

Amendment No.

CHAMBER ACTION

Senate

House



1 Representative Altman offered the following:

2

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. The Division of Law Revision is directed to add
6 s. 39.101, Florida Statutes, as created by this act, to part II
7 of chapter 39, Florida Statutes.

8 Section 2. Section 39.101, Florida Statutes, is created to
9 read:

10 39.101 Central abuse hotline.—The central abuse hotline is
11 the first step in the safety assessment and investigation
12 process.

13 (1) ESTABLISHMENT AND OPERATION.—

14 (a) The department shall operate and maintain a central

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15 abuse hotline capable of receiving all reports of known or
16 suspected child abuse, abandonment, or neglect and reports that
17 a child is in need of supervision and care and has no parent,
18 legal custodian, or responsible adult relative immediately known
19 and available to provide such supervision and care. The hotline
20 must accept reports 24 hours a day, 7 days a week, and such
21 reports must be made in accordance with s. 39.201. The central
22 abuse hotline must be capable of accepting reports made in
23 accordance with s. 39.201 in writing, through a single statewide
24 toll-free telephone number, or through electronic reporting. A
25 person may use any of these methods to make a report to the
26 central abuse hotline.

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

29 1. Accept reports for investigation when there is
30 reasonable cause to suspect that a child has been or is being
31 abused or neglected or has been abandoned.

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

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

38 4. Track critical steps in the investigative process to
39 ensure compliance with all requirements for any report or case

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40 of abuse, abandonment, or neglect.

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

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

47 7. Initiate and enter into agreements with other states
48 for the purposes of gathering and sharing information contained
49 in reports on child maltreatment to further enhance programs for
50 the protection of children.

51 8. Promote public awareness of the central abuse hotline
52 through community-based partner organizations and public service
53 campaigns.

54 (2) TIMEFRAMES FOR INITIATING INVESTIGATION.—After the
55 central abuse hotline receives a report, the department must
56 determine the timeframe in which to initiate an investigation
57 under chapter 39. Except as provided in s. 39.302 relating to
58 institutional investigations, the department must commence an
59 investigation:

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

62 1. The immediate safety or well-being of a child is
63 endangered;

64 2. The family may flee or the child may be unavailable for

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65 purposes of conducting a child protective investigation; or

66 3. The facts reported to the central abuse hotline
67 otherwise so warrant.

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

70 (3) COLLECTION OF INFORMATION AND DATA.—The department
71 shall:

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

77 2. Make the recording or electronic copy of the report
78 made to the central abuse hotline a part of the record of the
79 report. Notwithstanding s. 39.202, the recording or electronic
80 copy may only be released in full to law enforcement agencies
81 and state attorneys for the purposes of investigating and
82 prosecuting criminal charges under s. 39.205, or to employees of
83 the department for the purposes of investigating and seeking
84 administrative fines under s. 39.206.

85
86 This paragraph does not prohibit central abuse hotline
87 counselors from using the recordings or the electronic copy of
88 reports for quality assurance or training purposes.

89 (b)1. Secure and install electronic equipment that

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90 automatically provides the central abuse hotline the telephone
91 number from which the call is placed or the Internet protocol
92 address from which the electronic report is received.

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

96 3. Maintain the confidentiality of such information in the
97 same manner as given to the identity of the reporter under s.
98 39.202.

99 (c)1. Update the online form used for reporting child
100 abuse, abandonment, or neglect to include qualifying questions
101 in order to obtain necessary information required to assess need
102 and the timeframes necessary for initiating an investigation
103 under subsection (2).

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

107 (d) Monitor and evaluate the effectiveness of the
108 reporting and investigating of suspected child abuse,
109 abandonment, or neglect through the development and analysis of
110 statistical and other information.

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

113 (f)1. Collect and analyze child-on-child sexual abuse
114 reports and include such information in the aggregate

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115 statistical reports.

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

119 a. School premises;

120 b. School transportation;

121 c. School-sponsored off-campus events;

122 d. A school readiness program provider determined to be
123 eligible under s. 1002.88;

124 e. A private prekindergarten provider or a public school
125 prekindergarten provider, as those terms are defined in s.
126 1002.51(7) and (8), respectively;

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

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

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

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

133 (4) USE OF INFORMATION RECEIVED BY THE CENTRAL ABUSE
134 HOTLINE.—

135 (a) Information received by the central abuse hotline may
136 not be used for employment screening, except as provided in s.
137 39.202(2)(a) and (h) or s. 402.302(15).

138 (b) Information in the central abuse hotline and the
139 department's automated abuse information system may be used by

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140 the department, its authorized agents or contract providers, the
141 Department of Health, or county agencies as part of the
142 licensure or registration process pursuant to ss. 402.301-
143 402.319 and ss. 409.175-409.176.

144 (c) Information in the central abuse hotline may also be
145 used by the Department of Education for purposes of educator
146 certification discipline and review pursuant to s. 39.202(2)(q).

147 (5) QUALITY ASSURANCE.—On an ongoing basis, the
148 department's quality assurance program shall review screened-out
149 reports involving three or more unaccepted reports on a single
150 child, when jurisdiction applies, in order to detect such things
151 as harassment and situations that warrant an investigation
152 because of the frequency of the reports or the variety of the
153 sources of the reports. A component of the quality assurance
154 program must analyze unaccepted reports to the central abuse
155 hotline by identified relatives as a part of the review of
156 screened-out reports. The Assistant Secretary for Child Welfare
157 may refer a case for investigation when it is determined, as a
158 result of such review, that an investigation may be warranted.

159 Section 3. Section 39.201, Florida Statutes, is amended to
160 read:

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

163 39.201 Required reports of child abuse, abandonment, or
164 neglect, sexual abuse of a child, and juvenile sexual abuse;

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165 required reports of death; reports involving a child who has
166 exhibited inappropriate sexual behavior.—

167 (1) MANDATORY REPORTING.—

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

173 a. Child abuse, abandonment, or neglect by a parent or
174 caregiver, which includes, but is not limited to, when a child
175 is abused, abandoned, or neglected by a parent, legal custodian,
176 caregiver, or other person responsible for the child's welfare
177 or when a child is in need of supervision and care and has no
178 parent, legal custodian, or responsible adult relative
179 immediately known and available to provide such supervision and
180 care.

181 b. Child abuse by an adult other than a parent, legal
182 custodian, caregiver, or other person responsible for the
183 child's welfare. The central abuse hotline must immediately
184 electronically transfer such reports to the appropriate county
185 sheriff's office.

186 2. Any person who knows, or has reasonable cause to
187 suspect, that a child is the victim of sexual abuse or juvenile
188 sexual abuse shall report such knowledge or suspicion to the
189 central abuse hotline, including if the alleged incident

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190 involves a child who is in the custody of or under the
191 protective supervision of the department.

192
193 Such reports may be made in writing, through the statewide toll-
194 free telephone number, or through electronic reporting.

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

198 2. A person making a report to the central abuse hotline
199 whose occupation is in any of the following categories is
200 required to provide his or her name to the central abuse hotline
201 counselors:

202 a. Physician, osteopathic physician, medical examiner,
203 chiropractic physician, nurse, or hospital personnel engaged in
204 the admission, examination, care, or treatment of persons;

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

207 c. Practitioner who relies solely on spiritual means for
208 healing;

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

210 e. Social worker, day care center worker, or other
211 professional child care worker, foster care worker, residential
212 worker, or institutional worker;

213 f. Law enforcement officer;

214 g. Judge; or

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215 h. Animal control officer as defined in s. 828.27(1)(b) or
216 agent appointed under s. 828.03.

217 (c) Central abuse hotline counselors shall advise persons
218 under subparagraph (b)2. who are making a report to the central
219 abuse hotline that, while their names must be entered into the
220 record of the report, the names of reporters are held
221 confidential and exempt as provided in s. 39.202. Such
222 counselors must receive periodic training in encouraging all
223 reporters to provide their names when making a report.

224 (2) EXCEPTIONS TO REPORTING.—

225 (a) An additional report of child abuse, abandonment, or
226 neglect is not required to be made by:

227 1. A professional who is hired by or who enters into a
228 contract with the department for the purpose of treating or
229 counseling a person as a result of a report of child abuse,
230 abandonment, or neglect if such person was the subject of the
231 referral for treatment or counseling.

232 2. An officer or employee of the judicial branch when the
233 child is currently being investigated by the department, when
234 there is an existing dependency case, or when the matter has
235 previously been reported to the department if there is
236 reasonable cause to believe that the information is already
237 known to the department. This subparagraph applies only when the
238 information related to the alleged child abuse, abandonment, or
239 neglect has been provided to such officer or employee in the

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240 course of carrying out his or her official duties.

241 3. An officer or employee of a law enforcement agency when
242 the incident under investigation by the law enforcement agency
243 was reported to law enforcement by the central abuse hotline
244 through the electronic transfer of the report or telephone call.
245 The department's central abuse hotline is not required to
246 electronically transfer calls or reports received under sub-
247 paragraph (1)(a)1.b. to the county sheriff's office if the
248 matter was initially reported to the department by the county
249 sheriff's office or by another law enforcement agency. This
250 subparagraph applies only when the information related to the
251 alleged child abuse, abandonment, or neglect has been provided
252 to the officer or employee of a law enforcement agency or
253 central abuse hotline counselor in the course of carrying out
254 his or her official duties.

255 (b) Nothing in this section or in the contract with
256 community-based care providers for foster care and related
257 services as specified in s. 409.987 may be construed to remove
258 or reduce the duty and responsibility of any person, including
259 any employee of the community-based care provider, to report a
260 known or suspected case of child abuse, abandonment, or neglect
261 to the department's central abuse hotline.

262 (3) ADDITIONAL CIRCUMSTANCES RELATED TO REPORTS.—

263 (a) Abuse occurring out of state.—

264 1. Except as provided in subparagraph 2., the central

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265 abuse hotline may not take a report or call of known or
266 suspected child abuse, abandonment, or neglect when the report
267 or call is related to abuse, abandonment, or neglect that
268 occurred out of state and the alleged perpetrator and alleged
269 victim do not live in this state. The central abuse hotline must
270 instead transfer the information in the report or call to the
271 appropriate state or country.

272 2. If the alleged victim is currently being evaluated in a
273 medical facility in this state, the central abuse hotline must
274 accept the report or call for investigation and must transfer
275 the information in the report or call to the appropriate state
276 or country.

277 (b) Reports received from emergency room physicians.—The
278 department must initiate an investigation when it receives a
279 report from an emergency room physician.

280 (c) Abuse involving impregnation of a child.—A report must
281 be immediately electronically transferred to the appropriate
282 county sheriff's office or other appropriate law enforcement
283 agency by the central abuse hotline if the report is of an
284 instance of known or suspected child abuse involving
285 impregnation of a child 15 years of age or younger by a person
286 21 years of age or older under s. 827.04(3). If the report is of
287 known or suspected child abuse under s. 827.04(3), subsection
288 (1) does not apply to health care professionals or other
289 professionals who provide medical or counseling services to

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290 pregnant children when such reporting would interfere with the
291 provision of such medical or counseling services.

292 (d) Institutional child abuse or neglect.—Reports
293 involving known or suspected institutional child abuse or
294 neglect must be made and received in the same manner as all
295 other reports made under this section.

296 (e) Surrendered newborn infants.—

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

299 2.a. A report may not be considered a report of child
300 abuse, abandonment, or neglect solely because the infant has
301 been left at a hospital, emergency medical services station, or
302 fire station under s. 383.50.

303 b. If the report involving a surrendered newborn infant
304 does not include indications of child abuse, abandonment, or
305 neglect other than that necessarily entailed in the infant
306 having been left at a hospital, emergency medical services
307 station, or fire station, the central abuse hotline must provide
308 to the person making the report the name of an eligible licensed
309 child-placing agency that is required to accept physical custody
310 of and to place surrendered newborn infants. The department
311 shall provide names of eligible licensed child-placing agencies
312 on a rotating basis.

313 3. If the report includes indications of child abuse,
314 abandonment, or neglect beyond that necessarily entailed in the

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315 infant having been left at a hospital, emergency medical
316 services station, or fire station, the report must be considered
317 as a report of child abuse, abandonment, or neglect and,
318 notwithstanding chapter 383, is subject to s. 39.395 and all
319 other relevant provisions of this chapter.

320 (4) REPORTS OF CHILD ABUSE, ABANDONMENT, OR NEGLECT BY A
321 PARENT, LEGAL CUSTODIAN, CAREGIVER, OR OTHER PERSON RESPONSIBLE
322 FOR A CHILD'S WELFARE.-

323 (a)1. Upon receiving a report made to the central abuse
324 hotline, the department shall determine if the received report
325 meets the statutory criteria for child abuse, abandonment, or
326 neglect.

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

330 (b)1. Any call received from a parent or legal custodian
331 seeking assistance for himself or herself which does not meet
332 the criteria for being a report of child abuse, abandonment, or
333 neglect may be accepted by the central abuse hotline for
334 response to ameliorate a potential future risk of harm to a
335 child.

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

339 (5) REPORTS OF SEXUAL ABUSE OF A CHILD OR JUVENILE SEXUAL

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340 ABUSE; REPORTS OF A CHILD WHO HAS EXHIBITED INAPPROPRIATE SEXUAL
341 BEHAVIOR.—

342 (a)1. Sexual abuse of a child or juvenile sexual abuse
343 must be reported immediately to the central abuse hotline,
344 including any alleged incident involving a child who is in the
345 custody of or under the protective supervision of the
346 department. Such reports may be made in writing, through the
347 statewide toll-free telephone number, or through electronic
348 reporting.

349 2. Within 48 hours after the central abuse hotline
350 receives a report under subparagraph 1., the department shall
351 conduct an assessment, assist the family in receiving
352 appropriate services under s. 39.307, and send a written report
353 of the allegation to the appropriate county sheriff's office.

354 (b) Reports involving a child who has exhibited
355 inappropriate sexual behavior must be made and received by the
356 central abuse hotline. Within 48 hours after receiving a report
357 under this paragraph, the department shall conduct an
358 assessment, assist the family in receiving appropriate services
359 under s. 39.307, and send a written report of the allegation to
360 the appropriate county sheriff's office.

361 (c) The services identified in the assessment conducted
362 under paragraph (a) or paragraph (b) must be provided in the
363 least restrictive environment possible and must include, but are
364 not limited to, child advocacy center services under s. 39.3035

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365 and sexual abuse treatment programs developed and coordinated by
366 the Children's Medical Services Program in the Department of
367 Health under s. 39.303.

368 (d) The department shall ensure that the facts and results
369 of any investigation of sexual abuse of a child or juvenile
370 sexual abuse involving a child in the custody of or under the
371 protective supervision of the department are made known to the
372 court at the next hearing and are included in the next report to
373 the court concerning the child.

374 (e)1. In addition to conducting an assessment and
375 assisting the family in receiving appropriate services, the
376 department shall conduct a child protective investigation under
377 part III of this chapter if the incident leading to a report
378 occurs on school premises, on school transportation, at a
379 school-sponsored off-campus event, at a public or private school
380 readiness or prekindergarten program, at a public K-12 school,
381 at a private school, at a Florida College System institution, at
382 a state university, or at any other school. The child protective
383 investigation must include an interview with the child's parent
384 or legal custodian.

385 2. The department shall orally notify the Department of
386 Education; the law enforcement agency having jurisdiction over
387 the municipality or county in which the school, program,
388 institution, or university is located; and, as appropriate, the
389 superintendent of the school district in which the school is

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390 located, the administrative officer of the private school, or
391 the owner of the private school readiness or prekindergarten
392 program provider.

393 3. The department shall make a full written report to the
394 law enforcement agency having jurisdiction over the municipality
395 or county in which the school, program, institution, or
396 university is located within 3 business days after making the
397 oral report. Whenever possible, any criminal investigation must
398 be coordinated with the department's child protective
399 investigation. Any interested person who has information
400 regarding sexual abuse of a child or juvenile sexual abuse may
401 forward a statement to the department.

402 (6) MANDATORY REPORTS OF A CHILD DEATH.—Any person
403 required to report or investigate cases of suspected child
404 abuse, abandonment, or neglect who has reasonable cause to
405 suspect that a child died as a result of child abuse,
406 abandonment, or neglect shall report his or her suspicion to the
407 appropriate medical examiner. The medical examiner shall accept
408 the report for investigation and report his or her findings, in
409 writing, to the local law enforcement agency, the appropriate
410 state attorney, and the department. Autopsy reports maintained
411 by the medical examiner are not subject to the confidentiality
412 requirements under s. 39.202.

