of the advisory council shall be appointed by
2103 the secretary of the department. The membership of the advisory
2104 council must include, at a minimum, young adults who receive
2105 services and funding through the Road-to-Independence Program,
2106 representatives from the headquarters and regional offices of
2107 the department ~~of Children and Families~~, community-based care
2108 lead agencies, the Department of Juvenile Justice, the
2109 Department of Economic Opportunity, the Department of Education,
2110 the Agency for Health Care Administration, the State Youth
2111 Advisory Board, CareerSource Florida, Inc., the Statewide
2112 Guardian Ad Litem Office, foster parents, ~~recipients of services~~
2113 ~~and funding through the Road-to-Independence Program,~~ and
2114 advocates for children in care. The secretary shall determine
2115 the length of the term to be served by each member appointed to
2116 the advisory council, which may not exceed 4 years.

2117 (d) The advisory council may consult with children
2118 currently in care and young adults who aged out of care
2119 regarding their needs, preferences, and concerns related to
2120 preparation for, transition to, and support during independent
2121 living.

2122 (e)~~(d)~~ The department shall provide administrative support
2123 to the ~~Independent Living Services~~ advisory council to
2124 accomplish its assigned tasks. The advisory council shall be
2125 afforded access to all appropriate data from the department,
2126 each community-based care lead agency, and other relevant

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2127 agencies in order to accomplish the tasks set forth in this
2128 section. The data collected may not include any information that
2129 would identify a specific child or young adult.

2130 ~~(c) The advisory council report required under paragraph~~
2131 ~~(b) must include an analysis of the system of independent living~~
2132 ~~transition services for young adults who reach 18 years of age~~
2133 ~~while in foster care before completing high school or its~~
2134 ~~equivalent and recommendations for department or legislative~~
2135 ~~action. The council shall assess and report on the most~~
2136 ~~effective method of assisting these young adults to complete~~
2137 ~~high school or its equivalent by examining the practices of~~
2138 ~~other states.~~

2139 (8) PERSONAL PROPERTY.—Property acquired on behalf of a
2140 young adult in this program shall become the personal property
2141 of the young adult and is not subject to the requirements of
2142 chapter 273 relating to state-owned tangible personal property.
2143 Such property continues to be subject to applicable federal
2144 laws.

2145 (9) FINANCIAL ASSISTANCE FOR YOUNG ADULTS RECEIVING
2146 SERVICES.—Financial awards to young adults receiving services
2147 under subsections (2) and (3) and s. 39.6251 may be disregarded
2148 for purposes of determining the eligibility for, or the amount
2149 of, any other federal or federally supported assistance for
2150 which the department is required to determine eligibility for
2151 the program.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2152 (10) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN
2153 CARE.—The department or community-based care lead agency shall
2154 document that eligible young adults are enrolled in Medicaid
2155 under s. 409.903(4).

2156 (11) RULEMAKING.—The department shall adopt rules to
2157 administer this section.

2158 Section 17. Section 409.14515, Florida Statutes, is
2159 created to read:

2160 409.14515 Independent living preparation.—The department
2161 shall assist children who are in foster care in making the
2162 transition to independent living and self-sufficiency as adults.
2163 To support opportunities for participation in age-appropriate
2164 life skills activities, the department shall:

2165 (1) Identify important life skills that children in out-
2166 of-home care should acquire.

2167 (2) Develop a list of age-appropriate activities and
2168 responsibilities useful for the development of specific life
2169 skills for use by children and their caregivers. The age-
2170 appropriate activities must address specific topics tailored to
2171 the needs of each child's developmental stage. For older youth,
2172 the list of age-appropriate activities must include, but is not
2173 limited to, informing the youth of available independent living
2174 services and community resources and how to apply for such
2175 services.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2176 (3) Design and disseminate training for caregivers related
2177 to building needed life skills. The training must include
2178 components that address the challenges of children in foster
2179 care in transitioning to adulthood and information on programs
2180 for children who are aging out of care under ss. 414.56 and
2181 409.1451, high school completion, applications for financial
2182 assistance for higher education, vocational school
2183 opportunities, supporting education, and employment
2184 opportunities.

