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

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30 to the secretary within a specified time; requiring  
31 the advisory committee to review the reports and  
32 investigations; amending s. 39.202, F.S.; expanding  
33 the list of entities that have access to child abuse  
34 or neglect records; requiring access to certain  
35 confidential and exempt records by legislative  
36 committees, upon request, within a specified  
37 timeframe; amending s. 39.205, F.S.; providing  
38 construction; specifying that certain persons are not  
39 relieved from the duty to report to the central abuse  
40 hotline by notifying their supervisors; creating s.  
41 39.208, F.S.; providing legislative findings and  
42 intent; providing responsibilities for child  
43 protective investigators relating to animal cruelty;  
44 providing criminal, civil, and administrative immunity  
45 to child protective investigators who report known or  
46 suspected animal cruelty; providing responsibilities  
47 for animal control officers relating to child abuse,  
48 abandonment, and neglect; providing criminal  
49 penalties; requiring the department to develop  
50 training which relates to child abuse, abandonment,  
51 and neglect and animal cruelty; providing requirements  
52 for such training; requiring the department to adopt  
53 rules; amending s. 39.301, F.S.; conforming a cross-  
54 reference; requiring the department to continually  
55 assess child safety throughout a protective  
56 investigation; requiring a child protective  
57 investigator to take specified actions in certain  
58 protective investigations involving sexual abuse;

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59 amending s. 39.302, F.S.; conforming a cross-  
60 reference; authorizing certain persons to be  
61 represented by an attorney or accompanied by another  
62 person under certain circumstances during protective  
63 investigations of institutional child abuse,  
64 abandonment, or neglect; providing requirements  
65 relating to such investigations; amending s. 39.3035,  
66 F.S.; providing a description of child advocacy  
67 centers; conforming cross-references; amending s.  
68 39.4015, F.S.; requiring, rather than authorizing, the  
69 department to develop a family-finding program;  
70 removing the limitation that the development of  
71 family-finding programs is subject to available  
72 resources; requiring, rather than authorizing, that  
73 family-finding efforts begin as soon as a child is  
74 taken into the custody of the department; making  
75 technical changes; amending s. 39.4085, F.S.; revising  
76 legislative intent; specifying goals of children in  
77 shelter or foster care; providing responsibilities of  
78 the Department of Children and Families, case  
79 managers, and other staff; authorizing district school  
80 boards to establish specified educational programs for  
81 certain students and provide such programs in  
82 conjunction with other specified programs; amending s.  
83 39.4087, F.S.; requiring the department to provide  
84 certain information to, and training for, caregivers  
85 of children in foster care; expanding certain  
86 information that is required to be fully disclosed to  
87 a caregiver; requiring a caregiver to maintain the

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88 confidentiality of certain information; making  
89 technical changes; creating s. 39.4092, F.S.;  
90 providing legislative findings; authorizing offices of  
91 criminal conflict and civil regional counsel to  
92 establish a multidisciplinary legal representation  
93 model program to serve families in the dependency  
94 system; requiring the department to collaborate with  
95 the office of criminal conflict and civil regional  
96 counsel regarding documentation for federal matching  
97 funding; requiring the department to submit such  
98 documentation upon the establishment of a model  
99 program; specifying program requirements; defining the  
100 term "parent-peer specialist"; requiring each office  
101 of criminal conflict and civil regional counsel that  
102 establishes a model program to submit an annual report  
103 by a specified date to the Office of Program Policy  
104 Analysis and Government Accountability; specifying  
105 report requirements; requiring the Office of Program  
106 Policy Analysis and Government Accountability to  
107 compile the results of the reports, conduct an  
108 analysis, and annually submit the analysis to the  
109 Governor and Legislature by a specified date;  
110 requiring offices of criminal conflict and civil  
111 regional counsel to provide additional information or  
112 data upon request; amending s. 39.5086, F.S.; removing  
113 the limitation that the development of kinship  
114 navigator programs is subject to available resources;  
115 requiring, rather than authorizing, each community-  
116 based care lead agency to establish a kinship

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117 navigator program; amending s. 39.6225, F.S.; deleting  
118 obsolete provisions; amending s. 394.9082, F.S.;

119 requiring the department to collect and publish, and  
120 update annually, specified information on its website  
121 for each managing entity under contract with the  
122 department; defining the term "employee"; requiring  
123 managing entities to include a specified statement on  
124 their websites and in certain documents and materials;  
125 creating s. 394.90825, F.S.; providing definitions;  
126 requiring a board member or an officer of a managing  
127 entity to disclose specified activity that may  
128 reasonably be construed to be a conflict of interest;  
129 creating a rebuttable presumption of a conflict of  
130 interest if the activity was acted on by the board  
131 without prior notice; establishing a process for the  
132 managing entity's board of directors to address the  
133 activity within certain timelines; providing for  
134 certain consequences for failure to obtain a board's  
135 approval or failure to properly disclose a contract as  
136 a conflict of interest; creating s. 394.9086, F.S.;

137 creating the Commission on Mental Health and Substance  
138 Abuse adjunct to the department; requiring the  
139 department to provide administrative and staff support  
140 services to the commission; providing purposes of the  
141 commission; providing for membership, term limits,  
142 meetings, and duties of the commission; requiring the  
143 commission to submit reports of its findings and  
144 recommendations to the Legislature and Governor by  
145 specified dates; providing for future repeal unless