413 Section 4. Effective October 1, 2021, subsection (11) of
414 section 39.2015, Florida Statutes, is renumbered as subsection

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415 (12), present subsections (3), (7), and (11) of that section are
416 amended, and a new subsection (11) is added to that section, to
417 read:

418 39.2015 Critical incident rapid response team; sexual
419 abuse report investigations.—

420 (3) Each investigation shall be conducted by a multiagency
421 team of at least five professionals with expertise in child
422 protection, child welfare, and organizational management. The
423 team may consist of employees of the department, community-based
424 care lead agencies, Children's Medical Services, and community-
425 based care provider organizations; faculty from the institute
426 consisting of public and private universities offering degrees
427 in social work established pursuant to s. 1004.615; or any other
428 person with the required expertise. The team shall include, at a
429 minimum, a Child Protection Team medical director, a
430 representative from a child advocacy center under s. 39.3035 who
431 has specialized training in sexual abuse of a child if sexual
432 abuse of the child who is the subject of the report is alleged,
433 or a combination of such specialists if deemed appropriate. The
434 majority of the team must reside in judicial circuits outside
435 the location of the incident. The secretary shall appoint a team
436 leader for each group assigned to an investigation.

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

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440 (11) The department shall conduct investigations of
441 reports of sexual abuse of children in out-of-home care. The
442 purpose of such investigations is to identify root causes and to
443 rapidly determine the need to change policies and practices
444 related to preventing and addressing sexual abuse of children in
445 out-of-home care.

446 (a) At a minimum, the department shall investigate a
447 verified report of sexual abuse of a child in out-of-home care
448 under this subsection if the child was the subject of a verified
449 report of abuse or neglect during the previous 6 months. The
450 investigation must be initiated as soon as possible, but not
451 later than 2 business days after a determination of verified
452 findings of sexual abuse or immediately if a case has been open
453 for 45 days. One investigation shall be initiated for an
454 allegation of sexual abuse that is based on the same act,
455 criminal episode, or transaction regardless of the number of
456 reports that are made about the allegations to the central abuse
457 hotline.

458 (b) Each investigation must be conducted by, at a minimum,
459 a trained department employee and one or more professionals who
460 are employees of other organizations and who are involved in
461 conducting critical incident rapid response investigations. The
462 investigation, or any part thereof, may be conducted remotely.
463 Subsections (5), (6), (8), and (10) apply to investigations
464 conducted under this subsection. The secretary, in consultation

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465 with the institute established under s. 1004.615, shall develop
466 any necessary guidelines specific to such investigations.

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

470 (12) ~~(11)~~ The secretary shall appoint an advisory committee
471 made up of experts in child protection and child welfare,
472 including, but not limited to, the Statewide Medical Director
473 for Child Protection under the Department of Health, a
474 representative from the institute established under ~~pursuant to~~
475 s. 1004.615, an expert in organizational management, and an
476 attorney with experience in child welfare, to conduct an
477 independent review of investigative reports from the critical
478 incident rapid response teams and sexual abuse report
479 investigations and to make recommendations to improve policies
480 and practices related to child protection and child welfare
481 services. The advisory committee shall meet at least once each
482 quarter to review the critical incident rapid response teams'
483 reports and sexual abuse report investigations and shall submit
484 quarterly reports to the secretary which include findings and
485 recommendations. The secretary shall submit each report to the
486 Governor, the President of the Senate, and the Speaker of the
487 House of Representatives.

488 Section 5. Subsections (7) through (9) of section 39.202,
489 Florida Statutes, are renumbered as subsections (8) through

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490 (10), respectively, paragraphs (a) and (h) of subsection (2) are
491 amended, and a new subsection (7) is added to that section, to
492 read:

493 39.202 Confidentiality of reports and records in cases of
494 child abuse or neglect; exception.—

495 (2) Except as provided in subsection (4), access to such
496 records, excluding the name of, or other identifying information
497 with respect to, the reporter which shall be released only as
498 provided in subsection (5), shall be granted only to the
499 following persons, officials, and agencies:

500 (a) Employees, authorized agents, or contract providers of
501 the department, the Department of Health, the Agency for Persons
502 with Disabilities, the Agency for Health Care Administration,
503 the office of Early Learning, or county agencies responsible for
504 carrying out:

- 505 1. Child or adult protective investigations;
- 506 2. Ongoing child or adult protective services;
- 507 3. Early intervention and prevention services;
- 508 4. Healthy Start services;
- 509 5. Licensure or approval of adoptive homes, foster homes,
510 child care facilities, facilities licensed under chapters 393
511 and 394 ~~chapter 393~~, family day care homes, providers who
512 receive school readiness funding under part VI of chapter 1002,
513 or other homes used to provide for the care and welfare of
514 children;

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515 6. Employment screening for caregivers in residential
516 group homes and facilities licensed under chapters 393, 394, and
517 409; or

518 7. Services for victims of domestic violence when provided
519 by certified domestic violence centers working at the
520 department's request as case consultants or with shared clients.

521
522 Also, employees or agents of the Department of Juvenile Justice
523 responsible for the provision of services to children, pursuant
524 to chapters 984 and 985.

525 (h) Any appropriate official of the department, the Agency
526 for Health Care Administration, or the Agency for Persons with
527 Disabilities who is responsible for:

528 1. Administration or supervision of the department's
529 program for the prevention, investigation, or treatment of child
530 abuse, abandonment, or neglect, or abuse, neglect, or
531 exploitation of a vulnerable adult, when carrying out his or her
532 official function;

533 2. Taking appropriate administrative action concerning an
534 employee of the department or the agency who is alleged to have
535 perpetrated child abuse, abandonment, or neglect, or abuse,
536 neglect, or exploitation of a vulnerable adult; or

537 3. Employing and continuing employment of personnel of the
538 department or the agency.

539 (7) Custodians of records made confidential and exempt

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540 under this section must grant access to such records within 7
541 business days after such records are requested by a legislative
542 committee under s. 11.143, if requested within that timeframe.

543 Section 6. Subsections (1), (3), and (4) of section
544 39.205, Florida Statutes, are amended, and subsection (11) is
545 added to that section, to read:

546 39.205 Penalties relating to reporting of child abuse,
547 abandonment, or neglect.—

548 (1) A person who ~~is required to report known or suspected~~
549 ~~child abuse, abandonment, or neglect and who~~ knowingly and
550 willfully fails to report to the central abuse hotline known or
551 suspected child abuse, abandonment, or neglect ~~do so~~, or who
552 knowingly and willfully prevents another person from doing so,
553 commits a felony of the third degree, punishable as provided in
554 s. 775.082, s. 775.083, or s. 775.084. A judge subject to
555 discipline pursuant to s. 12, Art. V of the State Florida
556 Constitution may ~~shall~~ not be subject to criminal prosecution
557 when the information was received in the course of official
558 duties.

559 (3) Any Florida College System institution, state
560 university, or nonpublic college, university, or school, as
561 defined in s. 1000.21 or s. 1005.02, whose administrators
562 ~~knowingly and willfully~~, upon receiving information from
563 faculty, staff, or other institution employees, knowingly and
564 willfully fail to report to the central abuse hotline known or

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565 suspected child abuse, abandonment, or neglect committed on the
566 property of the university, college, or school, or during an
567 event or function sponsored by the university, college, or
568 school, or who knowingly and willfully prevent another person
569 from doing so, shall be subject to fines of \$1 million for each
570 such failure.

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

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

575 (c) A nonpublic college, university, or school subject to
576 a fine shall be assessed by the Commission for Independent
577 Education.

578 (4) Any Florida College System institution, state
579 university, or nonpublic college, university, or school, as
580 defined in s. 1000.21 or s. 1005.02, whose law enforcement
581 agency fails to report to the central abuse hotline known or
582 suspected child abuse, abandonment, or neglect committed on the
583 property of the university, college, or school, or during an
584 event or function sponsored by the university, college, or
585 school, shall be subject to fines of \$1 million for each such
586 failure, assessed in the same manner as specified in subsection
587 (3).

588 (11) This section may not be construed to remove or reduce
589 the requirement of any person, including, but not limited to,

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590 any employee of a school readiness program provider determined
591 to be eligible under s. 1002.88; a private prekindergarten
592 provider or a public school prekindergarten provider, as those
593 terms are defined in s. 1002.51; a public K-12 school as
594 described in s. 1000.04; a private school as defined in s.
595 1002.01; a Florida College System institution or a state
596 university, as those terms are defined in s. 1000.21; a college
597 as defined in s. 1005.02; or a school as defined in s. 1005.02,
598 to directly report a known or suspected case of child abuse,
599 abandonment, or neglect or the sexual abuse of a child to the
600 department's central abuse hotline. A person required to report
601 to the central abuse hotline is not relieved of such obligation
602 by notifying his or her supervisor.

603 Section 7. Section 39.208, Florida Statutes, is created to
604 read:

605 39.208 Cross-reporting child abuse, abandonment, or
606 neglect and animal cruelty.-

607 (1) LEGISLATIVE FINDINGS AND INTENT.-

608 (a) The Legislature recognizes that animal cruelty of any
609 kind is a type of interpersonal violence that often co-occurs
610 with child abuse and other forms of family violence, including
611 elder abuse and domestic violence. Early identification of
612 animal cruelty is an important tool in safeguarding children
613 from abuse, abandonment, and neglect; providing needed support
614 to families; and protecting animals.

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615 (b) The Legislature finds that education and training for
616 child protective investigators and animal control officers
617 should include information on the link between the welfare of
618 animals in the family and child safety and protection.

619 (c) Therefore, it is the intent of the Legislature to
620 require reporting and cross-reporting protocols and
621 collaborative training between child protective investigators
622 and animal control officers to help protect the safety and well-
623 being of children, their families, and their animals.

624 (2) RESPONSIBILITIES OF CHILD PROTECTIVE INVESTIGATORS.-

625 (a) Any person who is required to investigate child abuse,
626 abandonment, or neglect under this chapter and who, while acting
627 in his or her professional capacity or within the scope of
628 employment, knows or has reasonable cause to suspect that animal
629 cruelty, as those terms are defined in s. 828.27(1)(a) and (d),
630 respectively, has occurred at the same address shall report such
631 knowledge or suspicion within 72 hours after the child
632 protective investigator becomes aware of the known or suspected
633 animal cruelty to his or her supervisor who shall submit the
634 report to a local animal control agency. The report must include
635 all of the following information:

636 1. A description of the animal and of the known or
637 suspected animal cruelty.

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638 2. The name and address of the animal's owner or keeper,
639 if that information is available to the child protective
640 investigator.

641 3. Any other information available to the child protective
642 investigator which might assist an animal control officer, as
643 defined in s. 828.27(1)(b), or law enforcement officer in
644 establishing the cause of the animal cruelty and the manner in
645 which it occurred.

646 (b) A child protective investigator who makes a report
647 under this section is presumed to have acted in good faith. An
648 investigator acting in good faith who makes a report under this
649 section or who cooperates in an investigation of known or
650 suspected animal cruelty is immune from any civil or criminal
651 liability or administrative penalty or sanction that might
652 otherwise be incurred in connection with making the report or
653 otherwise cooperating.

654 (3) RESPONSIBILITIES OF ANIMAL CONTROL OFFICERS.—Any
655 person who is required to investigate animal cruelty under
656 chapter 828 and who, while acting in his or her professional
657 capacity or within the scope of employment, knows or has
658 reasonable cause to suspect that a child is abused, abandoned,
659 or neglected by a parent, legal custodian, caregiver, or other
660 person responsible for the child's welfare or that a child is in
661 need of supervision and care and does not have a parent, a legal
662 custodian, or a responsible adult relative immediately known and

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663 available to provide supervision and care to that child shall
664 immediately report such knowledge or suspicion to the
665 department's central abuse hotline.

666 (4) PENALTIES.—

667 (a) A child protective investigator who is required to
668 report known or suspected animal cruelty under subsection (2)
669 and who knowingly and willfully fails to do so commits a
670 misdemeanor of the second degree, punishable as provided in s.
671 775.082 or s. 775.083.

672 (b) An animal control officer, as defined in s.
673 828.27(1)(b), who is required to report known or suspected
674 abuse, abandonment, or neglect of a child under subsection (3)
675 and who knowingly and willfully fails to report an incident of
676 known or suspected abuse, abandonment, or neglect, as required
677 by s. 39.201 is subject to the penalties under s. 39.205.

678 (5) TRAINING.—The department, in consultation with animal
679 welfare associations, shall develop or adapt and use already
680 available training materials in a 1-hour training course for all
681 child protective investigators and animal control officers on
682 the accurate and timely identification and reporting of child
683 abuse, abandonment, or neglect or animal cruelty and the
684 interconnectedness of such abuse, abandonment, or neglect. The
685 department shall incorporate into the required training for
686 child protective investigators information on the identification
687 of harm to and neglect of animals and the relationship of such

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688 activities to child welfare case practice. The 1-hour training
689 course developed for animal control officers must include a
690 component that advises such officers of the mandatory duty to
691 report any known or suspected child abuse, abandonment, or
692 neglect under this section and s. 39.201 and the criminal
693 penalties associated with a violation of failing to report known
694 or suspected child abuse, abandonment, or neglect which is
695 punishable as provided under s. 39.205.

696 (6) RULEMAKING.—The department shall adopt rules to
697 implement this section.

698 Section 8. Subsection (6) and paragraph (a) of subsection
699 (9) of section 39.301, Florida Statutes, are amended, and
700 subsection (24) is added to that section, to read:

701 39.301 Initiation of protective investigations.—

702 (6) Upon commencing an investigation under this part, if a
703 report was received from a reporter under s. 39.201(1)(a)2. ~~s.~~
704 ~~39.201(1)(b)~~, the protective investigator must provide his or
705 her contact information to the reporter within 24 hours after
706 being assigned to the investigation. The investigator must also
707 advise the reporter that he or she may provide a written summary
708 of the report made to the central abuse hotline to the
709 investigator which shall become a part of the electronic child
710 welfare case file.

711 (9) (a) For each report received from the central abuse
712 hotline and accepted for investigation, the department or the

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713 sheriff providing child protective investigative services under
714 s. 39.3065, shall perform the following child protective
715 investigation activities to determine child safety:

716 1. Conduct a review of all relevant, available information
717 specific to the child and family and alleged maltreatment;
718 family child welfare history; local, state, and federal criminal
719 records checks; and requests for law enforcement assistance
720 provided by the abuse hotline. Based on a review of available
721 information, including the allegations in the current report, a
722 determination shall be made as to whether immediate consultation
723 should occur with law enforcement, the Child Protection Team, a
724 domestic violence shelter or advocate, or a substance abuse or
725 mental health professional. Such consultations should include
726 discussion as to whether a joint response is necessary and
727 feasible. A determination shall be made as to whether the person
728 making the report should be contacted before the face-to-face
729 interviews with the child and family members.

730 2. Conduct face-to-face interviews with the child; other
731 siblings, if any; and the parents, legal custodians, or
732 caregivers.

733 3. Assess the child's residence, including a determination
734 of the composition of the family and household, including the
735 name, address, date of birth, social security number, sex, and
736 race of each child named in the report; any siblings or other
737 children in the same household or in the care of the same

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738 adults; the parents, legal custodians, or caregivers; and any
739 other adults in the same household.

740 4. Determine whether there is any indication that any
741 child in the family or household has been abused, abandoned, or
742 neglected; the nature and extent of present or prior injuries,
743 abuse, or neglect, and any evidence thereof; and a determination
744 as to the person or persons apparently responsible for the
745 abuse, abandonment, or neglect, including the name, address,
746 date of birth, social security number, sex, and race of each
747 such person.

748 5. Complete assessment of immediate child safety for each
749 child based on available records, interviews, and observations
750 with all persons named in subparagraph 2. and appropriate
751 collateral contacts, which may include other professionals, and
752 continually assess the child's safety throughout the
753 investigation. The department's child protection investigators
754 are hereby designated a criminal justice agency for the purpose
755 of accessing criminal justice information to be used for
756 enforcing this state's laws concerning the crimes of child
757 abuse, abandonment, and neglect. This information shall be used
758 solely for purposes supporting the detection, apprehension,
759 prosecution, pretrial release, posttrial release, or
760 rehabilitation of criminal offenders or persons accused of the
761 crimes of child abuse, abandonment, or neglect and may not be
762 further disseminated or used for any other purpose.