2185 (4) Beginning after the child's 13th birthday, regularly
2186 assess the degree of life skills acquisition by each child. The
2187 department shall share the results of the assessments with the
2188 caregiver and support the caregiver in creating, implementing,
2189 monitoring, and revising plans as necessary to address the
2190 child's life skills deficits, if any.

2191 (5) Provide opportunities for children in foster care to
2192 interact with qualified, trained mentors who are committed to
2193 engaging reliably with the child long-term.

2194 (6) Develop and implement procedures for children of
2195 sufficient age and understanding to directly access and manage
2196 the personal allowance they receive from the department.

2197 Section 18. Subsection (4) of section 409.1454, Florida
2198 Statutes, is amended to read:

2199 409.1454 Motor vehicle insurance and driver licenses for
2200 children in care.-

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2201 (4) Payment shall be made to eligible recipients in the
2202 order of eligibility until available funds are exhausted. If a
2203 child determined to be eligible reaches permanency status or
2204 turns 18 years of age, the program may pay for that child to
2205 complete a driver education program and obtain a driver license
2206 for up to 6 months after the date the child reaches permanency
2207 status or 6 months after the date the child turns 18 years of
2208 age. A child continuing in care under s. 39.6251, or who was in
2209 licensed care when the child reached 18 years of age and is
2210 currently receiving postsecondary education services and support
2211 under s. 409.1451(2), may be eligible to have the costs of
2212 licensure and costs incidental to licensure paid if the child
2213 demonstrates that such costs are creating barriers for obtaining
2214 employment or completing educational goals.

2215 Section 19. Paragraph (a) of subsection (1) of section
2216 409.988, Florida Statutes, is amended to read:

2217 409.988 Community-based care lead agency duties; general
2218 provisions.-

2219 (1) DUTIES.-A lead agency:

2220 (a)1. Shall serve:

2221 a. All children referred as a result of a report of abuse,
2222 neglect, or abandonment to the department's central abuse
2223 hotline, including, but not limited to, children who are the
2224 subject of verified reports and children who are not the subject
2225 of verified reports but who are at moderate to extremely high

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2226 risk of abuse, neglect, or abandonment, as determined using the
2227 department's risk assessment instrument, regardless of the level
2228 of funding allocated to the lead agency by the state if all
2229 related funding is transferred.

2230 b. Children who were adopted from the child welfare system
2231 and whose families require post-adoption supports.

2232 2. ~~The lead agency~~ May also serve children who have not
2233 been the subject of reports of abuse, neglect, or abandonment,
2234 but who are at risk of abuse, neglect, or abandonment, to
2235 prevent their entry into the child protection and child welfare
2236 system.

2237 Section 20. Section 414.56, Florida Statutes, is created
2238 to read:

2239 414.56 Office of Continuing Care.—The department shall
2240 establish an Office of Continuing Care to ensure young adults
2241 who age out of the foster care system between 18 and 21 years of
2242 age, or 22 years of age with a documented disability, have a
2243 point of contact until the young adult reaches the age of 26 in
2244 order to receive ongoing support and care coordination needed to
2245 achieve self-sufficiency. Duties of the office include, but are
2246 not limited to:

2247 (1) Informing young adults who age out of the foster care
2248 system of the purpose of the office, the types of support the
2249 office provides, and how to contact the office.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2250 (2) Serving as a direct contact to the young adult in
2251 order to provide information on how to access services to
2252 support the young adult's self-sufficiency, including, but not
2253 limited to, food assistance, behavioral health services,
2254 housing, Medicaid, and educational services.

2255 (3) Assisting in accessing services and supports for the
2256 young adult to attain self-sufficiency, including, but not
2257 limited to, completing documentation required to apply for
2258 services.

2259 (4) Collaborating with community-based care lead agencies
2260 to identify local resources that can provide support to young
2261 adults served by the office and to assist young adults in
2262 accessing these supports.