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146 saved by the Legislature through reenactment; amending  
147 s. 409.1415, F.S.; requiring the department to make  
148 available specified training for caregivers of  
149 children in out-of-home care; requiring the department  
150 to establish the Foster Information Center for  
151 specified purposes; requiring community-based care  
152 lead agencies to provide certain resources, supports,  
153 and assistance to kinship caregivers; requiring  
154 community-based care lead agencies to provide  
155 caregivers with a certain telephone number; repealing  
156 s. 409.1453, F.S., relating to the design and  
157 dissemination of training for foster care caregivers;  
158 amending s. 409.175, F.S.; requiring the department to  
159 conduct certain assessments and grant a capacity  
160 waiver under certain conditions; authorizing the  
161 department to adopt rules; repealing s. 409.1753,  
162 F.S.; relating to duties of the department relating to  
163 foster care; amending s. 409.987, F.S.; requiring the  
164 department to develop an alternative plan for  
165 providing community-based child welfare services under  
166 certain circumstances; providing requirements for the  
167 plan; requiring the department to submit the plan and  
168 certain quarterly updates to the Governor and  
169 Legislature; providing definitions; requiring a board  
170 member or an officer of a lead agency to disclose  
171 specified activity that may reasonably be construed to  
172 be a conflict of interest; creating a rebuttable  
173 presumption of a conflict of interest if the activity  
174 was acted on by the board without prior notice;

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175 establishing a process for the lead agency's board of  
176 directors to address the activity within certain  
177 timelines; providing for certain consequences for  
178 failure to obtain a board's approval or failure to  
179 properly disclose a contract as a conflict of  
180 interest; amending s. 409.988, F.S.; deleting a  
181 requirement that lead agencies publish their current  
182 budgets on their websites; specifying additional data  
183 lead agencies must publish on their websites;  
184 requiring the department to determine a standard  
185 methodology for use in calculating specified data;  
186 requiring lead agencies to adhere to specified best  
187 child welfare practices; requiring lead agencies to  
188 include a specified statement on their websites and in  
189 certain documents and materials; amending s. 409.990,  
190 F.S.; requiring lead agencies to fund the cost of  
191 increased care under certain circumstances; amending  
192 s. 409.996, F.S.; requiring contracts between the  
193 department and community-based care lead agencies to  
194 provide specified information to the department;  
195 requiring the department to annually conduct a  
196 specified review of community-based care lead  
197 agencies; requiring such agencies to develop and  
198 maintain a specified plan; requiring the department to  
199 collect and publish on its website specified  
200 information relating to lead agencies under contract  
201 with the department; amending s. 828.27, F.S.;

202 requiring county and municipal animal control officers  
203 to complete specified training; requiring that animal

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204 control officers be provided with opportunities to  
205 attend such training during normal work hours;  
206 amending s. 1012.795, F.S.; requiring the Education  
207 Practices Commission to suspend the educator  
208 certificate of instructional personnel and school  
209 administrators for failing to report known or  
210 suspected child abuse under certain circumstances;  
211 amending ss. 119.071 and 934.03, F.S.; conforming  
212 cross-references; providing effective dates.

213

214 Be It Enacted by the Legislature of the State of Florida:

215

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

219 Section 2. Section 39.101, Florida Statutes, is created to  
220 read:

221 39.101 Central abuse hotline.—The central abuse hotline is  
222 the first step in the safety assessment and investigation  
223 process.

224 (1) ESTABLISHMENT AND OPERATION.—

225 (a) The department shall operate and maintain a central  
226 abuse hotline capable of receiving all reports of known or  
227 suspected child abuse, abandonment, or neglect and reports that  
228 a child is in need of supervision and care and has no parent,  
229 legal custodian, or responsible adult relative immediately known  
230 and available to provide such supervision and care. The hotline  
231 must accept reports 24 hours a day, 7 days a week, and such  
232 reports must be made in accordance with s. 39.201. The central



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233 abuse hotline must be capable of accepting reports made in  
234 accordance with s. 39.201 in writing, through a single statewide  
235 toll-free telephone number, or through electronic reporting. A  
236 person may use any of these methods to make a report to the  
237 central abuse hotline.

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

240 1. Accept reports for investigation when there is  
241 reasonable cause to suspect that a child has been or is being  
242 abused or neglected or has been abandoned.

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

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

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

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

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

258 7. Initiate and enter into agreements with other states for  
259 the purposes of gathering and sharing information contained in  
260 reports on child maltreatment to further enhance programs for  
261 the protection of children.

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262 8. Promote public awareness of the central abuse hotline  
263 through community-based partner organizations and public service  
264 campaigns.

265 (2) TIMEFRAMES FOR INITIATING INVESTIGATION.—After the  
266 central abuse hotline receives a report, the department must  
267 determine the timeframe in which to initiate an investigation  
268 under chapter 39. Except as provided in s. 39.302 relating to  
269 institutional investigations, the department must commence an  
270 investigation:

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

273 1. The immediate safety or well-being of a child is  
274 endangered;

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

277 3. The facts reported to the central abuse hotline  
278 otherwise so warrant.

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

281 (3) COLLECTION OF INFORMATION AND DATA.—The department  
282 shall:

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

288 2. Make the recording or electronic copy of the report made  
289 to the central abuse hotline a part of the record of the report.  
290 Notwithstanding s. 39.202, the recording or electronic copy may

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291 only be released in full to law enforcement agencies and state  
292 attorneys for the purposes of investigating and prosecuting  
293 criminal charges under s. 39.205, or to employees of the  
294 department for the purposes of investigating and seeking  
295 administrative fines under s. 39.206.

296  
297 This paragraph does not prohibit central abuse hotline  
298 counselors from using the recordings or the electronic copy of  
299 reports for quality assurance or training purposes.

300 (b)1. Secure and install electronic equipment that  
301 automatically provides the central abuse hotline the telephone  
302 number from which the call is placed or the Internet protocol  
303 address from which the electronic report is received.

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

307 3. Maintain the confidentiality of such information in the  
308 same manner as given to the identity of the reporter under s.  
309 39.202.

310 (c)1. Update the online form used for reporting child  
311 abuse, abandonment, or neglect to include qualifying questions  
312 in order to obtain necessary information required to assess need  
313 and the timeframes necessary for initiating an investigation  
314 under subsection (2).