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763 6. Document the present and impending dangers to each
764 child based on the identification of inadequate protective
765 capacity through utilization of a standardized safety assessment
766 instrument. If present or impending danger is identified, the
767 child protective investigator must implement a safety plan or
768 take the child into custody. If present danger is identified and
769 the child is not removed, the child protective investigator
770 shall create and implement a safety plan before leaving the home
771 or the location where there is present danger. If impending
772 danger is identified, the child protective investigator shall
773 create and implement a safety plan as soon as necessary to
774 protect the safety of the child. The child protective
775 investigator may modify the safety plan if he or she identifies
776 additional impending danger.

777 a. If the child protective investigator implements a
778 safety plan, the plan must be specific, sufficient, feasible,
779 and sustainable in response to the realities of the present or
780 impending danger. A safety plan may be an in-home plan or an
781 out-of-home plan, or a combination of both. A safety plan may
782 include tasks or responsibilities for a parent, caregiver, or
783 legal custodian. However, a safety plan may not rely on
784 promissory commitments by the parent, caregiver, or legal
785 custodian who is currently not able to protect the child or on
786 services that are not available or will not result in the safety
787 of the child. A safety plan may not be implemented if for any

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788 | reason the parents, guardian, or legal custodian lacks the
789 | capacity or ability to comply with the plan. If the department
790 | is not able to develop a plan that is specific, sufficient,
791 | feasible, and sustainable, the department shall file a shelter
792 | petition. A child protective investigator shall implement
793 | separate safety plans for the perpetrator of domestic violence,
794 | if the investigator, using reasonable efforts, can locate the
795 | perpetrator to implement a safety plan, and for the parent who
796 | is a victim of domestic violence as defined in s. 741.28.
797 | Reasonable efforts to locate a perpetrator include, but are not
798 | limited to, a diligent search pursuant to the same requirements
799 | as in s. 39.503. If the perpetrator of domestic violence is not
800 | the parent, guardian, or legal custodian of any child in the
801 | home and if the department does not intend to file a shelter
802 | petition or dependency petition that will assert allegations
803 | against the perpetrator as a parent of a child in the home, the
804 | child protective investigator shall seek issuance of an
805 | injunction authorized by s. 39.504 to implement a safety plan
806 | for the perpetrator and impose any other conditions to protect
807 | the child. The safety plan for the parent who is a victim of
808 | domestic violence may not be shared with the perpetrator. If any
809 | party to a safety plan fails to comply with the safety plan
810 | resulting in the child being unsafe, the department shall file a
811 | shelter petition.

812 | b. The child protective investigator shall collaborate

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813 with the community-based care lead agency in the development of
814 the safety plan as necessary to ensure that the safety plan is
815 specific, sufficient, feasible, and sustainable. The child
816 protective investigator shall identify services necessary for
817 the successful implementation of the safety plan. The child
818 protective investigator and the community-based care lead agency
819 shall mobilize service resources to assist all parties in
820 complying with the safety plan. The community-based care lead
821 agency shall prioritize safety plan services to families who
822 have multiple risk factors, including, but not limited to, two
823 or more of the following:

- 824 (I) The parent or legal custodian is of young age;
- 825 (II) The parent or legal custodian, or an adult currently
826 living in or frequently visiting the home, has a history of
827 substance abuse, mental illness, or domestic violence;
- 828 (III) The parent or legal custodian, or an adult currently
829 living in or frequently visiting the home, has been previously
830 found to have physically or sexually abused a child;
- 831 (IV) The parent or legal custodian, or an adult currently
832 living in or frequently visiting the home, has been the subject
833 of multiple allegations by reputable reports of abuse or
834 neglect;
- 835 (V) The child is physically or developmentally disabled;
836 or
- 837 (VI) The child is 3 years of age or younger.

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838 c. The child protective investigator shall monitor the
839 implementation of the plan to ensure the child's safety until
840 the case is transferred to the lead agency at which time the
841 lead agency shall monitor the implementation.

842 d. The department may file a petition for shelter or
843 dependency without a new child protective investigation or the
844 concurrence of the child protective investigator if the child is
845 unsafe but for the use of a safety plan and the parent or
846 caregiver has not sufficiently increased protective capacities
847 within 90 days after the transfer of the safety plan to the lead
848 agency.

849 (24) At the beginning of and throughout an investigation
850 of an allegation of sexual abuse of a child placed in out-of-
851 home care, the child protective investigator must assess and
852 take appropriate protective actions to address the safety of
853 other children in the out-of-home placement, or who are
854 accessible to the alleged perpetrator, who are not the subject
855 of the allegation.

856 Section 9. Subsections (1) and (2) of section 39.302,
857 Florida Statutes, are amended to read:

858 39.302 Protective investigations of institutional child
859 abuse, abandonment, or neglect.—

860 (1) The department shall conduct a child protective
861 investigation of each report of institutional child abuse,
862 abandonment, or neglect. Upon receipt of a report that alleges

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863 that an employee or agent of the department, or any other entity
864 or person covered by s. 39.01(37) or (54), acting in an official
865 capacity, has committed an act of child abuse, abandonment, or
866 neglect, the department shall initiate a child protective
867 investigation within the timeframe established under s.
868 39.101(2) ~~s. 39.201(5)~~ and notify the appropriate state
869 attorney, law enforcement agency, and licensing agency, which
870 shall immediately conduct a joint investigation, unless
871 independent investigations are more feasible. When conducting
872 investigations or having face-to-face interviews with the child,
873 investigation visits shall be unannounced unless it is
874 determined by the department or its agent that unannounced
875 visits threaten the safety of the child. If a facility is exempt
876 from licensing, the department shall inform the owner or
877 operator of the facility of the report. Each agency conducting a
878 joint investigation is entitled to full access to the
879 information gathered by the department in the course of the
880 investigation. A protective investigation must include an
881 interview with the child's parent or legal guardian. The
882 department shall make a full written report to the state
883 attorney within 3 business ~~working~~ days after making the oral
884 report. A criminal investigation shall be coordinated, whenever
885 possible, with the child protective investigation of the
886 department. Any interested person who has information regarding
887 the offenses described in this subsection may forward a

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888 statement to the state attorney as to whether prosecution is
889 warranted and appropriate. Within 15 days after the completion
890 of the investigation, the state attorney shall report the
891 findings to the department and shall include in the report a
892 determination of whether or not prosecution is justified and
893 appropriate in view of the circumstances of the specific case.

894 (2) (a) If in the course of the child protective
895 investigation, the department finds that a subject of a report,
896 by continued contact with children in care, constitutes a
897 threatened harm to the physical health, mental health, or
898 welfare of the children, the department may restrict a subject's
899 access to the children pending the outcome of the investigation.
900 The department or its agent shall employ the least restrictive
901 means necessary to safeguard the physical health, mental health,
902 and welfare of the children in care. This authority shall apply
903 only to child protective investigations in which there is some
904 evidence that child abuse, abandonment, or neglect has occurred.
905 A subject of a report whose access to children in care has been
906 restricted is entitled to petition the circuit court for
907 judicial review. The court shall enter written findings of fact
908 based upon the preponderance of evidence that child abuse,
909 abandonment, or neglect did occur and that the department's
910 restrictive action against a subject of the report was justified
911 in order to safeguard the physical health, mental health, and
912 welfare of the children in care. The restrictive action of the

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913 department shall be effective for no more than 90 days without a
914 judicial finding supporting the actions of the department.

915 (b) During an investigation, the alleged perpetrator may
916 be represented by an attorney, at his or her own expense, or may
917 be accompanied by another person, if the attorney or the other
918 person executes an affidavit of understanding with the
919 department and agrees to comply with the confidentiality
920 requirements under s. 39.202. The absence of an attorney or
921 accompanying person does not prevent the department from
922 proceeding with other aspects of the investigation, including
923 interviews with other persons. In institutional child abuse,
924 abandonment, or neglect cases when the institution is not
925 operational and the child cannot otherwise be located, the
926 investigation must commence immediately upon the institution
927 resuming operation. If requested by a state attorney or local
928 law enforcement agency, the department shall furnish all
929 investigative reports to such state attorney or agency.

930 (c) ~~(b)~~ Upon completion of the department's child
931 protective investigation, the department may make application to
932 the circuit court for continued restrictive action against any
933 person necessary to safeguard the physical health, mental
934 health, and welfare of the children in care.

935 Section 10. Subsections (1), (2), and (3) of section
936 39.3035, Florida Statutes, are renumbered as subsections (2),
937 (3), and (4), respectively, present subsection (3) is amended,

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938 and a new subsection (1) is added to that section, to read:

939 39.3035 Child advocacy centers; standards; state funding.—

940 (1) Child advocacy centers are facilities that offer
941 multidisciplinary services in a community-based, child-focused
942 environment to children who are alleged to be victims of child
943 abuse, abandonment, or neglect. The children served by such
944 centers may have experienced a variety of types of child abuse,
945 abandonment, or neglect, including, but not limited to, sexual
946 abuse or severe physical abuse. The centers bring together,
947 often in one location, child protective investigators, law
948 enforcement officers, prosecutors, health care professionals,
949 and mental health professionals to provide a coordinated,
950 comprehensive response to victims and their caregivers.

951 (4)-(3) A child advocacy center within this state may not
952 receive the funds generated pursuant to s. 938.10, state or
953 federal funds administered by a state agency, or any other funds
954 appropriated by the Legislature unless all of the standards of
955 subsection (2) ~~(1)~~ are met and the screening requirement of
956 subsection (3) ~~(2)~~ is met. The Florida Network of Children's
957 Advocacy Centers, Inc., shall be responsible for tracking and
958 documenting compliance with subsections (2) and (3) ~~(1)~~ and ~~(2)~~
959 for any of the funds it administers to member child advocacy
960 centers.

961 (a) Funds for the specific purpose of funding children's
962 advocacy centers shall be appropriated to the Department of

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963 Children and Families from funds collected from the additional
964 court cost imposed in cases of certain crimes against minors
965 under s. 938.10. Funds shall be disbursed to the Florida Network
966 of Children's Advocacy Centers, Inc., as established under this
967 section, for the purpose of providing community-based services
968 that augment, but do not duplicate, services provided by state
969 agencies.

970 (b) The board of directors of the Florida Network of
971 Children's Advocacy Centers, Inc., shall retain 10 percent of
972 all revenues collected to be used to match local contributions,
973 at a rate not to exceed an equal match, in communities
974 establishing children's advocacy centers. The board of directors
975 may use up to 5 percent of the remaining funds to support the
976 activities of the network office and must develop funding
977 criteria and an allocation methodology that ensures an equitable
978 distribution of remaining funds among network participants. The
979 criteria and methodologies must take into account factors that
980 include, but need not be limited to, the center's accreditation
981 status with respect to the National Children's Alliance, the
982 number of clients served, and the population of the area being
983 served by the children's advocacy center.

984 (c) At the end of each fiscal year, each children's
985 advocacy center receiving revenue as provided in this section
986 must provide a report to the board of directors of the Florida
987 Network of Children's Advocacy Centers, Inc., which reflects

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988 center expenditures, all sources of revenue received, and
989 outputs that have been standardized and agreed upon by network
990 members and the board of directors, such as the number of
991 clients served, client demographic information, and number and
992 types of services provided. The Florida Network of Children's
993 Advocacy Centers, Inc., must compile reports from the centers
994 and provide a report to the President of the Senate and the
995 Speaker of the House of Representatives in August of each year.

996 Section 11. Subsection (3) of section 39.4015, Florida
997 Statutes, is amended to read:

998 39.4015 Family finding.—

999 (3) FAMILY-FINDING PROGRAM.—~~Subject to available~~
1000 ~~resources,~~ The department, in collaboration with sheriffs'
1001 offices that conduct child protective investigations and
1002 community-based care lead agencies, shall ~~may~~ develop a formal
1003 family-finding program to be implemented by child protective
1004 investigators and community-based care lead agencies ~~as~~
1005 ~~resources permit.~~

1006 (a) Family-finding efforts shall ~~Family finding may~~ begin
1007 as soon as a child is taken into custody of the department,
1008 pursuant to s. 39.401, and throughout the duration of the case
1009 as necessary, finding and engaging with as many family members
1010 and fictive kin as possible for each child who may help with
1011 care or support for the child. The department or community-based
1012 care lead agency must specifically document strategies taken to

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1013 locate and engage relatives and fictive kin. Strategies of
1014 engagement may include, but are not limited to, asking the
1015 relatives and fictive kin to:

- 1016 1. Participate in a family group decisionmaking
1017 conference, family team conferencing, or other family meetings
1018 aimed at developing or supporting the family service plan;
- 1019 2. Attend visitations with the child;
- 1020 3. Assist in transportation of the child;
- 1021 4. Provide respite or child care services; or
- 1022 5. Provide actual kinship care.

1023 (b) The family-finding ~~family finding~~ program shall
1024 provide the department and the community-based care lead
1025 agencies with best practices for identifying family and fictive
1026 kin. The family-finding ~~family finding~~ program must use diligent
1027 efforts in family finding and, must continue those efforts until
1028 multiple relatives and fictive kin are identified, ~~and must go~~
1029 ~~beyond basic searching tools by exploring alternative tools and~~
1030 ~~methodologies.~~ Family-finding ~~Family finding~~ efforts by the
1031 department and the community-based care lead agency may include,
1032 but are not limited to:

- 1033 1. Searching for and locating adult relatives and fictive
1034 kin.
- 1035 2. Identifying and building positive connections between
1036 the child and the child's relatives and fictive kin.

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1037 3. Supporting the engagement of relatives and fictive kin
1038 in social service planning and delivery of services and creating
1039 a network of extended family support to assist in remedying the
1040 concerns that led to the child becoming involved with the child
1041 welfare system, when appropriate.

1042 4. Maintaining family connections, when possible.

1043 5. Keeping siblings together in care, when in the best
1044 interest of each child and when possible.

1045 (c) To be compliant with this section, family-finding
1046 efforts must go beyond basic searching tools by exploring
1047 alternative tools and methodologies. A basic computer search
1048 using the Internet or attempts to contact known relatives at a
1049 last known address or telephone number do not constitute
1050 effective family finding.

1051 Section 12. Paragraphs (c), (k), and (l) of subsection (1)
1052 of section 39.4087, Florida Statutes, are amended to read:

1053 39.4087 Department goals and requirements relating to
1054 caregivers; dispute resolution.-

1055 (1) To provide the best care to children, the Legislature
1056 establishes as goals for the department to treat foster parents,
1057 kinship caregivers, and nonrelative caregivers with dignity,
1058 respect, and trust while ensuring delivery of child welfare
1059 services is focused on the best interest of the child. To that
1060 end, regarding foster parents, kinship caregivers, and
1061 nonrelative caregivers caring for dependent children in their

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1062 home, to the extent not otherwise prohibited by state or federal
1063 law and to the extent of current resources, the department will
1064 strive to:

1065 (c)1. Fully disclose all relevant information regarding
1066 the child and the background of his or her biological family. ~~A~~
1067 ~~caregiver must maintain the confidentiality of any information~~
1068 ~~as required by law.~~ Such disclosure includes, but is not limited
1069 to:

1070 ~~a.1.~~ Any issues relative to the child that may jeopardize
1071 the health and safety of the caregiver or other individuals
1072 residing in the household or alter the manner in which the
1073 caregiver would normally provide care.

1074 ~~b.2.~~ Any delinquency or criminal record of the child,
1075 including, but not limited to, any pending petitions or
1076 adjudications of delinquency when the conduct constituting the
1077 delinquent act, if committed by an adult, would constitute
1078 murder in the first degree, murder in the second degree, rape,
1079 robbery, or kidnapping.

1080 ~~c.3.~~ Information about any physical or sexual abuse the
1081 child has experienced.

1082 ~~d.4.~~ Any behavioral issues that may affect the care and
1083 supervision of the child.

1084 ~~e.5.~~ With parental consent to the extent required by law,
1085 any known health history and medical, psychological, or
1086 behavioral ~~mental~~ health issues or needs of the child,

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1087 including, but not limited to, current infectious diseases the
1088 child has or any episodes of hospitalization due to mental or
1089 physical illness.

1090 2. A caregiver must maintain the confidentiality of any
1091 information provided under this paragraph as required by law.

1092 (k) Give at least 7 days' notice to a caregiver, to the
1093 extent possible, of any meeting or court hearing related to a
1094 child in his or her care. The notice must ~~shall~~ include, at
1095 minimum, ~~but is not limited to~~, the name of the judge or hearing
1096 officer, the docket number, and the purpose and location of the
1097 hearing or meeting. If the department is providing such
1098 information to a child's biological parent, the department shall
1099 provide notice to the caregiver at the same time as the
1100 biological parent.