2263 Section 21. The Florida Institute for Child Welfare
2264 established under s. 1004.615 shall:

2265 (1) (a) Evaluate the effectiveness of the state's efforts
2266 to assist youth in foster care in developing life skills to
2267 become self-sufficient adults. The Florida Institute for Child
2268 Welfare shall consult with the Institute for Food and
2269 Agricultural Services Extension Program at the University of
2270 Florida in conducting its evaluation.

2271 (b) The evaluation shall, at a minimum:

2272 1. Describe current requirements for caregivers to assist
2273 youth in acquiring life skills, the information and available

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2274 supports provided to caregivers for doing so, and the actual
2275 level of engagement in these efforts by caregivers.

2276 2. Specify methods and measures used to determine if youth
2277 have acquired or developed adequate life skills and how that
2278 information is used to support life skills development for
2279 individual youth.

2280 3. Describe outcomes on a statewide basis, as well as by
2281 individual community-based care lead agency, and describe how
2282 this information is currently being used to improve performance.

2283 4. Identify best practices for helping youth in foster
2284 care develop life skills and compare the state's current
2285 approach to the best practices.

2286 5. Specify any barriers that may prevent youth from
2287 becoming self-sufficient.

2288 6. Evaluate whether the state's current approach to
2289 helping youth in foster care develop life skills is adequate,
2290 and recommend any changes to enhance the effectiveness of the
2291 state's approach to prepare youth for self-sufficiency. Any
2292 recommendations must prioritize maintaining the state's current
2293 approach of primarily relying on caregivers to assist youth in
2294 developing life skills, and recommend that such efforts be part
2295 of everyday life experiences to the extent possible. However,
2296 such recommendations may also include additional options for
2297 achieving the goal of effectively preparing youth for self-
2298 sufficiency.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2299 7. Include the input of youth who are currently in foster
2300 care and youth who were previously in foster care. The Florida
2301 Institute for Child Welfare shall attempt to interview youth who
2302 are currently in foster care and youth who were previously in
2303 foster care on their experiences with the state's approach to
2304 preparing them for adulthood, whether the life skills provided
2305 were age appropriate or helpful, and what recommendations they
2306 have to improve the state's approach in preparing youth in
2307 foster care for adulthood.

2308 (c) The Florida Institute for Child Welfare shall submit
2309 its evaluation by November 1, 2022, to the Governor, the
2310 President of the Senate, and the Speaker of the House of
2311 Representatives.

2312 (2) (a) Analyze permanency outcomes in the state. The
2313 analysis shall include, at a minimum, all of the following:

2314 1. The frequency of permanency outcomes, both long-term
2315 and within 2 years of entering foster care, and the differences
2316 observed when data are disaggregated by the child's age at entry
2317 into foster care.

2318 2. The length of time before parental rights are
2319 terminated, disaggregated by the child's age at entry into
2320 foster care.

2321 3. The frequency of permanency outcomes for children whose
2322 parents have had their parental rights terminated, the length of
2323 time before permanency is achieved, and the differences in the

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Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2324 type of permanency and length of time it took to achieve
2325 permanency, disaggregated by age of the child when parental
2326 rights were terminated.

2327 4. The patterns, indicated by the analysis, regarding the
2328 length of time it took to achieve permanency, the types of
2329 permanency outcomes experienced by children entering foster care
2330 at different ages, and how the types of permanency vary based on
2331 the status of the rights of the parents' of the children.

2332 (b) The Florida Institute for Child Welfare shall submit
2333 its report by October 1, 2022, to the Governor, the President of
2334 the Senate, and the Speaker of the House of Representatives.