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

318 (d) Monitor and evaluate the effectiveness of the reporting  
319 and investigating of suspected child abuse, abandonment, or

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320 neglect through the development and analysis of statistical and  
321 other information.

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

324 (f)1. Collect and analyze child-on-child sexual abuse  
325 reports and include such information in the aggregate  
326 statistical reports.

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

330 a. School premises;

331 b. School transportation;

332 c. School-sponsored off-campus events;

333 d. A school readiness program provider determined to be  
334 eligible under s. 1002.88;

335 e. A private prekindergarten provider or a public school  
336 prekindergarten provider, as those terms are defined in s.  
337 1002.51(7) and (8), respectively;

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

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

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

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

344 (4) USE OF INFORMATION RECEIVED BY THE CENTRAL ABUSE  
345 HOTLINE.—

346 (a) Information received by the central abuse hotline may  
347 not be used for employment screening, except as provided in s.  
348 39.202(2) (a) and (h) or s. 402.302(15).

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349           (b) Information in the central abuse hotline and the  
350 department's automated abuse information system may be used by  
351 the department, its authorized agents or contract providers, the  
352 Department of Health, or county agencies as part of the  
353 licensure or registration process pursuant to ss. 402.301-  
354 402.319 and ss. 409.175-409.176.

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

358           (5) QUALITY ASSURANCE.—On an ongoing basis, the  
359 department's quality assurance program shall review screened-out  
360 reports involving three or more unaccepted reports on a single  
361 child, when jurisdiction applies, in order to detect such things  
362 as harassment and situations that warrant an investigation  
363 because of the frequency of the reports or the variety of the  
364 sources of the reports. A component of the quality assurance  
365 program must analyze unaccepted reports to the central abuse  
366 hotline by identified relatives as a part of the review of  
367 screened-out reports. The Assistant Secretary for Child Welfare  
368 may refer a case for investigation when it is determined, as a  
369 result of such review, that an investigation may be warranted.

370           Section 3. Section 39.201, Florida Statutes, is amended to  
371 read:

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

374           39.201 Required reports of child abuse, abandonment, or  
375 neglect, sexual abuse of a child, and juvenile sexual abuse;  
376 required reports of death; reports involving a child who has  
377 exhibited inappropriate sexual behavior.—

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378 (1) MANDATORY REPORTING.—

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

384 a. Child abuse, abandonment, or neglect by a parent or  
385 caregiver, which includes, but is not limited to, when a child  
386 is abused, abandoned, or neglected by a parent, legal custodian,  
387 caregiver, or other person responsible for the child's welfare  
388 or when a child is in need of supervision and care and has no  
389 parent, legal custodian, or responsible adult relative  
390 immediately known and available to provide such supervision and  
391 care.

392 b. Child abuse by an adult other than a parent, legal  
393 custodian, caregiver, or other person responsible for the  
394 child's welfare. The central abuse hotline must immediately  
395 electronically transfer such reports to the appropriate county  
396 sheriff's office.

397 2. Any person who knows, or has reasonable cause to  
398 suspect, that a child is the victim of sexual abuse or juvenile  
399 sexual abuse shall report such knowledge or suspicion to the  
400 central abuse hotline, including if the alleged incident  
401 involves a child who is in the custody of or under the  
402 protective supervision of the department.

403  
404 Such reports may be made in writing, through the statewide toll-  
405 free telephone number, or through electronic reporting.

406 (b)1. A person from the general public may make a report to

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407 the central abuse hotline anonymously if he or she chooses to do  
408 so.

409 2. A person making a report to the central abuse hotline  
410 whose occupation is in any of the following categories is  
411 required to provide his or her name to the central abuse hotline  
412 counselors:

413 a. Physician, osteopathic physician, medical examiner,  
414 chiropractic physician, nurse, or hospital personnel engaged in  
415 the admission, examination, care, or treatment of persons;

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

418 c. Practitioner who relies solely on spiritual means for  
419 healing;

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

421 e. Social worker, day care center worker, or other  
422 professional child care worker, foster care worker, residential  
423 worker, or institutional worker;

424 f. Law enforcement officer;

425 g. Judge; or

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

428 (c) Central abuse hotline counselors shall advise persons  
429 under subparagraph (b)2. who are making a report to the central  
430 abuse hotline that, while their names must be entered into the  
431 record of the report, the names of reporters are held  
432 confidential and exempt as provided in s. 39.202. Such  
433 counselors must receive periodic training in encouraging all  
434 reporters to provide their names when making a report.

435 (2) EXCEPTIONS TO REPORTING.—

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

438 1. A professional who is hired by or who enters into a  
439 contract with the department for the purpose of treating or  
440 counseling a person as a result of a report of child abuse,  
441 abandonment, or neglect if such person was the subject of the  
442 referral for treatment or counseling.

443 2. An officer or employee of the judicial branch when the  
444 child is currently being investigated by the department, when  
445 there is an existing dependency case, or when the matter has  
446 previously been reported to the department if there is  
447 reasonable cause to believe that the information is already  
448 known to the department. This subparagraph applies only when the  
449 information related to the alleged child abuse, abandonment, or  
450 neglect has been provided to such officer or employee in the  
451 course of carrying out his or her official duties.

452 3. An officer or employee of a law enforcement agency when  
453 the incident under investigation by the law enforcement agency  
454 was reported to law enforcement by the central abuse hotline  
455 through the electronic transfer of the report or telephone call.  
456 The department's central abuse hotline is not required to  
457 electronically transfer calls or reports received under sub-  
458 subparagraph (1)(a)1.b. to the county sheriff's office if the  
459 matter was initially reported to the department by the county  
460 sheriff's office or by another law enforcement agency. This  
461 subparagraph applies only when the information related to the  
462 alleged child abuse, abandonment, or neglect has been provided  
463 to the officer or employee of a law enforcement agency or  
464 central abuse hotline counselor in the course of carrying out



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465 his or her official duties.