1101 (l) ~~If the caregiver agrees,~~ Consider the caregiver as a
1102 placement option for a child if such child, who was formerly
1103 placed with the caregiver, reenters out-of-home care and the
1104 caregiver agrees to the child being placed with the caregiver
1105 upon reentry and reenters out-of-home care.

1106 Section 13. Section 39.4092, Florida Statutes, is created
1107 to read:

1108 39.4092 Multidisciplinary legal representation model
1109 program for parents of children in the dependency system.-

1110 (1) LEGISLATIVE FINDINGS.-

1111 (a) The Legislature finds that the use of a specialized

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1112 team that includes an attorney, a social worker, and a parent-
1113 peer specialist, also known as a multidisciplinary legal
1114 representation model program, in dependency judicial matters is
1115 effective in reducing safety risks to children and providing
1116 families with better outcomes, such as significantly reducing
1117 the time the children spend in out-of-home care and achieving
1118 permanency more quickly.

1119 (b) The Legislature finds that parents in dependency court
1120 often suffer from multiple challenges, such as mental illness,
1121 substance use disorder, domestic violence or other trauma,
1122 unstable housing, or unemployment. These challenges are often a
1123 contributing factor to children experiencing instability or
1124 safety risks. While these challenges may result in legal
1125 involvement or require legal representation, addressing the
1126 underlying challenges in a manner that achieves stability often
1127 falls within the core functions of the practice of social work.

1128 (c) The Legislature also finds that social work
1129 professionals have a unique skill set, including client
1130 assessment and clinical knowledge of family dynamics. This
1131 unique skill set allows these professionals to interact and
1132 engage with families in meaningful and unique ways that are
1133 distinct from the ways in which the families interact with
1134 attorneys or other professional staff involved in dependency
1135 matters. Additionally, social work professionals are skilled at
1136 quickly connecting families facing crisis to resources that can

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1137 address the specific underlying challenges.

1138 (d) The Legislature finds that there is a great benefit to
1139 using parent-peer specialists in the dependency system, which
1140 allows parents who have successfully navigated the dependency
1141 system and have been successfully reunified with their children
1142 to be paired with parents whose children are currently involved
1143 in the dependency system. By working with someone who has
1144 personally lived the experience of overcoming great personal
1145 crisis, parents currently involved in the dependency system have
1146 a greater ability to address the underlying challenges that
1147 resulted in the instability and safety risk to their children,
1148 to provide a safe and stable home environment, and to be
1149 successfully reunified.

1150 (e) The Legislature further finds that current federal law
1151 authorizes the reimbursement of a portion of the cost of
1152 attorneys for parents and children in eligible cases, whereas
1153 such funds were formerly restricted to foster care
1154 administrative costs.

1155 (f) The Legislature finds it is necessary to encourage and
1156 facilitate the use of a multidisciplinary legal representation
1157 model for parents and their children in order to improve
1158 outcomes for those families involved in the dependency system
1159 and to provide the families who find themselves in a crisis with
1160 the best opportunity to be successful in creating safe and
1161 stable homes for their children.

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1162 (2) ESTABLISHMENT.—Each office of criminal conflict and
1163 civil regional counsel established under s. 27.511 may establish
1164 a multidisciplinary legal representation model program to serve
1165 families in the dependency system.

1166 (3) DUTIES.—

1167 (a) The department shall collaborate with the office of
1168 criminal conflict and civil regional counsel to determine and
1169 execute any necessary documentation for approval of federal
1170 Title IV-E matching funding. The department shall submit such
1171 documentation as promptly as possible upon the establishment of
1172 a multidisciplinary legal representation model program and shall
1173 execute the necessary agreements to ensure the program accesses
1174 available federal matching funding for the program in order to
1175 help eligible families involved in the dependency system.

1176 (b) An office of criminal conflict and civil regional
1177 counsel that establishes a multidisciplinary legal
1178 representation model program must, at a minimum:

1179 1. Use a team that consists of an attorney, a forensic
1180 social worker, and a parent-peer specialist. For purposes of
1181 this section, the term "parent-peer specialist" means a person
1182 who has:

1183 a. Previously had his or her child removed from his or her
1184 care and placed in out-of-home care.

1185 b. Been successfully reunified with the child for more
1186 than 2 years.

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1187 c. Received specialized training to become a parent-peer
1188 specialist.

1189 2. Comply with any necessary cost-sharing or other
1190 agreements to maximize financial resources and enable access to
1191 available federal Title IV-E matching funding.

1192 3. Provide specialized training and support for attorneys,
1193 forensic social workers, and parent-peer specialists involved in
1194 the model program.

1195 4. Collect uniform data on each child whose parent is
1196 served by the program and ensure that reporting of data is
1197 conducted through the child's unique identification number in
1198 the Florida Safe Families Network or any successor system, if
1199 applicable.

1200 5. Develop consistent operational program policies and
1201 procedures throughout each region that establishes the model
1202 program.

1203 6. Obtain agreements with universities relating to
1204 approved placements for social work students to ensure the
1205 placement of social workers in the program.

1206 7. Execute conflict of interest agreements with each team
1207 member.

1208 (4) REPORTING.—

1209 (a) Beginning October 1, 2022, and annually thereafter
1210 through October 1, 2025, each office of criminal conflict and
1211 civil regional counsel that establishes a multidisciplinary

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1212 legal representation model program must submit an annual report
1213 to the Office of Program Policy Analysis and Government
1214 Accountability. The annual report must use the uniform data
1215 collected on each unique child whose parents are served by the
1216 program and must detail, at a minimum, all of the following:

- 1217 1. Reasons the family became involved in the dependency
1218 system.
- 1219 2. Length of time it takes to achieve a permanency goal
1220 for children whose parents are served by the program.
- 1221 3. Frequency of each type of permanency goal achieved by
1222 children whose parents are served by the program.
- 1223 4. Rate of subsequent abuse or neglect which results in
1224 the removal of children whose parents are served by the program.
- 1225 5. Any other relevant factors that tend to show the impact
1226 of the use of such multidisciplinary legal representation model
1227 programs on the outcomes for children in the dependency system.

1228 Each region that has established a model program must agree on
1229 the additional factors and how to collect data on such
1230 additional factors for the annual report.

1231 (b) The Office of Program Policy Analysis and Government
1232 Accountability shall compile the results of the reports required
1233 under paragraph (a) and conduct an analysis comparing the
1234 reported outcomes from the multidisciplinary legal
1235 representation model program to known outcomes of children in
1236 the dependency system whose parents are not served by a

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1237 multidisciplinary legal representation model program. Each
1238 office of criminal conflict and civil regional counsel shall
1239 provide any additional information or data requested by the
1240 Office of Program Policy Analysis and Government Accountability
1241 for its analysis. By December 1, 2022, and annually thereafter
1242 through December 1, 2025, the Office of Program Policy Analysis
1243 and Government Accountability must submit its analysis in a
1244 report to the Governor, the President of the Senate, and the
1245 Speaker of the House of Representatives.

1246 Section 14. Paragraph (b) of subsection (2) of section
1247 39.5086, Florida Statutes, is amended to read:

1248 39.5086 Kinship navigator programs.—

1249 (2) PURPOSE AND SERVICES.—

1250 (b) ~~Subject to available resources,~~ Each community-based
1251 care lead agency shall ~~may~~ establish a kinship navigator program
1252 that:

1253 1. Coordinates with other state or local agencies that
1254 promote service coordination or provide information and referral
1255 services, including any entities that participate in the Florida
1256 211 Network, to avoid duplication or fragmentation of services
1257 to kinship care families;

1258 2. Is planned and operated in consultation with kinship
1259 caregivers and organizations representing them, youth raised by
1260 kinship caregivers, relevant governmental agencies, and relevant
1261 community-based or faith-based organizations;

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1262 3. Has a toll-free telephone hotline to provide
1263 information to link kinship caregivers, kinship support group
1264 facilitators, and kinship service providers to:
1265 a. One another;
1266 b. Eligibility and enrollment information for federal,
1267 state, and local benefits;
1268 c. Relevant training to assist kinship caregivers in
1269 caregiving and in obtaining benefits and services; and
1270 d. Relevant knowledge related to legal options available
1271 for child custody, other legal assistance, and help in obtaining
1272 legal services.

1273 4. Provides outreach to kinship care families, including
1274 by establishing, distributing, and updating a kinship care
1275 website, or other relevant guides or outreach materials; and

1276 5. Promotes partnerships between public and private
1277 agencies, including schools, community-based or faith-based
1278 organizations, and relevant governmental agencies, to increase
1279 their knowledge of the needs of kinship care families to promote
1280 better services for those families.

1281 Section 15. Subsection (15) of section 39.6225, Florida
1282 Statutes, is renumbered as subsection (13), and present
1283 subsections (13) and (14) are amended to read:

1284 39.6225 Guardianship Assistance Program.—

1285 ~~(13) The Florida Institute for Child Welfare shall~~
1286 ~~evaluate the implementation of the Guardianship Assistance~~

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1287 ~~Program. This evaluation shall be designed to determine the~~
1288 ~~impact of implementation of the Guardianship Assistance Program,~~
1289 ~~identify any barriers that may prevent eligible caregivers from~~
1290 ~~participating in the program, and identify recommendations~~
1291 ~~regarding enhancements to the state's system of supporting~~
1292 ~~kinship caregivers. The institute shall submit the report to the~~
1293 ~~Governor, the President of the Senate, and the Speaker of the~~
1294 ~~House of Representatives no later than January 1, 2021. At a~~
1295 ~~minimum, the evaluation shall include:~~

1296 ~~(a) Information about the perspectives and experiences of~~
1297 ~~program participants, individuals who applied for licensure as~~
1298 ~~child-specific foster homes or program participation but were~~
1299 ~~determined to be ineligible, and individuals who were likely~~
1300 ~~eligible for licensure as a child-specific foster home or for~~
1301 ~~the program but declined to apply. The institute shall collect~~
1302 ~~this information through methodologies including, but not~~
1303 ~~limited to, surveys and focus groups.~~

1304 ~~(b) An assessment of any communications procedures and~~
1305 ~~print and electronic materials developed to publicize the~~
1306 ~~program and recommendations for improving these materials. If~~
1307 ~~possible, individuals with expertise in marketing and~~
1308 ~~communications shall contribute to this assessment.~~

1309 ~~(c) An analysis of the program's impact on caregivers and~~
1310 ~~children, including any differences in impact on children placed~~
1311 ~~with caregivers who were licensed and those who were not.~~

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1312 ~~(d) Recommendations for maximizing participation by~~
1313 ~~eligible caregivers and improving the support available to~~
1314 ~~kinship caregivers.~~

1315 ~~(14) The program shall take effect July 1, 2019.~~

1316 Section 16. Paragraph (m) is added to subsection (3) and
1317 paragraph (u) is added to subsection (5) of section 394.9082,
1318 Florida Statutes, to read:

1319 394.9082 Behavioral health managing entities.—

1320 (3) DEPARTMENT DUTIES.—The department shall:

1321 (m) Collect and publish, and update annually, all of the
1322 following information on its website for each managing entity:

1323 1. All compensation earned or awarded, whether paid or
1324 accrued, regardless of contingency, by position, for any
1325 employee, and any other person compensated through a contract
1326 for services whose services include those commonly associated
1327 with a chief executive, chief administrator, or other chief
1328 officer of a business or corporation, who receives compensation
1329 from state-appropriated funds in excess of 150 percent of the
1330 annual salary paid to the secretary of the department. For
1331 purposes of this paragraph, the term "employee" has the same
1332 meaning as in s. 448.095(1).

1333 2. The most recent 3 years of the Return of Organization
1334 Exempt from Income Tax, Internal Revenue Service Form 990 and
1335 related documents filed with the Internal Revenue Service,
1336 auditor reports, and annual reports for each managing entity or

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1337 affiliated entity.

1338 (5) MANAGING ENTITY DUTIES.—A managing entity shall:

1339 (u) Include the statement "(managing entity name) is a
1340 managing entity contracted with the Department of Children and
1341 Families" on its website and, at a minimum, in its promotional
1342 literature, managing entity-created documents and forms provided
1343 to families served by the managing entity, business cards, and
1344 stationery letterhead.

1345 Section 17. Section 394.90825, Florida Statutes, is
1346 created to read:

1347 394.90825 Boards of behavioral health managing entities;
1348 conflicts of interest.—

1349 (1) As used in this section, the term:

1350 (a) "Activity" includes, but is not limited to, a contract
1351 for goods and services, a contract for the purchase of any real
1352 or tangible property, or an agreement to engage with the
1353 managing entity for the benefit of a third party in exchange for
1354 an interest in real or tangible property, a monetary benefit, or
1355 an in-kind contribution.

1356 (b) "Conflict of interest" means when a board member or an
1357 officer, or a relative of a board member or an officer, of the
1358 managing entity does any of the following:

1359 1. Enters into a contract or other transaction for goods
1360 or services with the managing entity.

1361 2. Holds a direct or indirect interest in a corporation,

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1362 limited liability corporation, partnership, limited liability
1363 partnership, or other business entity that conducts business
1364 with the managing entity or proposes to enter into a contract or
1365 other transaction with the managing entity. For purposes of this
1366 paragraph, the term "indirect interest" has the same meaning as
1367 in s. 112.312.

1368 3. Knowingly obtains a direct or indirect personal,
1369 financial, professional, or other benefit as a result of the
1370 relationship of such board member or officer, or relative of the
1371 board member or officer, with the managing entity. For purposes
1372 of this paragraph, the term "benefit" does not include per diem
1373 and travel expenses paid or reimbursed to board members or
1374 officers of the managing entity in connection with their service
1375 on the board.

1376 (c) "Managing entity" has the same meaning as in s.
1377 394.9082.

1378 (d) "Relative" means a relative within the third degree of
1379 consanguinity by blood or marriage.

1380 (2) (a) For any activity that is presented to the board of
1381 a managing entity for its initial consideration and approval
1382 after July 1, 2021, or any activity that involves a contract
1383 that is being considered for renewal on or after July 1, 2021,
1384 but before January 1, 2022, a board member or an officer of a
1385 managing entity shall disclose to the board any activity that
1386 may reasonably be construed to be a conflict of interest before

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1387 such activity is initially considered and approved or a contract
1388 is renewed by the board. A rebuttable presumption of a conflict
1389 of interest exists if the activity was acted on by the board
1390 without prior notice as required under subsection (3).

1391 (b) For contracts with a managing entity which are in
1392 existence on July 1, 2021, and are not subject to renewal before
1393 January 1, 2022, a board member or an officer of the managing
1394 entity shall disclose to the board any activity that may
1395 reasonably be construed to be a conflict of interest under this
1396 section by December 31, 2021.

1397 (3) (a) If a board member or an officer of the managing
1398 entity, or a relative of a board member or an officer, proposes
1399 to engage in an activity as described in paragraph (2) (a), the
1400 proposed activity must be listed on the meeting agenda for the
1401 next general or special meeting of the board members, and copies
1402 of all contracts and transactional documents related to the
1403 proposed activity must be included in the agenda. The meeting
1404 agenda must clearly identify the existence of a potential
1405 conflict of interest for the proposed activity. Before a board
1406 member or an officer of the managing entity, or a relative of a
1407 board member or an officer, engages in the proposed activity,
1408 the activity and contract or other transactional documents must
1409 be approved by an affirmative vote of two-thirds of all other
1410 board members present.

1411 (b) If a board member or an officer of the managing entity

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1412 notifies the board of a potential conflict of interest with the
1413 board member or officer, or a relative of the board member or
1414 officer, under an existing contract as described in paragraph
1415 (2) (b), the board must notice the activity on a meeting agenda
1416 for the next general or special meeting of the board members,
1417 and copies of all contracts and transactional documents related
1418 to the activity must be attached. The meeting agenda must
1419 clearly identify the existence of a potential conflict of
1420 interest. The board must be given the opportunity to approve or
1421 disapprove the conflict of interest by a vote of two-thirds of
1422 all other board members present.

1423 (4) (a) If the board votes against the proposed activity
1424 under paragraph (3) (a), the board member or officer of the
1425 managing entity, or the relative of the board member or officer,
1426 must notify the board in writing of his or her intention, or his
1427 or her relative's intention, not to pursue the proposed
1428 activity, or the board member or officer shall withdraw from
1429 office before the next scheduled board meeting. If the board
1430 finds that a board member or officer has violated this
1431 paragraph, the board member or officer shall be removed from
1432 office before the next scheduled board meeting.