2335 Section 22. This act shall take effect October 1, 2021.

2336
2337
2338 -----

2339 **T I T L E A M E N D M E N T**

2340 Remove everything before the enacting clause and insert:

2341 A bill to be entitled

2342 An act relating to child welfare; creating s.

2343 39.00146, F.S.; defining terms; requiring the case

2344 record of every child under the supervision or in the

2345 custody of the Department of Children and Families,

2346 the department's agents, or providers contracting with

2347 the department to include a case record face sheet;

2348 specifying information required to be included in the

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2349 case record face sheet; requiring the department, the
2350 department's agents, and providers contracting with
2351 the department to update the case record face sheet
2352 monthly; providing requirements for the case record
2353 face sheet; authorizing the department to develop, or
2354 contract with a third party to develop, a case record
2355 face sheet; requiring community-based care lead
2356 agencies to use such face sheets; requiring the
2357 department to adopt rules; creating s. 39.01375, F.S.;
2358 providing best interest factors that certain entities
2359 must consider when determining a proposed placement
2360 for a child; amending s. 39.401, F.S.; requiring the
2361 department to determine out-of-home placement based on
2362 priority of placements and other factors; amending s.
2363 39.402, F.S.; requiring the department to make
2364 reasonable efforts to place a child in out-of-home
2365 care based on priority of placements; providing
2366 exceptions and other criteria; creating s. 39.4021,
2367 F.S.; providing legislative findings; establishing
2368 certain placement priorities for out-of-home
2369 placements; requiring the department or lead agency to
2370 place sibling groups together when possible if in the
2371 best interest of each child after considering
2372 specified factors; providing an exception; providing
2373 construction; creating s. 39.4022, F.S.; providing

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2374 legislative intent; defining terms; requiring that
2375 multidisciplinary teams be established for certain
2376 purposes; providing goals for such teams; providing
2377 for membership of multidisciplinary team staffings;
2378 authorizing the department or lead agency to invite
2379 other participants to attend a team staffing under
2380 certain circumstances; authorizing members of a
2381 multidisciplinary team to attend staffings in person
2382 or remotely; providing requirements for
2383 multidisciplinary team staffings; requiring that team
2384 staffings be held when specified decisions regarding a
2385 child must be made; providing applicability; requiring
2386 team staffing participants to gather and consider data
2387 and information on the child before formulating a
2388 decision; providing for the use of an evidence-based
2389 assessment instrument or tool; requiring
2390 multidisciplinary teams to conduct supplemental
2391 assessments for certain children; requiring team
2392 participants to gather certain information related to
2393 the child for such supplemental assessments; requiring
2394 that a unanimous consensus decision reached by the
2395 team becomes the official position and that specified
2396 parties are bound by such consensus decision;
2397 providing procedures for when the team does not reach
2398 a consensus decision; requiring that the department

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2399 determine a suitable placement if the team cannot come
2400 to a consensus decision; requiring the formation of a
2401 team within specified timeframes; requiring the
2402 facilitator to file a report with the court within a
2403 specified timeframe if the team does not reach a
2404 consensus decision; providing requirements for the
2405 report; authorizing specified parties to discuss
2406 confidential information during a team staffing in the
2407 presence of participating individuals; providing that
2408 information collected by any agency or entity that
2409 participates in a staffing which is confidential and
2410 exempt upon collection remains confidential and exempt
2411 when discussed in staffings; requiring individuals who
2412 participate in a staffing to maintain the
2413 confidentiality of all information shared; providing
2414 construction; requiring the department to adopt rules;
2415 requiring the department to contract for the
2416 development of model placement transition plans;
2417 providing requirements for such plans; requiring model
2418 placement transition plans to be provided to certain
2419 staff, and authorizing such plans to be provided to
2420 other persons; creating s. 39.4023, F.S.; providing
2421 legislative findings and intent; defining terms;
2422 providing for the creation of transition plans for
2423 specified changes in placement; providing conditions