466 (b) Nothing in this section or in the contract with  
467 community-based care providers for foster care and related  
468 services as specified in s. 409.987 may be construed to remove  
469 or reduce the duty and responsibility of any person, including  
470 any employee of the community-based care provider, to report a  
471 known or suspected case of child abuse, abandonment, or neglect  
472 to the department's central abuse hotline.

473 (3) ADDITIONAL CIRCUMSTANCES RELATED TO REPORTS.—

474 (a) Abuse occurring out of state.—

475 1. Except as provided in subparagraph 2., the central abuse  
476 hotline may not take a report or call of known or suspected  
477 child abuse, abandonment, or neglect when the report or call is  
478 related to abuse, abandonment, or neglect that occurred out of  
479 state and the alleged perpetrator and alleged victim do not live  
480 in this state. The central abuse hotline must instead transfer  
481 the information in the report or call to the appropriate state  
482 or country.

483 2. If the alleged victim is currently being evaluated in a  
484 medical facility in this state, the central abuse hotline must  
485 accept the report or call for investigation and must transfer  
486 the information in the report or call to the appropriate state  
487 or country.

488 (b) Reports received from emergency room physicians.—The  
489 department must initiate an investigation when it receives a  
490 report from an emergency room physician.

491 (c) Abuse involving impregnation of a child.—A report must  
492 be immediately electronically transferred to the appropriate  
493 county sheriff's office or other appropriate law enforcement

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494 agency by the central abuse hotline if the report is of an  
495 instance of known or suspected child abuse involving  
496 impregnation of a child 15 years of age or younger by a person  
497 21 years of age or older under s. 827.04(3). If the report is of  
498 known or suspected child abuse under s. 827.04(3), subsection  
499 (1) does not apply to health care professionals or other  
500 professionals who provide medical or counseling services to  
501 pregnant children when such reporting would interfere with the  
502 provision of such medical or counseling services.

503 (d) Institutional child abuse or neglect.—Reports involving  
504 known or suspected institutional child abuse or neglect must be  
505 made and received in the same manner as all other reports made  
506 under this section.

507 (e) Surrendered newborn infants.—

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

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

514 b. If the report involving a surrendered newborn infant  
515 does not include indications of child abuse, abandonment, or  
516 neglect other than that necessarily entailed in the infant  
517 having been left at a hospital, emergency medical services  
518 station, or fire station, the central abuse hotline must provide  
519 to the person making the report the name of an eligible licensed  
520 child-placing agency that is required to accept physical custody  
521 of and to place surrendered newborn infants. The department  
522 shall provide names of eligible licensed child-placing agencies

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523 on a rotating basis.

524 3. If the report includes indications of child abuse,  
525 abandonment, or neglect beyond that necessarily entailed in the  
526 infant having been left at a hospital, emergency medical  
527 services station, or fire station, the report must be considered  
528 as a report of child abuse, abandonment, or neglect and,  
529 notwithstanding chapter 383, is subject to s. 39.395 and all  
530 other relevant provisions of this chapter.

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

534 (a)1. Upon receiving a report made to the central abuse  
535 hotline, the department shall determine if the received report  
536 meets the statutory criteria for child abuse, abandonment, or  
537 neglect.

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

541 (b)1. Any call received from a parent or legal custodian  
542 seeking assistance for himself or herself which does not meet  
543 the criteria for being a report of child abuse, abandonment, or  
544 neglect may be accepted by the central abuse hotline for  
545 response to ameliorate a potential future risk of harm to a  
546 child.

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

550 (5) REPORTS OF SEXUAL ABUSE OF A CHILD OR JUVENILE SEXUAL  
551 ABUSE; REPORTS OF A CHILD WHO HAS EXHIBITED INAPPROPRIATE SEXUAL

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552 BEHAVIOR.—

553 (a)1. Sexual abuse of a child or juvenile sexual abuse must  
554 be reported immediately to the central abuse hotline, including  
555 any alleged incident involving a child who is in the custody of  
556 or under the protective supervision of the department. Such  
557 reports may be made in writing, through the statewide toll-free  
558 telephone number, or through electronic reporting.

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

564 (b) Reports involving a child who has exhibited  
565 inappropriate sexual behavior must be made and received by the  
566 central abuse hotline. Within 48 hours after receiving a report  
567 under this paragraph, the department shall conduct an  
568 assessment, assist the family in receiving appropriate services  
569 under s. 39.307, and send a written report of the allegation to  
570 the appropriate county sheriff's office.

571 (c) The services identified in the assessment conducted  
572 under paragraph (a) or paragraph (b) must be provided in the  
573 least restrictive environment possible and must include, but are  
574 not limited to, child advocacy center services under s. 39.3035  
575 and sexual abuse treatment programs developed and coordinated by  
576 the Children's Medical Services Program in the Department of  
577 Health under s. 39.303.

578 (d) The department shall ensure that the facts and results  
579 of any investigation of sexual abuse of a child or juvenile  
580 sexual abuse involving a child in the custody of or under the

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581 protective supervision of the department are made known to the  
582 court at the next hearing and are included in the next report to  
583 the court concerning the child.

584 (e)1. In addition to conducting an assessment and assisting  
585 the family in receiving appropriate services, the department  
586 shall conduct a child protective investigation under part III of  
587 this chapter if the incident leading to a report occurs on  
588 school premises, on school transportation, at a school-sponsored  
589 off-campus event, at a public or private school readiness or  
590 prekindergarten program, at a public K-12 school, at a private  
591 school, at a Florida College System institution, at a state  
592 university, or at any other school. The child protective  
593 investigation must include an interview with the child's parent  
594 or legal custodian.