1433 (b) In the event that the board does not approve a
1434 conflict of interest as required under paragraph (3) (b), the
1435 parties to the activity may opt to cancel the activity or, in
1436 the alternative, the board member or officer of the managing

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1437 entity must resign from the board before the next scheduled
1438 board meeting. If the activity canceled is a contract, the
1439 managing entity is only liable for the reasonable value of the
1440 goods and services provided up to the time of cancellation and
1441 is not liable for any termination fee, liquidated damages, or
1442 other form of penalty for such cancellation.

1443 (5) A board member or an officer of the managing entity,
1444 or a relative of a board member or an officer, who is a party
1445 to, or has an interest in, an activity that is a possible
1446 conflict of interest may attend the meeting at which the
1447 activity is considered by the board and may make a presentation
1448 to the board regarding the activity. After the presentation, the
1449 board member or officer, or the relative of the board member or
1450 officer, must leave the meeting during the discussion of, and
1451 the vote on, the activity. A board member or an officer who is a
1452 party to, or has an interest in, the activity shall recuse
1453 himself or herself from the vote.

1454 (6) A contract entered into between a board member or an
1455 officer of the managing entity, or a relative of a board member
1456 or an officer, and the managing entity which has not been
1457 properly disclosed as a conflict of interest or potential
1458 conflict of interest under this section is voidable and
1459 terminates upon the filing of a written notice terminating the
1460 contract with the board of directors which contains the consent
1461 of at least 20 percent of the voting interests of the managing

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1462 entity.

1463 Section 18. Section 394.9086, Florida Statutes, is created
1464 to read:

1465 394.9086 Commission on Mental Health and Substance Abuse.—

1466 (1) CREATION.—The Commission on Mental Health and
1467 Substance Abuse, a commission as defined in s. 20.03(10), is
1468 created adjunct to the department. The department shall provide
1469 administrative and staff support services relating to the
1470 functions of the commission.

1471 (2) PURPOSES.—The purposes of the commission are to
1472 examine the current methods of providing mental health and
1473 substance abuse services in the state and to improve the
1474 effectiveness of current practices, procedures, programs, and
1475 initiatives in providing such services; identify any barriers or
1476 deficiencies in the delivery of such services; and recommend
1477 changes to existing laws, rules, and policies necessary to
1478 implement the commission's recommendations.

1479 (3) MEMBERSHIP; TERM LIMITS; MEETINGS.—

1480 (a) The commission shall be composed of 19 members as
1481 follows:

1482 1. A member of the Senate, appointed by the President of
1483 the Senate.

1484 2. A member of the House of Representatives, appointed by
1485 the Speaker of the House of Representatives.

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- 1486 3. The Secretary of Children and Families or his or her
1487 designee.
- 1488 4. The Secretary of the Agency for Health Care
1489 Administration or his or her designee.
- 1490 5. A person living with a mental health disorder,
1491 appointed by the President of the Senate.
- 1492 6. A family member of a consumer of publicly funded mental
1493 health services, appointed by the President of the Senate.
- 1494 7. A representative of the Louis de la Parte Florida
1495 Mental Health Institute within the University of South Florida,
1496 appointed by the President of the Senate.
- 1497 8. A representative of a county school district, appointed
1498 by the President of the Senate.
- 1499 9. A representative of mental health courts, appointed by
1500 the Governor.
- 1501 10. A representative of a treatment facility, as defined
1502 in s. 394.455, appointed by the Speaker of the House of
1503 Representatives.
- 1504 11. A representative of a managing entity, as defined in
1505 s. 394.9082(2), appointed by the Speaker of the House of
1506 Representatives.
- 1507 12. A representative of a community substance abuse
1508 provider, appointed by the Speaker of the House of
1509 Representatives.

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1510 13. A psychiatrist licensed under chapter 458 or chapter
1511 459 practicing within the mental health delivery system,
1512 appointed by the Speaker of the House of Representatives.

1513 14. A psychologist licensed under chapter 490 practicing
1514 within the mental health delivery system, appointed by the
1515 Governor.

1516 15. A mental health professional licensed under chapter
1517 491, appointed by the Governor.

1518 16. An emergency room physician, appointed by the
1519 Governor.

1520 17. A representative from the field of law enforcement,
1521 appointed by the Governor.

1522 18. A representative from the criminal justice system,
1523 appointed by the Governor.

1524 19. A representative of a child welfare agency involved in
1525 the delivery of behavioral health services, appointed by the
1526 Governor.

1527 (b) The Governor shall appoint the chair from the members
1528 of the commission. Appointments to the commission must be made
1529 by August 1, 2021. Members shall be appointed to serve at the
1530 pleasure of the officer who appointed the member. A vacancy on
1531 the commission shall be filled in the same manner as the
1532 original appointment.

1533 (c) The commission shall convene no later than September
1534 1, 2021. The commission shall meet quarterly or upon the call of

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1535 the chair. The commission shall hold its meetings via
1536 teleconference or other electronic means.

1537 (4) DUTIES.—

1538 (a) The duties of the Commission on Mental Health and
1539 Substance Abuse include the following:

1540 1. Conducting a review and evaluation of the management
1541 and functioning of the existing publicly supported mental health
1542 and substance abuse systems and services in the department, the
1543 Agency for Health Care Administration, and all other departments
1544 which administer mental health and substance abuse services.
1545 Such review shall include, at a minimum, a review of current
1546 goals and objectives, current planning, services strategies,
1547 coordination management, purchasing, contracting, financing,
1548 local government funding responsibility, and accountability
1549 mechanisms.

1550 2. Considering the unique needs of persons who are dually
1551 diagnosed.

1552 3. Addressing access to, financing of, and scope of
1553 responsibility in the delivery of emergency behavioral health
1554 care services.

1555 4. Addressing the quality and effectiveness of current
1556 mental health and substance abuse services delivery systems, and
1557 professional staffing and clinical structure of services, roles,
1558 and responsibilities of public and private providers, such as
1559 community mental health centers, community substance abuse

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1560 agencies, hospitals, including emergency services departments,
1561 law enforcement agencies, and the judicial system.

1562 5. Addressing priority population groups for publicly
1563 funded mental health and substance abuse services, identifying
1564 the comprehensive mental health and substance abuse services
1565 delivery systems, mental health and substance abuse needs
1566 assessment and planning activities, and local government funding
1567 responsibilities for mental health and substance abuse services.

1568 6. Reviewing the implementation of chapter 2020-107, Laws
1569 of Florida.

1570 7. Identifying any gaps in the provision of mental health
1571 and substance use disorder services.

1572 8. Providing recommendations on how behavioral health
1573 managing entities may fulfill their purpose of promoting service
1574 continuity.

1575 9. Making recommendations regarding the mission and
1576 objectives of state-supported mental health and substance abuse
1577 services and the planning, management, staffing, financing,
1578 contracting, coordination, and accountability mechanisms which
1579 will best foster the recommended mission and objectives.

1580 10. Evaluating and making recommendations regarding the
1581 establishment of a permanent, agency-level entity to manage
1582 mental health, substance abuse, and related services statewide.

1583 At a minimum, the evaluation must consider and describe the:

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1584 a. Specific duties and organizational structure proposed
1585 for the entity;

1586 b. Resource needs of the entity and possible sources of
1587 funding;

1588 c. Estimated impact on access to and quality of services;

1589 d. Impact on individuals with behavioral health needs and
1590 their families, both those currently served through the affected
1591 systems providing behavioral health services and those in need
1592 of services; and

1593 e. Relation to, integration with, and impact on providers,
1594 managing entities, communities, state agencies, and systems
1595 which provide mental health and substance abuse services in this
1596 state. Such recommendations must ensure that the ability of such
1597 other agencies and systems to carry out their missions and
1598 responsibilities is not impaired.

1599 (b) The commission may call upon appropriate departments
1600 and agencies of state government for such professional
1601 assistance as may be needed in the discharge of its duties, and
1602 such departments and agencies shall provide such assistance in a
1603 timely manner.

1604 (5) REPORTS.—By September 1, 2022, the commission shall
1605 submit an interim report to the President of the Senate, the
1606 Speaker of the House of Representatives, and the Governor
1607 containing its findings and recommendations on how to best
1608 provide and facilitate mental health and substance abuse

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1609 services in the state. The commission shall submit its final
1610 report to the President of the Senate, the Speaker of the House
1611 of Representatives, and the Governor by September 1, 2023.

1612 (6) REPEAL.—This section is repealed September 1, 2023,
1613 unless saved from repeal through reenactment by the Legislature.

1614 Section 19. Subsection (3) of section 409.1415, Florida
1615 Statutes, is renumbered as subsection (4), paragraphs (b) and
1616 (c) of subsection (2) are amended, and a new subsection (3) is
1617 added to that section, to read:

1618 409.1415 Parenting partnerships for children in out-of-
1619 home care; resources.—

1620 (2) PARENTING PARTNERSHIPS.—

1621 (b) To ensure that a child in out-of-home care receives
1622 support for healthy development which gives the child the best
1623 possible opportunity for success, caregivers, birth or legal
1624 parents, the department, and the community-based care lead
1625 agency shall work cooperatively in a respectful partnership by
1626 adhering to the following requirements:

1627 1. All members of the partnership must interact and
1628 communicate professionally with one another, must share all
1629 relevant information promptly, and must respect the
1630 confidentiality of all information related to the child and his
1631 or her family.

1632 2. The caregiver; the birth or legal parent; the child, if
1633 appropriate; the department; and the community-based care lead

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1634 agency must participate in developing a case plan for the child
1635 and the birth or legal parent. All members of the team must work
1636 together to implement the case plan. The caregiver must have the
1637 opportunity to participate in all team meetings or court
1638 hearings related to the child's care and future plans. The
1639 department and community-based care lead agency must support and
1640 facilitate caregiver participation through timely notification
1641 of such meetings and hearings and provide alternative methods
1642 for participation for a caregiver who cannot be physically
1643 present at a meeting or hearing.

1644 3. A caregiver must strive to provide, and the department
1645 and community-based care lead agency must support, excellent
1646 parenting, which includes:

1647 a. A loving commitment to the child and the child's safety
1648 and well-being.

1649 b. Appropriate supervision and positive methods of
1650 discipline.

1651 c. Encouragement of the child's strengths.

1652 d. Respect for the child's individuality and likes and
1653 dislikes.

1654 e. Providing opportunities to develop the child's
1655 interests and skills.

1656 f. Being aware of the impact of trauma on behavior.

1657 g. Facilitating equal participation of the child in family
1658 life.

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1659 h. Involving the child within his or her community.

1660 i. A commitment to enable the child to lead a normal life.

1661 4. A child in out-of-home care must be placed with a
1662 caregiver who has the ability to care for the child, is willing
1663 to accept responsibility for providing care, and is willing and
1664 able to learn about and be respectful of the child's culture,
1665 religion, and ethnicity; special physical or psychological
1666 needs; circumstances unique to the child; and family
1667 relationships. The department, the community-based care lead
1668 agency, and other agencies must provide a caregiver with all
1669 available information necessary to assist the caregiver in
1670 determining whether he or she is able to appropriately care for
1671 a particular child.

1672 5. A caregiver must have access to and take advantage of
1673 all training that he or she needs to improve his or her skills
1674 in parenting a child who has experienced trauma due to neglect,
1675 abuse, or separation from home; to meet the child's special
1676 needs; and to work effectively with child welfare agencies, the
1677 courts, the schools, and other community and governmental
1678 agencies.

1679 6. The department and community-based care lead agency
1680 must provide a caregiver with the services and support they need
1681 to enable them to provide quality care for the child pursuant to
1682 subsection (3).

1683 7. Once a caregiver accepts the responsibility of caring

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1684 for a child, the child may be removed from the home of the
1685 caregiver only if:

1686 a. The caregiver is clearly unable to safely or legally
1687 care for the child;

1688 b. The child and the birth or legal parent are reunified;

1689 c. The child is being placed in a legally permanent home
1690 in accordance with a case plan or court order; or

1691 d. The removal is demonstrably in the best interests of
1692 the child.

1693 8. If a child must leave the caregiver's home for one of
1694 the reasons stated in subparagraph 7., and in the absence of an
1695 unforeseeable emergency, the transition must be accomplished
1696 according to a plan that involves cooperation and sharing of
1697 information among all persons involved, respects the child's
1698 developmental stage and psychological needs, ensures the child
1699 has all of his or her belongings, allows for a gradual
1700 transition from the caregiver's home, and, if possible, allows
1701 for continued contact with the caregiver after the child leaves.

1702 9. When the case plan for a child includes reunification,
1703 the caregiver, the department, and the community-based care lead
1704 agency must work together to assist the birth or legal parent in
1705 improving his or her ability to care for and protect the child
1706 and to provide continuity for the child.

1707 10. A caregiver must respect and support the child's ties
1708 to his or her birth or legal family, including parents,

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1709 | siblings, and extended family members, and must assist the child
1710 | in maintaining allowable visitation and other forms of
1711 | communication. The department and community-based care lead
1712 | agency must provide a caregiver with the information, guidance,
1713 | training, and support necessary for fulfilling this
1714 | responsibility.

1715 | 11. A caregiver must work in partnership with the
1716 | department and community-based care lead agency to obtain and
1717 | maintain records that are important to the child's well-being,
1718 | including, but not limited to, child resource records, medical
1719 | records, school records, photographs, and records of special
1720 | events and achievements.

1721 | 12. A caregiver must advocate for a child in his or her
1722 | care with the child welfare system, the court, and community
1723 | agencies, including schools, child care providers, health and
1724 | mental health providers, and employers. The department and
1725 | community-based care lead agency must support a caregiver in
1726 | advocating for a child and may not retaliate against the
1727 | caregiver as a result of this advocacy.

1728 | 13. A caregiver must be as fully involved in the child's
1729 | medical, psychological, and dental care as he or she would be
1730 | for his or her biological child. The department and community-
1731 | based care lead agency must support and facilitate such
1732 | participation. The caregiver, the department, and the community-
1733 | based care lead agency must share information with each other

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1734 about the child's health and well-being.

1735 14. A caregiver must support a child's school success,
1736 including, when possible, maintaining school stability by
1737 participating in school activities and meetings. The department
1738 and community-based care lead agency must facilitate this
1739 participation and be informed of the child's progress and needs.

1740 15. A caregiver must ensure that a child in his or her
1741 care who is between 13 and 17 years of age learns and masters
1742 independent living skills. The department shall make available
1743 training for caregivers developed in collaboration with the
1744 Florida Foster and Adoptive Parent Association and the Quality
1745 Parenting Initiative on the life skills necessary for children
1746 in out-of-home care.

1747 16. The case manager and case manager supervisor must
1748 mediate disagreements that occur between a caregiver and the
1749 birth or legal parent.

1750 (c) An employee of a residential group home must meet the
1751 background screening requirements under s. 39.0138 and the level
1752 2 screening standards for screening under chapter 435. An
1753 employee of a residential group home who works directly with a
1754 child as a caregiver must meet, at a minimum, the same education
1755 ~~and, training, background, and other screening~~ requirements as
1756 caregivers in family foster homes licensed as level II under s.
1757 409.175(5).

1758 (3) RESOURCES AND SUPPORT FOR CAREGIVERS.-

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1759 (a) Foster parents.—The department shall establish the
1760 Foster Information Center to connect current and former foster
1761 parents, known as foster parent advocates, to prospective and
1762 current foster parents in order to provide information and
1763 services, including, but not limited to:

1764 1. Navigating the application and approval process,
1765 including timelines for each; preparing for transitioning from
1766 approval for placement to accepting a child into the home; and
1767 learning about and connecting with any available resources in
1768 the prospective foster parent's community.

1769 2. Accessing available resources and services, including,
1770 but not limited to, those from the Florida Foster and Adoptive
1771 Parent Association, for any current foster parents who need
1772 additional assistance.

1773 3. Providing information specific to a foster parent's
1774 individual needs.

1775 4. Providing immediate assistance when needed.

1776 (b) Kinship caregivers.—

1777 1. A community-based care lead agency shall provide a
1778 caregiver with resources and supports that are available and
1779 discuss whether the caregiver meets any eligibility criteria for
1780 such resources and supports. If the caregiver is unable to
1781 access resources and supports beneficial to the well-being of
1782 the child, the community-based care lead agency or case
1783 management agency must assist the caregiver in initiating access

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1784 | to resources by:

1785 | a. Providing referrals to kinship navigation services, if
1786 | available.

1787 | b. Assisting with linkages to community resources and
1788 | completion of program applications.

1789 | c. Scheduling appointments.