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2424 under which a child may be removed from a caregiver's
2425 home; requiring community-based care lead agencies to
2426 provide services to prevent a change in placement;
2427 requiring the department and a community-based care
2428 lead agency to convene a multidisciplinary team
2429 staffing to develop a transition plan under certain
2430 circumstances; requiring the department or community-
2431 based care lead agency to provide written notice of a
2432 planned placement change; providing requirements for
2433 the notice; providing applicability; requiring
2434 additional considerations for placement changes for
2435 infants and young children; providing findings;
2436 requiring the department or community-based care lead
2437 agency to create and implement individualized
2438 transition plans; requiring determinations of school
2439 changes to be made by certain individuals; authorizing
2440 a multidisciplinary team member to contact certain
2441 individuals for recommendations relating to school
2442 changes; authorizing certain individuals to attend
2443 multidisciplinary team staffings remotely; specifying
2444 factors that must be considered when determining
2445 whether a child should remain in a certain school;
2446 requiring children who enter out-of-home care or
2447 undergo changes in placement to remain with familiar
2448 child care providers or early education programs, if

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2449 possible; providing requirements for transition plans
2450 for transitions between K-12 schools; requiring the
2451 department, in collaboration with the Quality
2452 Parenting Initiative, to develop a form for a
2453 specified purpose; specifying requirements for the
2454 form; requiring the department and community-based
2455 care lead agencies to document multidisciplinary team
2456 staffings and placement transition decisions in the
2457 Florida Safe Families Network and include such
2458 information in the social study report for judicial
2459 review; providing an exemption; requiring the
2460 department to adopt rules; creating s. 39.4024, F.S.;
2461 providing legislative findings; defining terms;
2462 requiring the department or lead agency to make
2463 reasonable efforts to place siblings in the same
2464 foster, kinship, adoptive, or guardianship home when
2465 certain conditions are met; requiring the department
2466 or lead agency and multidisciplinary team to take
2467 certain actions when siblings are not placed together;
2468 specifying that the department and court are not
2469 required to make a placement or change in placement to
2470 develop certain sibling relationships; requiring the
2471 department or the lead agency to convene a
2472 multidisciplinary team staffing to determine and
2473 assess sibling relationships when a child is removed

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2474 from a home; providing for the placement of sibling
2475 groups in certain circumstances; specifying factors
2476 for the multidisciplinary team to consider when
2477 determining placement or change of placement for
2478 children in sibling groups who do not have an existing
2479 relationship with siblings; requiring that a child's
2480 transition to a new home be carried out gradually when
2481 it is determined that the child would benefit from
2482 being placed with siblings; requiring the department,
2483 in collaboration with the Quality Parenting
2484 Initiative, to develop standard protocols for the
2485 department and lead agency for use in making specified
2486 decisions about child placement; providing
2487 considerations for maintaining contact between
2488 siblings when separated; providing duties for
2489 caregivers; prohibiting the court from limiting or
2490 restricting communication or visitation between
2491 siblings unless it finds that such communication or
2492 visitation is contrary to the safety or well-being of
2493 the child; requiring the department or community-based
2494 case lead agency to provide certain services if the
2495 court makes such a finding; requiring the department
2496 and community-based care lead agencies to periodically
2497 reassess certain sibling placements in certain
2498 instances; requiring the department to provide certain

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2499 services to prevent disruption in a placement when a
2500 child does not adjust to such placement; requiring
2501 that a multidisciplinary team staffing is convened
2502 when one child does not adjust to placement as a
2503 sibling group under certain conditions; requiring the
2504 team to review such placement and choose a plan least
2505 detrimental to each child; requiring that a
2506 multidisciplinary team be convened in certain
2507 circumstances where the department or child
2508 subsequently identifies a sibling; requiring the
2509 department to provide children with specified
2510 information relating to their siblings; requiring the
2511 department to make reasonable efforts to ascertain
2512 such information if it is not known; providing that a
2513 child has a right to continued communication with a
2514 sibling under certain circumstances; requiring a court
2515 to consider certain recommendations when determining
2516 the appropriateness of continued communication;
2517 requiring the department and lead agencies to document
2518 in writing decisions to separate siblings in case
2519 files and the Florida Safe Families Network;
2520 specifying requirements for such documentation;
2521 providing an exemption; requiring the department to
2522 adopt rules; amending s. 39.522, F.S.; deleting and
2523 relocating criteria for the court to consider when