595 2. The department shall orally notify the Department of  
596 Education; the law enforcement agency having jurisdiction over  
597 the municipality or county in which the school, program,  
598 institution, or university is located; and, as appropriate, the  
599 superintendent of the school district in which the school is  
600 located, the administrative officer of the private school, or  
601 the owner of the private school readiness or prekindergarten  
602 program provider.

603 3. The department shall make a full written report to the  
604 law enforcement agency having jurisdiction over the municipality  
605 or county in which the school, program, institution, or  
606 university is located within 3 business days after making the  
607 oral report. Whenever possible, any criminal investigation must  
608 be coordinated with the department's child protective  
609 investigation. Any interested person who has information

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610 regarding sexual abuse of a child or juvenile sexual abuse may  
611 forward a statement to the department.

612 (6) MANDATORY REPORTS OF A CHILD DEATH.—Any person required  
613 to report or investigate cases of suspected child abuse,  
614 abandonment, or neglect who has reasonable cause to suspect that  
615 a child died as a result of child abuse, abandonment, or neglect  
616 shall report his or her suspicion to the appropriate medical  
617 examiner. The medical examiner shall accept the report for  
618 investigation and report his or her findings, in writing, to the  
619 local law enforcement agency, the appropriate state attorney,  
620 and the department. Autopsy reports maintained by the medical  
621 examiner are not subject to the confidentiality requirements  
622 under s. 39.202.

623 Section 4. Effective October 1, 2021, subsection (11) of  
624 section 39.2015, Florida Statutes, is renumbered as subsection  
625 (12), present subsections (3), (7), and (11) of that section are  
626 amended, and a new subsection (11) is added to that section, to  
627 read:

628 39.2015 Critical incident rapid response team; sexual abuse  
629 report investigations.—

630 (3) Each investigation shall be conducted by a multiagency  
631 team of at least five professionals with expertise in child  
632 protection, child welfare, and organizational management. The  
633 team may consist of employees of the department, community-based  
634 care lead agencies, Children's Medical Services, and community-  
635 based care provider organizations; faculty from the institute  
636 consisting of public and private universities offering degrees  
637 in social work established pursuant to s. 1004.615; or any other  
638 person with the required expertise. The team shall include, at a

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639 minimum, a Child Protection Team medical director, a  
640 representative from a child advocacy center under s. 39.3035 who  
641 has specialized training in sexual abuse of a child if sexual  
642 abuse of the child who is the subject of the report is alleged,  
643 or a combination of such specialists if deemed appropriate. The  
644 majority of the team must reside in judicial circuits outside  
645 the location of the incident. The secretary shall appoint a team  
646 leader for each group assigned to an investigation.

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

650 (11) The department shall conduct investigations of reports  
651 of sexual abuse of children in out-of-home care. The purpose of  
652 such investigations is to identify root causes and to rapidly  
653 determine the need to change policies and practices related to  
654 preventing and addressing sexual abuse of children in out-of-  
655 home care.

656 (a) At a minimum, the department shall investigate a  
657 verified report of sexual abuse of a child in out-of-home care  
658 under this subsection if the child was the subject of a verified  
659 report of abuse or neglect during the previous 6 months. The  
660 investigation must be initiated as soon as possible, but not  
661 later than 2 business days after a determination of verified  
662 findings of sexual abuse or immediately if a case has been open  
663 for 45 days. One investigation shall be initiated for an  
664 allegation of sexual abuse that is based on the same act,  
665 criminal episode, or transaction regardless of the number of  
666 reports that are made about the allegations to the central abuse  
667 hotline.

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668       (b) Each investigation must be conducted by, at a minimum,  
669 a trained department employee and one or more professionals who  
670 are employees of other organizations and who are involved in  
671 conducting critical incident rapid response investigations. The  
672 investigation, or any part thereof, may be conducted remotely.  
673 Subsections (5), (6), (8), and (10) apply to investigations  
674 conducted under this subsection. The secretary, in consultation  
675 with the institute established under s. 1004.615, shall develop  
676 any necessary guidelines specific to such investigations.

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

680       (12)~~(11)~~ The secretary shall appoint an advisory committee  
681 made up of experts in child protection and child welfare,  
682 including, but not limited to, the Statewide Medical Director  
683 for Child Protection under the Department of Health, a  
684 representative from the institute established under pursuant to  
685 s. 1004.615, an expert in organizational management, and an  
686 attorney with experience in child welfare, to conduct an  
687 independent review of investigative reports from the critical  
688 incident rapid response teams and sexual abuse report  
689 investigations and to make recommendations to improve policies  
690 and practices related to child protection and child welfare  
691 services. The advisory committee shall meet at least once each  
692 quarter to review the critical incident rapid response teams'  
693 reports and sexual abuse report investigations and shall submit  
694 quarterly reports to the secretary which include findings and  
695 recommendations. The secretary shall submit each report to the  
696 Governor, the President of the Senate, and the Speaker of the



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697 House of Representatives.