1790 | d. Initiating contact with community service providers.

1791 | 2. The community-based care lead agency shall provide each
1792 | caregiver with a telephone number to call during normal business
1793 | hours whenever immediate assistance is needed and the child's
1794 | caseworker is unavailable. The telephone number must be staffed
1795 | and answered by individuals possessing the knowledge and
1796 | authority necessary to assist caregivers.

1797 | Section 20. Section 409.1453, Florida Statutes, is
1798 | repealed.

1799 | Section 21. Subsection (3) of section 409.175, Florida
1800 | Statutes, is amended to read:

1801 | 409.175 Licensure of family foster homes, residential
1802 | child-caring agencies, and child-placing agencies; public
1803 | records exemption.—

1804 | (3) (a) The total number of children placed in a each
1805 | family foster home shall be based on the recommendation of the
1806 | department, or the community-based care lead agency where one is
1807 | providing foster care and related services, based on the needs
1808 | of each child in care, the ability of the foster family to meet

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1809 the individual needs of each child, including any adoptive or
1810 biological children or young adults remaining in foster care
1811 living in the home, the amount of safe physical plant space, the
1812 ratio of active and appropriate adult supervision, and the
1813 background, experience, and skill of the family foster parents.

1814 (b) The department must grant a capacity waiver before
1815 another child may be placed in the home if:

1816 1. The total number of dependent children in a family
1817 foster home is six or more; or will exceed five, including the
1818 family's own children,

1819 2. The total number of children in a family foster home,
1820 including both dependent children and the family's own children,
1821 is eight or more.

1822 (c) Before granting a capacity waiver, the department must
1823 conduct an assessment of each child to be placed in the home.
1824 ~~must be completed by a family services counselor and approved in~~
1825 ~~writing by the counselor's supervisor prior to placement of any~~
1826 ~~additional children in the home, except that, If the placement~~
1827 ~~involves a child whose sibling is already in the home or a child~~
1828 ~~who has been in placement in the home previously, the assessment~~
1829 ~~must be completed within 72 hours after placement. The~~
1830 ~~assessment must assess and document the mental, physical, and~~
1831 ~~psychosocial needs of the child and whether those needs will be~~
1832 ~~met by placement in the home and recommend the maximum number of~~
1833 ~~children in a family foster home that will allow the child's~~

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1834 ~~needs to be met.~~

1835 (d)~~(e)~~ For any licensed family foster home, the
1836 appropriateness of the number of children in the home must be
1837 reassessed annually as part of the relicensure process. For a
1838 home with more than eight ~~five~~ children, including the family's
1839 own children, if it is determined by the licensure study at the
1840 time of relicensure that the total number of children in the
1841 home is appropriate and that there have been no substantive
1842 licensure violations and no indications of child maltreatment or
1843 child-on-child sexual abuse within the past 12 months, the
1844 relicensure of the home may ~~shall~~ not be denied based on the
1845 total number of children in the home.

1846 (e) The department may adopt rules to implement this
1847 subsection.

1848 Section 22. Section 409.1753, Florida Statutes, is
1849 repealed.

1850 Section 23. Subsections (6) and (7) are added to section
1851 409.987, Florida Statutes, to read:

1852 409.987 Lead agency procurement; boards; conflicts of
1853 interest.—

1854 (6) In communities in which conditions make it not
1855 feasible to competitively contract with a lead agency, the
1856 department may collaborate with the local community alliance to
1857 establish an alternative approach to providing community-based
1858 child welfare services in the service area that would otherwise

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1859 be served by a lead agency.

1860 (a) The department and local community alliance shall
1861 develop a plan that must detail how the community will continue
1862 to implement community-based care through competitively
1863 procuring either the specific components of foster care and
1864 related services or comprehensive services for defined eligible
1865 populations of children and families from qualified entities as
1866 part of the community's efforts to develop the local capacity
1867 for a community-based system of coordinated care. The plan must
1868 ensure local control over the management and administration of
1869 service provision. At a minimum, the plan must describe the
1870 reasons for the department's inability to competitively contract
1871 for lead agency services, the proposed alternative approach to
1872 providing lead agency services, the entities that will be
1873 involved in service provision, how local control will be
1874 maintained, how services will be managed to ensure that federal
1875 and state requirements are met and outcome goals under s.
1876 409.986 are achieved, and recommendations for increasing the
1877 ability of the department to contract with a lead agency in that
1878 area.

1879 (b) The department shall submit the plan to the Governor,
1880 the President of the Senate, and the Speaker of the House of
1881 Representatives before implementation. The department shall
1882 submit quarterly updates about the plan's implementation to the
1883 Governor, the President of the Senate, and the Speaker of the

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1884 House of Representatives until 2 years after full implementation
1885 of the plan.

1886 (7) (a) As used in this subsection, the term:

1887 1. "Activity" includes, but is not limited to, a contract
1888 for goods and services, a contract for the purchase of any real
1889 or tangible property, or an agreement to engage with a lead
1890 agency for the benefit of a third party in exchange for an
1891 interest in real or tangible property, a monetary benefit, or an
1892 in-kind contribution.

1893 2. "Conflict of interest" means when a board member or an
1894 officer, or a relative of a board member or an officer, of a
1895 lead agency does any of the following:

1896 a. Enters into a contract or other transaction for goods
1897 or services with the lead agency.

1898 b. Holds a direct or indirect interest in a corporation,
1899 limited liability corporation, partnership, limited liability
1900 partnership, or other business entity that conducts business
1901 with the lead agency or proposes to enter into a contract or
1902 other transaction with the lead agency. For purposes of this
1903 paragraph, the term "indirect interest" has the same meaning as
1904 in s. 112.312.

1905 c. Knowingly obtains a direct or indirect personal,
1906 financial, professional, or other benefit as a result of the
1907 relationship of such board member or officer, or relative of the
1908 board member or officer, with the lead agency. For purposes of

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1909 this paragraph, the term "benefit" does not include per diem and
1910 travel expenses paid or reimbursed to board members or officers
1911 of the lead agency in connection with their service on the
1912 board.

1913 3. "Relative" means a relative within the third degree of
1914 consanguinity by blood or marriage.

1915 (b)1. For any activity that is presented to the board of a
1916 lead agency for its initial consideration and approval after
1917 July 1, 2021, or any activity that involves a contract that is
1918 being considered for renewal on or after July 1, 2021, but
1919 before January 1, 2022, a board member or an officer of a lead
1920 agency shall disclose to the board any activity that may
1921 reasonably be construed to be a conflict of interest before such
1922 activity is initially considered and approved or a contract is
1923 renewed by the board. A rebuttable presumption of a conflict of
1924 interest exists if the activity was acted on by the board
1925 without prior notice as required under paragraph (c).

1926 2. For contracts with a lead agency which are in existence
1927 on July 1, 2021, and are not subject to renewal before January
1928 1, 2022, a board member or an officer of the lead agency shall
1929 disclose to the board any activity that may reasonably be
1930 construed to be a conflict of interest under this section by
1931 December 31, 2021.

1932 (c)1. If a board member or an officer of a lead agency, or
1933 a relative of a board member or an officer, proposes to engage

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1934 in an activity as described in subparagraph (b)1., the proposed
1935 activity must be listed on the meeting agenda for the next
1936 general or special meeting of the board members, and copies of
1937 all contracts and transactional documents related to the
1938 proposed activity must be included in the agenda. The meeting
1939 agenda must clearly identify the existence of a potential
1940 conflict of interest for the proposed activity. Before a board
1941 member or an officer of the lead agency, or a relative of a
1942 board member or an officer, engages in the proposed activity,
1943 the activity and contract or other transactional documents must
1944 be approved by an affirmative vote of two-thirds of all other
1945 board members present.

1946 2. If a board member or an officer of the lead agency
1947 notifies the board of a potential conflict of interest with the
1948 board member or officer, or a relative of the board member or
1949 officer, under an existing contract as described in subparagraph
1950 (b)2., the board must notice the activity on a meeting agenda
1951 for the next general or special meeting of the board members,
1952 and copies of all contracts and transactional documents related
1953 to the activity must be attached. The meeting agenda must
1954 clearly identify the existence of a potential conflict of
1955 interest. The board must be given the opportunity to approve or
1956 disapprove the conflict of interest by a vote of two-thirds of
1957 all other board members present.

1958 (d)1. If the board votes against the proposed activity

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1959 under subparagraph (c)1., the board member or officer of the
1960 lead agency, or the relative of the board member or officer,
1961 must notify the board in writing of his or her intention, or his
1962 or her relative's intention, not to pursue the proposed
1963 activity, or the board member or officer shall withdraw from
1964 office before the next scheduled board meeting. If the board
1965 finds that a board member or officer has violated this
1966 paragraph, the board member or officer shall be removed from
1967 office before the next scheduled board meeting.

1968 2. In the event that the board does not approve a conflict
1969 of interest as required under subparagraph (c)2., the parties to
1970 the activity may opt to cancel the activity or, in the
1971 alternative, the board member or officer of the lead agency must
1972 resign from the board before the next scheduled board meeting.
1973 If the activity canceled is a contract, the lead agency is only
1974 liable for the reasonable value of the goods and services
1975 provided up to the time of cancellation and is not liable for
1976 any termination fee, liquidated damages, or other form of
1977 penalty for such cancellation.

1978 (e) A board member or an officer of a lead agency, or a
1979 relative of a board member or an officer, who is a party to, or
1980 has an interest in, an activity that is a possible conflict of
1981 interest may attend the meeting at which the activity is
1982 considered by the board and may make a presentation to the board
1983 regarding the activity. After the presentation, the board member

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1984 or officer, or the relative of the board member or officer, must
1985 leave the meeting during the discussion of, and the vote on, the
1986 activity. A board member or an officer who is a party to, or has
1987 an interest in, the activity shall recuse himself or herself
1988 from the vote.

1989 (f) A contract entered into between a board member or an
1990 officer of a lead agency, or a relative of a board member or an
1991 officer, and the lead agency which has not been properly
1992 disclosed as a conflict of interest or potential conflict of
1993 interest under this section is voidable and terminates upon the
1994 filing of a written notice terminating the contract with the
1995 board of directors which contains the consent of at least 20
1996 percent of the voting interests of the lead agency.

1997 Section 24. Subsection (1) of section 409.988, Florida
1998 Statutes, is amended to read:

1999 409.988 Lead agency duties; general provisions.—

2000 (1) DUTIES.—A lead agency:

2001 (a) Shall serve all children referred as a result of a
2002 report of abuse, neglect, or abandonment to the department's
2003 central abuse hotline, including, but not limited to, children
2004 who are the subject of verified reports and children who are not
2005 the subject of verified reports but who are at moderate to
2006 extremely high risk of abuse, neglect, or abandonment, as
2007 determined using the department's risk assessment instrument,
2008 regardless of the level of funding allocated to the lead agency

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2009 | by the state if all related funding is transferred. The lead
2010 | agency may also serve children who have not been the subject of
2011 | reports of abuse, neglect, or abandonment, but who are at risk
2012 | of abuse, neglect, or abandonment, to prevent their entry into
2013 | the child protection and child welfare system.

2014 | (b) Shall provide accurate and timely information
2015 | necessary for oversight by the department pursuant to the child
2016 | welfare results-oriented accountability system required by s.
2017 | 409.997.

2018 | (c) Shall follow the financial guidelines developed by the
2019 | department and provide for a regular independent auditing of its
2020 | financial activities. Such financial information shall be
2021 | provided to the community alliance established under s.
2022 | 20.19(5).

2023 | ~~(d) Shall post on its website the current budget for the~~
2024 | ~~lead agency, including the salaries, bonuses, and other~~
2025 | ~~compensation paid, by position, for the agency's chief executive~~
2026 | ~~officer, chief financial officer, and chief operating officer,~~
2027 | ~~or their equivalents.~~

2028 | (d)~~(e)~~ Shall prepare all judicial reviews, case plans, and
2029 | other reports necessary for court hearings for dependent
2030 | children, except those related to the investigation of a
2031 | referral from the department's child abuse hotline, and shall
2032 | submit these documents timely to the department's attorneys for
2033 | review, any necessary revision, and filing with the court. The

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2034 lead agency shall make the necessary staff available to
2035 department attorneys for preparation for dependency proceedings,
2036 and shall provide testimony and other evidence required for
2037 dependency court proceedings in coordination with the
2038 department's attorneys. This duty does not include the
2039 preparation of legal pleadings or other legal documents, which
2040 remain the responsibility of the department.

2041 ~~(e)(f)~~ Shall ensure that all individuals providing care
2042 for dependent children receive:

2043 1. Appropriate training and meet the minimum employment
2044 standards established by the department. Appropriate training
2045 shall include, but is not limited to, training on the
2046 recognition of and responses to head trauma and brain injury in
2047 a child under 6 years of age developed by the Child Protection
2048 Team Program within the Department of Health.

2049 2. Contact information for the local mobile response team
2050 established under s. 394.495.

2051 ~~(f)(g)~~ Shall maintain eligibility to receive all available
2052 federal child welfare funds.

2053 (g) Shall adhere to all best child welfare practices under
2054 ss. 39.4087, 39.523, 409.1415, and 409.145.

2055 (h) Shall maintain written agreements with Healthy
2056 Families Florida lead entities in its service area pursuant to
2057 s. 409.153 to promote cooperative planning for the provision of
2058 prevention and intervention services.

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2059 (i) Shall comply with federal and state statutory
2060 requirements and agency rules in the provision of contractual
2061 services.

2062 (j) May subcontract for the provision of services required
2063 by the contract with the lead agency and the department;
2064 however, the subcontracts must specify how the provider will
2065 contribute to the lead agency meeting the performance standards
2066 established pursuant to the child welfare results-oriented
2067 accountability system required by s. 409.997. The lead agency
2068 shall directly provide no more than 35 percent of all child
2069 welfare services provided unless it can demonstrate a need,
2070 within the lead agency's geographic service area, to exceed this
2071 threshold. The local community alliance in the geographic
2072 service area in which the lead agency is seeking to exceed the
2073 threshold shall review the lead agency's justification for need
2074 and recommend to the department whether the department should
2075 approve or deny the lead agency's request for an exemption from
2076 the services threshold. If there is not a community alliance
2077 operating in the geographic service area in which the lead
2078 agency is seeking to exceed the threshold, such review and
2079 recommendation shall be made by representatives of local
2080 stakeholders, including at least one representative from each of
2081 the following:

- 2082 1. The department.
- 2083 2. The county government.

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- 2084 3. The school district.
- 2085 4. The county United Way.
- 2086 5. The county sheriff's office.
- 2087 6. The circuit court corresponding to the county.
- 2088 7. The county children's board, if one exists.
- 2089 (k) Shall publish ~~post~~ on its website by the 15th day of
- 2090 each month at a minimum the data specified ~~information contained~~
- 2091 in subparagraphs 1.-5., calculated using a standard methodology
- 2092 determined by the department, ~~subparagraphs 1.-4.~~ for the
- 2093 preceding calendar month regarding its case management services.
- 2094 The following information shall be reported by each individual
- 2095 subcontracted case management provider, by the lead agency, if
- 2096 the lead agency provides case management services, and in total
- 2097 for all case management services subcontracted or directly
- 2098 provided by the lead agency:
- 2099 1. The average caseload of case managers, including only
- 2100 filled positions;
- 2101 2. The total number and percentage of case managers who
- 2102 have 25 or more cases on their caseloads;
- 2103 3.2. The turnover rate for case managers and case
- 2104 management supervisors for the previous 12 months;
- 2105 4.3. The percentage of required home visits completed; and
- 2106 5.4. Performance on outcome measures required pursuant to
- 2107 s. 409.997 for the previous 12 months.
- 2108 (l) Shall identify an employee to serve as a liaison with

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2109 the community alliance and community-based and faith-based
2110 organizations interested in collaborating with the lead agency
2111 or offering services or other assistance on a volunteer basis to
2112 the children and families served by the lead agency. The lead
2113 agency shall ensure that appropriate lead agency staff and
2114 subcontractors, including, but not limited to, case managers,
2115 are informed of the specific services or assistance available
2116 from community-based and faith-based organizations.

2117 (m) Shall include the statement "(community-based care
2118 lead agency name) is a community-based care lead agency
2119 contracted with the Department of Children and Families" on its
2120 website and, at a minimum, in its promotional literature, lead
2121 agency-created documents and forms provided to families served
2122 by the lead agency, business cards, and stationery letterhead.