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2524 determining whether a legal change of custody is in
2525 the best interest of the child; conforming a provision
2526 to changes made by the act; defining the term "change
2527 in physical custody"; providing a rebuttable
2528 presumption that the best interest of a child is to
2529 remain in a current placement; providing applicability
2530 for such presumption; establishing the manner in which
2531 to rebut the presumption; requiring the department or
2532 lead agency to notify certain caregivers within a
2533 specified timeframe of the intent to change the
2534 physical custody of a child; requiring that a
2535 multidisciplinary team staffing be held within a
2536 specified timeframe before the intended date for the
2537 child's change in physical custody; requiring that the
2538 department's official position be provided to the
2539 parties under certain circumstances; requiring the
2540 caregiver to provide written notice of objection to
2541 such change in physical custody within a specified
2542 timeframe; requiring the court to conduct an initial
2543 case status hearing within a specified timeframe upon
2544 receiving specified written notice from a caregiver;
2545 providing procedures for when a caregiver objects to
2546 the child's change in physical custody; requiring the
2547 court to conduct an initial case status hearing;
2548 requiring the court to conduct an evidentiary hearing;

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2549 requiring the department or lead agency to implement
2550 an appropriate transition plan if the court orders a
2551 change in physical custody of the child; amending s.
2552 39.523, F.S.; requiring the department or lead agency
2553 to coordinate a multidisciplinary team staffing for
2554 specified purposes; requiring, rather than
2555 authorizing, the department to create rules; amending
2556 s. 39.6035, F.S.; requiring a transition plan be
2557 developed during the year after a child turns 16 years
2558 of age and be updated as needed; amending s. 39.701,
2559 F.S.; requiring judicial review hearings within a
2560 specified time after a child's specified birthday;
2561 providing the child and other relevant parties the
2562 opportunity to address the court at each review
2563 hearing; requiring the department to provide a report
2564 with certain information; authorizing the court to
2565 review the child's status on a more frequent basis;
2566 amending s. 39.806, F.S.; conforming a cross-
2567 reference; creating s. 39.8155, F.S.; providing that
2568 parental rights may be reinstated under certain
2569 conditions; requiring dismissal of the motion to
2570 reinstate parental rights if certain criteria are not
2571 met; providing evidence that may be considered when
2572 determining a motion to reinstate parental rights;
2573 requiring supervised visitation and trial home visits

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2574 for a specified time after a completed home study;
2575 requiring the department to report to the court once a
2576 month; requiring visitation to cease under certain
2577 circumstances; requiring clear and convincing evidence
2578 that reinstatement of parental rights is in the
2579 child's best interest; requiring an in-home safety
2580 plan if parental rights are reinstated; requiring the
2581 court to determine whether to retain jurisdiction
2582 after a specified time; reenacting and amending s.
2583 409.1451, F.S.; providing that aftercare services are
2584 available to certain young adults in emergency
2585 situations; revising the services that are included in
2586 aftercare services; providing responsibilities of the
2587 department for the Road-to-Independence Program;
2588 providing requirements for community-based care lead
2589 agencies; removing Legislative determination relating
2590 to the Independent Living Services Advisory Council's
2591 ability to provide valuable contributions to the
2592 department; requiring certain information be reported
2593 to the Governor and the Legislature; revising
2594 membership of the council; authorizing the council to
2595 consult with certain youth; creating s. 409.14515,
2596 F.S.; providing requirements for the department to
2597 help children achieve self-sufficiency; amending s.
2598 409.1454, F.S.; providing that children receiving

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Amendment No.

2599 certain services and support may be eligible to have
2600 certain fees paid for them; amending s. 409.988, F.S.;
2601 requiring a community-based care lead agency to serve
2602 certain children; creating s. 414.56, F.S.; creating
2603 the Office of Continuing Care; providing duties of the
2604 office; providing requirements for the Florida
2605 Institute for Child Welfare; providing evaluation and
2606 analysis requirements; requiring the evaluation and
2607 analysis report be submitted to the Governor and
2608 Legislature by specified dates; providing an effective
2609 date.

595537

Approved For Filing: 4/27/2021 7:01:11 AM

Page 107 of 107