698 Section 5. Subsections (7) through (9) of section 39.202,  
699 Florida Statutes, are renumbered as subsections (8) through  
700 (10), respectively, paragraphs (a) and (h) of subsection (2) are  
701 amended, and a new subsection (7) is added to that section, to  
702 read:

703 39.202 Confidentiality of reports and records in cases of  
704 child abuse or neglect; exception.—

705 (2) Except as provided in subsection (4), access to such  
706 records, excluding the name of, or other identifying information  
707 with respect to, the reporter which shall be released only as  
708 provided in subsection (5), shall be granted only to the  
709 following persons, officials, and agencies:

710 (a) Employees, authorized agents, or contract providers of  
711 the department, the Department of Health, the Agency for Persons  
712 with Disabilities, the Agency for Health Care Administration,  
713 the office of Early Learning, or county agencies responsible for  
714 carrying out:

- 715 1. Child or adult protective investigations;
- 716 2. Ongoing child or adult protective services;
- 717 3. Early intervention and prevention services;
- 718 4. Healthy Start services;
- 719 5. Licensure or approval of adoptive homes, foster homes,  
720 child care facilities, facilities licensed under chapters 393  
721 and 394 ~~chapter 393~~, family day care homes, providers who  
722 receive school readiness funding under part VI of chapter 1002,  
723 or other homes used to provide for the care and welfare of  
724 children;
- 725 6. Employment screening for caregivers in residential group

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726 homes and facilities licensed under chapters 393, 394, and 409;  
727 or

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

731

732 Also, employees or agents of the Department of Juvenile Justice  
733 responsible for the provision of services to children, pursuant  
734 to chapters 984 and 985.

735 (h) Any appropriate official of the department, the Agency  
736 for Health Care Administration, or the Agency for Persons with  
737 Disabilities who is responsible for:

738 1. Administration or supervision of the department's  
739 program for the prevention, investigation, or treatment of child  
740 abuse, abandonment, or neglect, or abuse, neglect, or  
741 exploitation of a vulnerable adult, when carrying out his or her  
742 official function;

743 2. Taking appropriate administrative action concerning an  
744 employee of the department or the agency who is alleged to have  
745 perpetrated child abuse, abandonment, or neglect, or abuse,  
746 neglect, or exploitation of a vulnerable adult; or

747 3. Employing and continuing employment of personnel of the  
748 department or the agency.

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

753 Section 6. Subsections (1), (3), and (4) of section 39.205,  
754 Florida Statutes, are amended, and subsection (11) is added to

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755 that section, to read:

756 39.205 Penalties relating to reporting of child abuse,  
757 abandonment, or neglect.—

758 (1) A person who ~~is required to report known or suspected~~  
759 ~~child abuse, abandonment, or neglect and who~~ knowingly and  
760 willfully fails to report to the central abuse hotline known or  
761 suspected child abuse, abandonment, or neglect ~~do so~~, or who  
762 knowingly and willfully prevents another person from doing so,  
763 commits a felony of the third degree, punishable as provided in  
764 s. 775.082, s. 775.083, or s. 775.084. A judge subject to  
765 discipline pursuant to s. 12, Art. V of the State Florida  
766 Constitution may ~~shall~~ not be subject to criminal prosecution  
767 when the information was received in the course of official  
768 duties.

769 (3) Any Florida College System institution, state  
770 university, or nonpublic college, university, or school, as  
771 defined in s. 1000.21 or s. 1005.02, whose administrators  
772 ~~knowingly and willfully~~, upon receiving information from  
773 faculty, staff, or other institution employees, knowingly and  
774 willfully fail to report to the central abuse hotline known or  
775 suspected child abuse, abandonment, or neglect committed on the  
776 property of the university, college, or school, or during an  
777 event or function sponsored by the university, college, or  
778 school, or who knowingly and willfully prevent another person  
779 from doing so, shall be subject to fines of \$1 million for each  
780 such failure.

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

783 (b) A state university subject to a fine shall be assessed

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784 by the Board of Governors.

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

788 (4) Any Florida College System institution, state  
789 university, or nonpublic college, university, or school, as  
790 defined in s. 1000.21 or s. 1005.02, whose law enforcement  
791 agency fails to report to the central abuse hotline known or  
792 suspected child abuse, abandonment, or neglect committed on the  
793 property of the university, college, or school, ~~or during an~~  
794 event or function sponsored by the university, college, or  
795 school, shall be subject to fines of \$1 million for each such  
796 failure, assessed in the same manner as specified in subsection  
797 (3).

798 (11) This section may not be construed to remove or reduce  
799 the requirement of any person, including, but not limited to,  
800 any employee of a school readiness program provider determined  
801 to be eligible under s. 1002.88; a private prekindergarten  
802 provider or a public school prekindergarten provider, as those  
803 terms are defined in s. 1002.51; a public K-12 school as  
804 described in s. 1000.04; a private school as defined in s.  
805 1002.01; a Florida College System institution or a state  
806 university, as those terms are defined in s. 1000.21; a college  
807 as defined in s. 1005.02; or a school as defined in s. 1005.02,  
808 to directly report a known or suspected case of child abuse,  
809 abandonment, or neglect or the sexual abuse of a child to the  
810 department's central abuse hotline. A person required to report  
811 to the central abuse hotline is not relieved of such obligation  
812 by notifying his or her supervisor.

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813 Section 7. Section 39.208, Florida Statutes, is created to  
814 read:

815 39.208 Cross-reporting child abuse, abandonment, or neglect  
816 and animal cruelty.-

817 (1) LEGISLATIVE FINDINGS AND INTENT.-

818 (a) The Legislature recognizes that animal cruelty of any  
819 kind is a type of interpersonal violence that often co-occurs  
820 with child abuse and other forms of family violence, including  
821 elder abuse and domestic violence. Early identification of  
822 animal cruelty is an important tool in safeguarding children  
823 from abuse, abandonment, and neglect; providing needed support  
824 to families; and protecting animals.

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

829 (c) Therefore, it is the intent of the Legislature to  
830 require reporting and cross-reporting protocols and  
831 collaborative training between child protective investigators  
832 and animal control officers to help protect the safety and well-  
833 being of children, their families, and their animals.