2123 Section 25. Subsection (7) of section 409.990, Florida
2124 Statutes, is renumbered as subsection (8), and a new subsection
2125 (7) is added to that section to read:

2126 409.990 Funding for lead agencies.—A contract established
2127 between the department and a lead agency must be funded by a
2128 grant of general revenue, other applicable state funds, or
2129 applicable federal funding sources.

2130 (7) If subcontracted service providers must provide
2131 services that are beyond the contract limits due to increased
2132 client need or caseload, the lead agencies shall fund the cost
2133 of increased care.

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2134 Section 26. Subsections (3) through (25) of section
2135 409.996, Florida Statutes, are renumbered as subsections (5)
2136 through (27), respectively, subsections (1) and (2) and
2137 paragraph (d) of present subsection (25) are amended, and new
2138 subsections (3) and (4) are added to that section, to read:

2139 409.996 Duties of the Department of Children and
2140 Families.—The department shall contract for the delivery,
2141 administration, or management of care for children in the child
2142 protection and child welfare system. In doing so, the department
2143 retains responsibility for the quality of contracted services
2144 and programs and shall ensure that, at a minimum, services are
2145 delivered in accordance with applicable federal and state
2146 statutes and regulations and the performance standards and
2147 metrics specified in the strategic plan created under s.
2148 20.19(1).

2149 (1) The department shall enter into contracts with lead
2150 agencies for the performance of the duties by the lead agencies
2151 established in s. 409.988. At a minimum, the contracts must do
2152 all of the following:

2153 (a) Provide for the services needed to accomplish the
2154 duties established in s. 409.988. ~~and~~

2155 (b) Require the lead agency to provide information to the
2156 department which specifies how the lead agency will adhere to
2157 all best child welfare practices under ss. 39.4087, 39.523,
2158 409.1415, and 409.145.

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2159 (c) Provide information to the department which is
2160 necessary to meet the requirements for a quality assurance
2161 program under subsection (21) ~~(19)~~ and the child welfare
2162 results-oriented accountability system under s. 409.997.

2163 (d) ~~(b)~~ Provide for tiered interventions and graduated
2164 penalties for failure to comply with contract terms or in the
2165 event of performance deficiencies. Such interventions and
2166 penalties shall include, but are not limited to:

- 2167 1. Enhanced monitoring and reporting.
- 2168 2. Corrective action plans.
- 2169 3. Requirements to accept technical assistance and
2170 consultation from the department under subsection (6) ~~(4)~~.
- 2171 4. Financial penalties, which shall require a lead agency
2172 to reallocate funds from administrative costs to direct care for
2173 children.
- 2174 5. Early termination of contracts, as provided in s.
2175 402.1705(3) (f).

2176 (e) ~~(e)~~ Ensure that the lead agency shall furnish current
2177 and accurate information on its activities in all cases in
2178 client case records in the state's statewide automated child
2179 welfare information system.

2180 (f) ~~(d)~~ Specify the procedures to be used by the parties to
2181 resolve differences in interpreting the contract or to resolve
2182 disputes as to the adequacy of the parties' compliance with
2183 their respective obligations under the contract.

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2184 (2) The department must adopt written policies and
2185 procedures for monitoring the contract for delivery of services
2186 by lead agencies which must be published ~~posted~~ on the
2187 department's website. These policies and procedures must, at a
2188 minimum, address the evaluation of fiscal accountability and
2189 program operations, including provider achievement of
2190 performance standards, provider monitoring of subcontractors,
2191 and timely followup of corrective actions for significant
2192 monitoring findings related to providers and subcontractors.
2193 These policies and procedures must also include provisions for
2194 reducing the duplication of the department's program monitoring
2195 activities both internally and with other agencies, to the
2196 extent possible. The department's written procedures must ensure
2197 that the written findings, conclusions, and recommendations from
2198 monitoring the contract for services of lead agencies are
2199 communicated to the director of the provider agency and the
2200 community alliance as expeditiously as possible.

2201 (3) The department shall annually conduct a comprehensive,
2202 multiyear review of the revenues, expenditures, and financial
2203 position of all community-based care lead agencies which must
2204 cover the most recent 2 consecutive fiscal years. The review
2205 must include a comprehensive system-of-care analysis. All
2206 community-based care lead agencies must develop and maintain a
2207 plan to achieve financial viability. The department's review and
2208 the agency's plan shall be submitted to the Governor, the

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2209 President of the Senate, and the Speaker of the House of
2210 Representatives by November 1 of each year.

2211 (4) (a) The department shall collect and publish on its
2212 website, and annually update, all of the following information
2213 for each lead agency under contract with the department:

2214 1. All compensation earned or awarded, whether paid or
2215 accrued, regardless of contingency, by position, for any
2216 employee, and any other person who is compensated through a
2217 contract for services whose services include those commonly
2218 associated with a chief executive, chief administrator, or other
2219 chief officer of a business or corporation, who receives
2220 compensation from state-appropriated funds in excess of 150
2221 percent of the annual salary paid to the secretary of the
2222 department. For purposes of this paragraph, the term "employee"
2223 has the same meaning as in s. 448.095.

2224 2. All findings of the review under subsection (3).

2225 (b) The department shall collect and publish on its
2226 website, and update monthly, the information required under s.
2227 409.988 (1) (k) .

2228 (27)-(25) Subject to an appropriation, for the 2020-2021
2229 and 2021-2022 fiscal years, the department shall implement a
2230 pilot project in the Sixth and Thirteenth Judicial Circuits,
2231 respectively, aimed at improving child welfare outcomes.

2232 (d) The department shall include the results of the pilot
2233 projects in the report required in subsection (26) ~~(24)~~ of this

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2234 section. The report must include the department's findings and
2235 recommendations relating to the pilot projects.

2236 Section 27. Paragraph (a) of subsection (4) of section
2237 828.27, Florida Statutes, is amended to read:

2238 828.27 Local animal control or cruelty ordinances;
2239 penalty.—

2240 (4)(a)1. County-employed animal control officers must, and
2241 municipally-employed ~~municipally-employed~~ animal control
2242 officers may, successfully complete a 40-hour minimum standards
2243 training course. Such course must include, but is not limited
2244 to, training for: animal cruelty investigations, search and
2245 seizure, animal handling, courtroom demeanor, and civil
2246 citations. The course curriculum must be approved by the Florida
2247 Animal Control Association. An animal control officer who
2248 successfully completes such course shall be issued a certificate
2249 indicating that he or she has received a passing grade.

2250 2. County-employed and municipally-employed animal control
2251 officers must successfully complete the 1-hour training course
2252 developed by the Department of Children and Families pursuant to
2253 s. 39.208(5). Animal control officers must be provided with
2254 opportunities to attend the training during their normal work
2255 hours.

2256 3.2. Any animal control officer who is authorized before
2257 January 1, 1990, by a county or municipality to issue citations

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2258 is not required to complete the minimum standards training
2259 course.

2260 ~~4.3.~~ In order to maintain valid certification, every 2
2261 years each certified animal control officer must complete 4
2262 hours of postcertification continuing education training. Such
2263 training may include, but is not limited to, training for:
2264 animal cruelty investigations, search and seizure, animal
2265 handling, courtroom demeanor, and civil citations.

2266 Section 28. Paragraph (c) is added to subsection (6) of s.
2267 1012.795, Florida Statutes, to read:

2268 1012.795 Education Practices Commission; authority to
2269 discipline.—

2270 (6)

2271 (c) If the Department of Education determines that any
2272 instructional personnel or school administrator, as defined in
2273 s. 1012.01(2) or (3), respectively, has knowingly failed to
2274 report known or suspected child abuse as required under s.
2275 39.201, and the Education Practices Commission has issued a
2276 final order for a previous instance of failure to report by the
2277 individual, the Education Practices Commission shall, at a
2278 minimum, suspend the educator certificate of the instructional
2279 personnel or school administrator for a period of at least 1
2280 year.

2281 Section 29. Paragraph (d) of subsection (4) of section
2282 119.071, Florida Statutes, is amended to read:

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2283 119.071 General exemptions from inspection or copying of
2284 public records.—

2285 (4) AGENCY PERSONNEL INFORMATION.—

2286 (d)1. For purposes of this paragraph, the term:

2287 a. "Home addresses" means the dwelling location at which
2288 an individual resides and includes the physical address, mailing
2289 address, street address, parcel identification number, plot
2290 identification number, legal property description, neighborhood
2291 name and lot number, GPS coordinates, and any other descriptive
2292 property information that may reveal the home address.

2293 b. "Telephone numbers" includes home telephone numbers,
2294 personal cellular telephone numbers, personal pager telephone
2295 numbers, and telephone numbers associated with personal
2296 communications devices.

2297 2.a. The home addresses, telephone numbers, dates of
2298 birth, and photographs of active or former sworn law enforcement
2299 personnel or of active or former civilian personnel employed by
2300 a law enforcement agency, including correctional and
2301 correctional probation officers, personnel of the Department of
2302 Children and Families whose duties include the investigation of
2303 abuse, neglect, exploitation, fraud, theft, or other criminal
2304 activities, personnel of the Department of Health whose duties
2305 are to support the investigation of child abuse or neglect, and
2306 personnel of the Department of Revenue or local governments
2307 whose responsibilities include revenue collection and

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2308 enforcement or child support enforcement; the names, home
2309 addresses, telephone numbers, photographs, dates of birth, and
2310 places of employment of the spouses and children of such
2311 personnel; and the names and locations of schools and day care
2312 facilities attended by the children of such personnel are exempt
2313 from s. 119.07(1) and s. 24(a), Art. I of the State
2314 Constitution.

2315 b. The home addresses, telephone numbers, dates of birth,
2316 and photographs of current or former nonsworn investigative
2317 personnel of the Department of Financial Services whose duties
2318 include the investigation of fraud, theft, workers' compensation
2319 coverage requirements and compliance, other related criminal
2320 activities, or state regulatory requirement violations; the
2321 names, home addresses, telephone numbers, dates of birth, and
2322 places of employment of the spouses and children of such
2323 personnel; and the names and locations of schools and day care
2324 facilities attended by the children of such personnel are exempt
2325 from s. 119.07(1) and s. 24(a), Art. I of the State
2326 Constitution.

2327 c. The home addresses, telephone numbers, dates of birth,
2328 and photographs of current or former nonsworn investigative
2329 personnel of the Office of Financial Regulation's Bureau of
2330 Financial Investigations whose duties include the investigation
2331 of fraud, theft, other related criminal activities, or state
2332 regulatory requirement violations; the names, home addresses,

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2333 telephone numbers, dates of birth, and places of employment of
2334 the spouses and children of such personnel; and the names and
2335 locations of schools and day care facilities attended by the
2336 children of such personnel are exempt from s. 119.07(1) and s.
2337 24(a), Art. I of the State Constitution.

2338 d. The home addresses, telephone numbers, dates of birth,
2339 and photographs of current or former firefighters certified in
2340 compliance with s. 633.408; the names, home addresses, telephone
2341 numbers, photographs, dates of birth, and places of employment
2342 of the spouses and children of such firefighters; and the names
2343 and locations of schools and day care facilities attended by the
2344 children of such firefighters are exempt from s. 119.07(1) and
2345 s. 24(a), Art. I of the State Constitution.

2346 e. The home addresses, dates of birth, and telephone
2347 numbers of current or former justices of the Supreme Court,
2348 district court of appeal judges, circuit court judges, and
2349 county court judges; the names, home addresses, telephone
2350 numbers, dates of birth, and places of employment of the spouses
2351 and children of current or former justices and judges; and the
2352 names and locations of schools and day care facilities attended
2353 by the children of current or former justices and judges are
2354 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2355 Constitution.

2356 f. The home addresses, telephone numbers, dates of birth,
2357 and photographs of current or former state attorneys, assistant

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2358 state attorneys, statewide prosecutors, or assistant statewide
2359 prosecutors; the names, home addresses, telephone numbers,
2360 photographs, dates of birth, and places of employment of the
2361 spouses and children of current or former state attorneys,
2362 assistant state attorneys, statewide prosecutors, or assistant
2363 statewide prosecutors; and the names and locations of schools
2364 and day care facilities attended by the children of current or
2365 former state attorneys, assistant state attorneys, statewide
2366 prosecutors, or assistant statewide prosecutors are exempt from
2367 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2368 g. The home addresses, dates of birth, and telephone
2369 numbers of general magistrates, special magistrates, judges of
2370 compensation claims, administrative law judges of the Division
2371 of Administrative Hearings, and child support enforcement
2372 hearing officers; the names, home addresses, telephone numbers,
2373 dates of birth, and places of employment of the spouses and
2374 children of general magistrates, special magistrates, judges of
2375 compensation claims, administrative law judges of the Division
2376 of Administrative Hearings, and child support enforcement
2377 hearing officers; and the names and locations of schools and day
2378 care facilities attended by the children of general magistrates,
2379 special magistrates, judges of compensation claims,
2380 administrative law judges of the Division of Administrative
2381 Hearings, and child support enforcement hearing officers are
2382 exempt from s. 119.07(1) and s. 24(a), Art. I of the State

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2383 Constitution.

2384 h. The home addresses, telephone numbers, dates of birth,
2385 and photographs of current or former human resource, labor
2386 relations, or employee relations directors, assistant directors,
2387 managers, or assistant managers of any local government agency
2388 or water management district whose duties include hiring and
2389 firing employees, labor contract negotiation, administration, or
2390 other personnel-related duties; the names, home addresses,
2391 telephone numbers, dates of birth, and places of employment of
2392 the spouses and children of such personnel; and the names and
2393 locations of schools and day care facilities attended by the
2394 children of such personnel are exempt from s. 119.07(1) and s.
2395 24(a), Art. I of the State Constitution.

2396 i. The home addresses, telephone numbers, dates of birth,
2397 and photographs of current or former code enforcement officers;
2398 the names, home addresses, telephone numbers, dates of birth,
2399 and places of employment of the spouses and children of such
2400 personnel; and the names and locations of schools and day care
2401 facilities attended by the children of such personnel are exempt
2402 from s. 119.07(1) and s. 24(a), Art. I of the State
2403 Constitution.

2404 j. The home addresses, telephone numbers, places of
2405 employment, dates of birth, and photographs of current or former
2406 guardians ad litem, as defined in s. 39.820; the names, home
2407 addresses, telephone numbers, dates of birth, and places of

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2408 employment of the spouses and children of such persons; and the
2409 names and locations of schools and day care facilities attended
2410 by the children of such persons are exempt from s. 119.07(1) and
2411 s. 24(a), Art. I of the State Constitution.

2412 k. The home addresses, telephone numbers, dates of birth,
2413 and photographs of current or former juvenile probation
2414 officers, juvenile probation supervisors, detention
2415 superintendents, assistant detention superintendents, juvenile
2416 justice detention officers I and II, juvenile justice detention
2417 officer supervisors, juvenile justice residential officers,
2418 juvenile justice residential officer supervisors I and II,
2419 juvenile justice counselors, juvenile justice counselor
2420 supervisors, human services counselor administrators, senior
2421 human services counselor administrators, rehabilitation
2422 therapists, and social services counselors of the Department of
2423 Juvenile Justice; the names, home addresses, telephone numbers,
2424 dates of birth, and places of employment of spouses and children
2425 of such personnel; and the names and locations of schools and
2426 day care facilities attended by the children of such personnel
2427 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2428 Constitution.

2429 l. The home addresses, telephone numbers, dates of birth,
2430 and photographs of current or former public defenders, assistant
2431 public defenders, criminal conflict and civil regional counsel,
2432 and assistant criminal conflict and civil regional counsel; the

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2433 names, home addresses, telephone numbers, dates of birth, and
2434 places of employment of the spouses and children of current or
2435 former public defenders, assistant public defenders, criminal
2436 conflict and civil regional counsel, and assistant criminal
2437 conflict and civil regional counsel; and the names and locations
2438 of schools and day care facilities attended by the children of
2439 current or former public defenders, assistant public defenders,
2440 criminal conflict and civil regional counsel, and assistant
2441 criminal conflict and civil regional counsel are exempt from s.
2442 119.07(1) and s. 24(a), Art. I of the State Constitution.

2443 m. The home addresses, telephone numbers, dates of birth,
2444 and photographs of current or former investigators or inspectors
2445 of the Department of Business and Professional Regulation; the
2446 names, home addresses, telephone numbers, dates of birth, and
2447 places of employment of the spouses and children of such current
2448 or former investigators and inspectors; and the names and
2449 locations of schools and day care facilities attended by the
2450 children of such current or former investigators and inspectors
2451 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2452 Constitution.