834 (2) RESPONSIBILITIES OF CHILD PROTECTIVE INVESTIGATORS.-

835 (a) Any person who is required to investigate child abuse,  
836 abandonment, or neglect under this chapter and who, while acting  
837 in his or her professional capacity or within the scope of  
838 employment, knows or has reasonable cause to suspect that animal  
839 cruelty, as those terms are defined in s. 828.27(1)(a) and (d),  
840 respectively, has occurred at the same address shall report such  
841 knowledge or suspicion within 72 hours after the child

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842 protective investigator becomes aware of the known or suspected  
843 animal cruelty to his or her supervisor who shall submit the  
844 report to a local animal control agency. The report must include  
845 all of the following information:

846 1. A description of the animal and of the known or  
847 suspected animal cruelty.

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

851 3. Any other information available to the child protective  
852 investigator which might assist an animal control officer, as  
853 defined in s. 828.27(1)(b), or law enforcement officer in  
854 establishing the cause of the animal cruelty and the manner in  
855 which it occurred.

856 (b) A child protective investigator who makes a report  
857 under this section is presumed to have acted in good faith. An  
858 investigator acting in good faith who makes a report under this  
859 section or who cooperates in an investigation of known or  
860 suspected animal cruelty is immune from any civil or criminal  
861 liability or administrative penalty or sanction that might  
862 otherwise be incurred in connection with making the report or  
863 otherwise cooperating.

864 (3) RESPONSIBILITIES OF ANIMAL CONTROL OFFICERS.—Any person  
865 who is required to investigate animal cruelty under chapter 828  
866 and who, while acting in his or her professional capacity or  
867 within the scope of employment, knows or has reasonable cause to  
868 suspect that a child is abused, abandoned, or neglected by a  
869 parent, legal custodian, caregiver, or other person responsible  
870 for the child's welfare or that a child is in need of

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871 supervision and care and does not have a parent, a legal  
872 custodian, or a responsible adult relative immediately known and  
873 available to provide supervision and care to that child shall  
874 immediately report such knowledge or suspicion to the  
875 department's central abuse hotline.

876 (4) PENALTIES.—

877 (a) A child protective investigator who is required to  
878 report known or suspected animal cruelty under subsection (2)  
879 and who knowingly and willfully fails to do so commits a  
880 misdemeanor of the second degree, punishable as provided in s.  
881 775.082 or s. 775.083.

882 (b) An animal control officer, as defined in s.  
883 828.27(1)(b), who is required to report known or suspected  
884 abuse, abandonment, or neglect of a child under subsection (3)  
885 and who knowingly and willfully fails to report an incident of  
886 known or suspected abuse, abandonment, or neglect, as required  
887 by s. 39.201 is subject to the penalties under s. 39.205.

888 (5) TRAINING.—The department, in consultation with animal  
889 welfare associations, shall develop or adapt and use already  
890 available training materials in a 1-hour training course for all  
891 child protective investigators and animal control officers on  
892 the accurate and timely identification and reporting of child  
893 abuse, abandonment, or neglect or animal cruelty and the  
894 interconnectedness of such abuse, abandonment, or neglect. The  
895 department shall incorporate into the required training for  
896 child protective investigators information on the identification  
897 of harm to and neglect of animals and the relationship of such  
898 activities to child welfare case practice. The 1-hour training  
899 course developed for animal control officers must include a

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900 component that advises such officers of the mandatory duty to  
901 report any known or suspected child abuse, abandonment, or  
902 neglect under this section and s. 39.201 and the criminal  
903 penalties associated with a violation of failing to report known  
904 or suspected child abuse, abandonment, or neglect which is  
905 punishable as provided under s. 39.205.

906 (6) RULEMAKING.—The department shall adopt rules to  
907 implement this section.

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

911 39.301 Initiation of protective investigations.—

912 (6) Upon commencing an investigation under this part, if a  
913 report was received from a reporter under s. 39.201(1)(a)2. ~~s.~~  
914 ~~39.201(1)(b)~~, the protective investigator must provide his or  
915 her contact information to the reporter within 24 hours after  
916 being assigned to the investigation. The investigator must also  
917 advise the reporter that he or she may provide a written summary  
918 of the report made to the central abuse hotline to the  
919 investigator which shall become a part of the electronic child  
920 welfare case file.

921 (9) (a) For each report received from the central abuse  
922 hotline and accepted for investigation, the department or the  
923 sheriff providing child protective investigative services under  
924 s. 39.3065, shall perform the following child protective  
925 investigation activities to determine child safety:

926 1. Conduct a review of all relevant, available information  
927 specific to the child and family and alleged maltreatment;  
928 family child welfare history; local, state, and federal criminal



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929 records checks; and requests for law enforcement assistance  
930 provided by the abuse hotline. Based on a review of available  
931 information, including the allegations in the current report, a  
932 determination shall be made as to whether immediate consultation  
933 should occur with law enforcement, the Child Protection Team, a  
934 domestic violence shelter or advocate, or a substance abuse or  
935 mental health professional. Such consultations should include  
936 discussion as to whether a joint response is necessary and  
937 feasible. A determination shall be made as to whether the person  
938 making the report should be contacted before the face-to-face  
939 interviews with the child and family members.

940       2. Conduct face-to-face interviews with the child; other  
941 siblings, if any; and the parents, legal custodians, or  
942 caregivers.

943       3. Assess the child's residence, including a determination  
944 of the composition of the family and household, including the  
945 name, address, date of birth, social security number, sex, and  
946 race of each child named in the report; any siblings or other  
947 children in the same household or in the care of the same  
948 adults; the parents, legal custodians, or caregivers; and any  
949 other adults in the same household.

950       4. Determine whether there is any indication that any child  
951 in the family or household has been abused, abandoned, or  
952 neglected; the nature and extent of present or prior injuries,  
953 abuse, or neglect, and any evidence thereof; and a determination  
954 as to the person or persons apparently responsible for the  
955 abuse, abandonment, or neglect, including the name, address,  
956 date of birth, social security number, sex, and race of each  
957 such person.