2453 n. The home addresses, telephone numbers, and dates of
2454 birth of county tax collectors; the names, home addresses,
2455 telephone numbers, dates of birth, and places of employment of
2456 the spouses and children of such tax collectors; and the names
2457 and locations of schools and day care facilities attended by the

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2458 children of such tax collectors are exempt from s. 119.07(1) and
2459 s. 24(a), Art. I of the State Constitution.

2460 o. The home addresses, telephone numbers, dates of birth,
2461 and photographs of current or former personnel of the Department
2462 of Health whose duties include, or result in, the determination
2463 or adjudication of eligibility for social security disability
2464 benefits, the investigation or prosecution of complaints filed
2465 against health care practitioners, or the inspection of health
2466 care practitioners or health care facilities licensed by the
2467 Department of Health; the names, home addresses, telephone
2468 numbers, dates of birth, and places of employment of the spouses
2469 and children of such personnel; and the names and locations of
2470 schools and day care facilities attended by the children of such
2471 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
2472 the State Constitution.

2473 p. The home addresses, telephone numbers, dates of birth,
2474 and photographs of current or former impaired practitioner
2475 consultants who are retained by an agency or current or former
2476 employees of an impaired practitioner consultant whose duties
2477 result in a determination of a person's skill and safety to
2478 practice a licensed profession; the names, home addresses,
2479 telephone numbers, dates of birth, and places of employment of
2480 the spouses and children of such consultants or their employees;
2481 and the names and locations of schools and day care facilities
2482 attended by the children of such consultants or employees are

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2483 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2484 Constitution.

2485 q. The home addresses, telephone numbers, dates of birth,
2486 and photographs of current or former emergency medical
2487 technicians or paramedics certified under chapter 401; the
2488 names, home addresses, telephone numbers, dates of birth, and
2489 places of employment of the spouses and children of such
2490 emergency medical technicians or paramedics; and the names and
2491 locations of schools and day care facilities attended by the
2492 children of such emergency medical technicians or paramedics are
2493 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2494 Constitution.

2495 r. The home addresses, telephone numbers, dates of birth,
2496 and photographs of current or former personnel employed in an
2497 agency's office of inspector general or internal audit
2498 department whose duties include auditing or investigating waste,
2499 fraud, abuse, theft, exploitation, or other activities that
2500 could lead to criminal prosecution or administrative discipline;
2501 the names, home addresses, telephone numbers, dates of birth,
2502 and places of employment of spouses and children of such
2503 personnel; and the names and locations of schools and day care
2504 facilities attended by the children of such personnel are exempt
2505 from s. 119.07(1) and s. 24(a), Art. I of the State
2506 Constitution.

2507 s. The home addresses, telephone numbers, dates of birth,

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2508 and photographs of current or former directors, managers,
2509 supervisors, nurses, and clinical employees of an addiction
2510 treatment facility; the home addresses, telephone numbers,
2511 photographs, dates of birth, and places of employment of the
2512 spouses and children of such personnel; and the names and
2513 locations of schools and day care facilities attended by the
2514 children of such personnel are exempt from s. 119.07(1) and s.
2515 24(a), Art. I of the State Constitution. For purposes of this
2516 sub-subparagraph, the term "addiction treatment facility" means
2517 a county government, or agency thereof, that is licensed
2518 pursuant to s. 397.401 and provides substance abuse prevention,
2519 intervention, or clinical treatment, including any licensed
2520 service component described in s. 397.311(26).

2521 t. The home addresses, telephone numbers, dates of birth,
2522 and photographs of current or former directors, managers,
2523 supervisors, and clinical employees of a child advocacy center
2524 that meets the standards of s. 39.3035(2) ~~s. 39.3035(1)~~ and
2525 fulfills the screening requirement of s. 39.3035(3) ~~s.~~
2526 ~~39.3035(2)~~, and the members of a Child Protection Team as
2527 described in s. 39.303 whose duties include supporting the
2528 investigation of child abuse or sexual abuse, child abandonment,
2529 child neglect, and child exploitation or to provide services as
2530 part of a multidisciplinary case review team; the names, home
2531 addresses, telephone numbers, photographs, dates of birth, and
2532 places of employment of the spouses and children of such

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2533 personnel and members; and the names and locations of schools
2534 and day care facilities attended by the children of such
2535 personnel and members are exempt from s. 119.07(1) and s. 24(a),
2536 Art. I of the State Constitution.

2537 3. An agency that is the custodian of the information
2538 specified in subparagraph 2. and that is not the employer of the
2539 officer, employee, justice, judge, or other person specified in
2540 subparagraph 2. shall maintain the exempt status of that
2541 information only if the officer, employee, justice, judge, other
2542 person, or employing agency of the designated employee submits a
2543 written request for maintenance of the exemption to the
2544 custodial agency.

2545 4. An officer, an employee, a justice, a judge, or other
2546 person specified in subparagraph 2. may submit a written request
2547 for the release of his or her exempt information to the
2548 custodial agency. The written request must be notarized and must
2549 specify the information to be released and the party that is
2550 authorized to receive the information. Upon receipt of the
2551 written request, the custodial agency shall release the
2552 specified information to the party authorized to receive such
2553 information.

2554 5. The exemptions in this paragraph apply to information
2555 held by an agency before, on, or after the effective date of the
2556 exemption.

2557 6. This paragraph is subject to the Open Government Sunset

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2558 Review Act in accordance with s. 119.15 and shall stand repealed
2559 on October 2, 2024, unless reviewed and saved from repeal
2560 through reenactment by the Legislature.

2561 Section 30. Paragraph (g) of subsection (2) of section
2562 934.03, Florida Statutes, is amended to read:

2563 934.03 Interception and disclosure of wire, oral, or
2564 electronic communications prohibited.—

2565 (2)

2566 (g) It is lawful under this section and ss. 934.04-934.09
2567 for an employee of:

2568 1. An ambulance service licensed pursuant to s. 401.25, a
2569 fire station employing firefighters as defined by s. 633.102, a
2570 public utility, a law enforcement agency as defined by s.
2571 934.02(10), or any other entity with published emergency
2572 telephone numbers;

2573 2. An agency operating an emergency telephone number "911"
2574 system established pursuant to s. 365.171; or

2575 3. The central abuse hotline operated under s. 39.101
2576 ~~pursuant to s. 39.201~~

2577
2578 to intercept and record incoming wire communications; however,
2579 such employee may intercept and record incoming wire
2580 communications on designated "911" telephone numbers and
2581 published nonemergency telephone numbers staffed by trained
2582 dispatchers at public safety answering points only. It is also

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2583 lawful for such employee to intercept and record outgoing wire
 2584 communications to the numbers from which such incoming wire
 2585 communications were placed when necessary to obtain information
 2586 required to provide the emergency services being requested. For
 2587 the purpose of this paragraph, the term "public utility" has the
 2588 same meaning as provided in s. 366.02 and includes a person,
 2589 partnership, association, or corporation now or hereafter owning
 2590 or operating equipment or facilities in the state for conveying
 2591 or transmitting messages or communications by telephone or
 2592 telegraph to the public for compensation.

2593 Section 31. Except as otherwise expressly provided in this
 2594 act, this act shall take effect July 1, 2021.

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2597 **T I T L E A M E N D M E N T**

2598 Remove everything before the enacting clause and insert:

2599 A bill to be entitled

2600 An act relating to child welfare; providing a
 2601 directive to the Division of Law Revision; creating s.
 2602 39.101, F.S.; transferring existing provisions
 2603 relating to the central abuse hotline of the
 2604 Department of Children and Families; providing
 2605 additional requirements relating to the central abuse
 2606 hotline; revising requirements for certain statistical
 2607 reports that the department is required to collect and

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2608 analyze; amending s. 39.201, F.S.; revising reporting
2609 requirements for the central abuse hotline; requiring
2610 animal control officers and certain agents to provide
2611 their names to central abuse hotline counselors;
2612 requiring such counselors to advise reporters of
2613 certain information; requiring such counselors to
2614 receive specified periodic training; revising
2615 requirements relating to reports of abuse involving
2616 impregnation of children; providing requirements for
2617 reports of child abuse, abandonment, or neglect by a
2618 parent or legal custodian, child-on-child sexual
2619 abuse, juvenile sexual abuse, and children who exhibit
2620 inappropriate sexual behavior; amending s. 39.2015,
2621 F.S.; revising membership of multiagency teams;
2622 requiring the department to conduct investigations of
2623 reports of sexual abuse of children in out-of-home
2624 care under certain circumstances; providing
2625 requirements for such investigations; requiring the
2626 Secretary of Children and Families to create
2627 guidelines for such investigations; requiring a report
2628 to the secretary within a specified time; requiring
2629 the advisory committee to review the reports and
2630 investigations; amending s. 39.202, F.S.; expanding
2631 the list of entities that have access to child abuse
2632 or neglect records; requiring access to certain

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2633 confidential and exempt records by legislative
2634 committees, upon request, within a specified
2635 timeframe; amending s. 39.205, F.S.; providing
2636 construction; specifying that certain persons are not
2637 relieved from the duty to report to the central abuse
2638 hotline by notifying their supervisors; creating s.
2639 39.208, F.S.; providing legislative findings and
2640 intent; providing responsibilities for child
2641 protective investigators relating to animal cruelty;
2642 providing criminal, civil, and administrative immunity
2643 to child protective investigators who report known or
2644 suspected animal cruelty; providing responsibilities
2645 for animal control officers relating to child abuse,
2646 abandonment, and neglect; providing criminal
2647 penalties; requiring the department to develop
2648 training which relates to child abuse, abandonment,
2649 and neglect and animal cruelty; providing requirements
2650 for such training; requiring the department to adopt
2651 rules; amending s. 39.301, F.S.; conforming a cross-
2652 reference; requiring the department to continually
2653 assess child safety throughout a protective
2654 investigation; requiring a child protective
2655 investigator to take specified actions in certain
2656 protective investigations involving sexual abuse;
2657 amending s. 39.302, F.S.; conforming a cross-

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2658 reference; authorizing certain persons to be
2659 represented by an attorney or accompanied by another
2660 person under certain circumstances during protective
2661 investigations of institutional child abuse,
2662 abandonment, or neglect; providing requirements
2663 relating to such investigations; amending s. 39.3035,
2664 F.S.; providing a description of child advocacy
2665 centers; conforming cross-references; amending s.
2666 39.4015, F.S.; requiring, rather than authorizing, the
2667 department to develop a family-finding program;
2668 removing the limitation that the development of
2669 family-finding programs is subject to available
2670 resources; requiring, rather than authorizing, that
2671 family-finding efforts begin as soon as a child is
2672 taken into the custody of the department; making
2673 technical changes; amending s. 39.4087, F.S.;

2674 requiring the department to provide certain
2675 information to, and training for, caregivers of
2676 children in foster care; expanding certain information
2677 that is required to be fully disclosed to a caregiver;
2678 requiring a caregiver to maintain the confidentiality
2679 of certain information; making technical changes;
2680 creating s. 39.4092, F.S.; providing legislative
2681 findings; authorizing offices of criminal conflict and
2682 civil regional counsel to establish a

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2683 multidisciplinary legal representation model program
2684 to serve families in the dependency system; requiring
2685 the department to collaborate with the office of
2686 criminal conflict and civil regional counsel regarding
2687 documentation for federal matching funding; requiring
2688 the department to submit such documentation upon the
2689 establishment of a model program; specifying program
2690 requirements; defining the term "parent-peer
2691 specialist"; requiring each office of criminal
2692 conflict and civil regional counsel that establishes a
2693 model program to submit an annual report by a
2694 specified date to the Office of Program Policy
2695 Analysis and Government Accountability; specifying
2696 report requirements; requiring the Office of Program
2697 Policy Analysis and Government Accountability to
2698 compile the results of the reports, conduct an
2699 analysis, and annually submit the analysis to the
2700 Governor and Legislature by a specified date;
2701 requiring offices of criminal conflict and civil
2702 regional counsel to provide additional information or
2703 data upon request; amending s. 39.5086, F.S.; removing
2704 the limitation that the development of kinship
2705 navigator programs is subject to available resources;
2706 requiring, rather than authorizing, each community-
2707 based care lead agency to establish a kinship

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2708 navigator program; amending s. 39.6225, F.S.; deleting
2709 obsolete provisions; amending s. 394.9082, F.S.;
2710 requiring the department to collect and publish, and
2711 update annually, specified information on its website
2712 for each managing entity under contract with the
2713 department; defining the term "employee"; requiring
2714 managing entities to include a specified statement on
2715 their websites and in certain documents and materials;
2716 creating s. 394.90825, F.S.; providing definitions;
2717 requiring a board member or an officer of a managing
2718 entity to disclose specified activity that may
2719 reasonably be construed to be a conflict of interest;
2720 creating a rebuttable presumption of a conflict of
2721 interest if the activity was acted on by the board
2722 without prior notice; establishing a process for the
2723 managing entity's board of directors to address the
2724 activity within certain timelines; providing for
2725 certain consequences for failure to obtain a board's
2726 approval or failure to properly disclose a contract as
2727 a conflict of interest; creating s. 394.9086, F.S.;
2728 creating the Commission on Mental Health and Substance
2729 Abuse adjunct to the department; requiring the
2730 department to provide administrative and staff support
2731 services to the commission; providing purposes of the
2732 commission; providing for membership, term limits,

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2733 meetings, and duties of the commission; requiring the
2734 commission to submit reports of its findings and
2735 recommendations to the Legislature and Governor by
2736 specified dates; providing for future repeal unless
2737 saved by the Legislature through reenactment; amending
2738 s. 409.1415, F.S.; requiring the department to make
2739 available specified training for caregivers of
2740 children in out-of-home care; requiring the department
2741 to establish the Foster Information Center for
2742 specified purposes; requiring community-based care
2743 lead agencies to provide certain resources, supports,
2744 and assistance to kinship caregivers; requiring
2745 community-based care lead agencies to provide
2746 caregivers with a certain telephone number; repealing
2747 s. 409.1453, F.S., relating to the design and
2748 dissemination of training for foster care caregivers;
2749 amending s. 409.175, F.S.; requiring the department to
2750 conduct certain assessments and grant a capacity
2751 waiver under certain conditions; authorizing the
2752 department to adopt rules; repealing s. 409.1753,
2753 F.S.; relating to duties of the department relating to
2754 foster care; amending s. 409.987, F.S.; requiring the
2755 department to develop an alternative plan for
2756 providing community-based child welfare services under
2757 certain circumstances; providing requirements for the

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2758 | plan; requiring the department to submit the plan and
2759 | certain quarterly updates to the Governor and
2760 | Legislature; providing definitions; requiring a board
2761 | member or an officer of a lead agency to disclose
2762 | specified activity that may reasonably be construed to
2763 | be a conflict of interest; creating a rebuttable
2764 | presumption of a conflict of interest if the activity
2765 | was acted on by the board without prior notice;
2766 | establishing a process for the lead agency's board of
2767 | directors to address the activity within certain
2768 | timelines; providing for certain consequences for
2769 | failure to obtain a board's approval or failure to
2770 | properly disclose a contract as a conflict of
2771 | interest; amending s. 409.988, F.S.; deleting a
2772 | requirement that lead agencies publish their current
2773 | budgets on their websites; specifying additional data
2774 | lead agencies must publish on their websites;
2775 | requiring the department to determine a standard
2776 | methodology for use in calculating specified data;
2777 | requiring lead agencies to adhere to specified best
2778 | child welfare practices; requiring lead agencies to
2779 | include a specified statement on their websites and in
2780 | certain documents and materials; amending s. 409.990,
2781 | F.S.; requiring lead agencies to fund the cost of
2782 | increased care under certain circumstances; amending

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2783 s. 409.996, F.S.; requiring contracts between the
2784 department and community-based care lead agencies to
2785 provide specified information to the department;
2786 requiring the department to annually conduct a
2787 specified review of community-based care lead
2788 agencies; requiring such agencies to develop and
2789 maintain a specified plan; requiring the department to
2790 collect and publish on its website specified
2791 information relating to lead agencies under contract
2792 with the department; amending s. 828.27, F.S.;
2793 requiring county and municipal animal control officers
2794 to complete specified training; requiring that animal
2795 control officers be provided with opportunities to
2796 attend such training during normal work hours;
2797 amending s. 1012.795, F.S.; requiring the Education
2798 Practices Commission to suspend the educator
2799 certificate of instructional personnel and school
2800 administrators for failing to report known or
2801 suspected child abuse under certain circumstances;
2802 amending ss. 119.071 and 934.03, F.S.; conforming
2803 cross-references; providing effective dates.

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