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958           5. Complete assessment of immediate child safety for each  
959 child based on available records, interviews, and observations  
960 with all persons named in subparagraph 2. and appropriate  
961 collateral contacts, which may include other professionals, and  
962 continually assess the child's safety throughout the  
963 investigation. The department's child protection investigators  
964 are hereby designated a criminal justice agency for the purpose  
965 of accessing criminal justice information to be used for  
966 enforcing this state's laws concerning the crimes of child  
967 abuse, abandonment, and neglect. This information shall be used  
968 solely for purposes supporting the detection, apprehension,  
969 prosecution, pretrial release, posttrial release, or  
970 rehabilitation of criminal offenders or persons accused of the  
971 crimes of child abuse, abandonment, or neglect and may not be  
972 further disseminated or used for any other purpose.

973           6. Document the present and impending dangers to each child  
974 based on the identification of inadequate protective capacity  
975 through utilization of a standardized safety assessment  
976 instrument. If present or impending danger is identified, the  
977 child protective investigator must implement a safety plan or  
978 take the child into custody. If present danger is identified and  
979 the child is not removed, the child protective investigator  
980 shall create and implement a safety plan before leaving the home  
981 or the location where there is present danger. If impending  
982 danger is identified, the child protective investigator shall  
983 create and implement a safety plan as soon as necessary to  
984 protect the safety of the child. The child protective  
985 investigator may modify the safety plan if he or she identifies  
986 additional impending danger.

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987           a. If the child protective investigator implements a safety  
988 plan, the plan must be specific, sufficient, feasible, and  
989 sustainable in response to the realities of the present or  
990 impending danger. A safety plan may be an in-home plan or an  
991 out-of-home plan, or a combination of both. A safety plan may  
992 include tasks or responsibilities for a parent, caregiver, or  
993 legal custodian. However, a safety plan may not rely on  
994 promissory commitments by the parent, caregiver, or legal  
995 custodian who is currently not able to protect the child or on  
996 services that are not available or will not result in the safety  
997 of the child. A safety plan may not be implemented if for any  
998 reason the parents, guardian, or legal custodian lacks the  
999 capacity or ability to comply with the plan. If the department  
1000 is not able to develop a plan that is specific, sufficient,  
1001 feasible, and sustainable, the department shall file a shelter  
1002 petition. A child protective investigator shall implement  
1003 separate safety plans for the perpetrator of domestic violence,  
1004 if the investigator, using reasonable efforts, can locate the  
1005 perpetrator to implement a safety plan, and for the parent who  
1006 is a victim of domestic violence as defined in s. 741.28.  
1007 Reasonable efforts to locate a perpetrator include, but are not  
1008 limited to, a diligent search pursuant to the same requirements  
1009 as in s. 39.503. If the perpetrator of domestic violence is not  
1010 the parent, guardian, or legal custodian of any child in the  
1011 home and if the department does not intend to file a shelter  
1012 petition or dependency petition that will assert allegations  
1013 against the perpetrator as a parent of a child in the home, the  
1014 child protective investigator shall seek issuance of an  
1015 injunction authorized by s. 39.504 to implement a safety plan

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1016 for the perpetrator and impose any other conditions to protect  
1017 the child. The safety plan for the parent who is a victim of  
1018 domestic violence may not be shared with the perpetrator. If any  
1019 party to a safety plan fails to comply with the safety plan  
1020 resulting in the child being unsafe, the department shall file a  
1021 shelter petition.

1022 b. The child protective investigator shall collaborate with  
1023 the community-based care lead agency in the development of the  
1024 safety plan as necessary to ensure that the safety plan is  
1025 specific, sufficient, feasible, and sustainable. The child  
1026 protective investigator shall identify services necessary for  
1027 the successful implementation of the safety plan. The child  
1028 protective investigator and the community-based care lead agency  
1029 shall mobilize service resources to assist all parties in  
1030 complying with the safety plan. The community-based care lead  
1031 agency shall prioritize safety plan services to families who  
1032 have multiple risk factors, including, but not limited to, two  
1033 or more of the following:

1034 (I) The parent or legal custodian is of young age;

1035 (II) The parent or legal custodian, or an adult currently  
1036 living in or frequently visiting the home, has a history of  
1037 substance abuse, mental illness, or domestic violence;

1038 (III) The parent or legal custodian, or an adult currently  
1039 living in or frequently visiting the home, has been previously  
1040 found to have physically or sexually abused a child;

1041 (IV) The parent or legal custodian, or an adult currently  
1042 living in or frequently visiting the home, has been the subject  
1043 of multiple allegations by reputable reports of abuse or  
1044 neglect;

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1045 (V) The child is physically or developmentally disabled; or  
1046 (VI) The child is 3 years of age or younger.

1047 c. The child protective investigator shall monitor the  
1048 implementation of the plan to ensure the child's safety until  
1049 the case is transferred to the lead agency at which time the  
1050 lead agency shall monitor the implementation.

1051 d. The department may file a petition for shelter or  
1052 dependency without a new child protective investigation or the  
1053 concurrence of the child protective investigator if the child is  
1054 unsafe but for the use of a safety plan and the parent or  
1055 caregiver has not sufficiently increased protective capacities  
1056 within 90 days after the transfer of the safety plan to the lead  
1057 agency.

1058 (24) At the beginning of and throughout an investigation of  
1059 an allegation of sexual abuse of a child placed in out-of-home  
1060 care, the child protective investigator must assess and take  
1061 appropriate protective actions to address the safety of other  
1062 children in the out-of-home placement, or who are accessible to  
1063 the alleged perpetrator, who are not the subject of the  
1064 allegation.

1065 Section 9. Subsections (1) and (2) of section 39.302,  
1066 Florida Statutes, are amended to read:

1067 39.302 Protective investigations of institutional child  
1068 abuse, abandonment, or neglect.—

1069 (1) The department shall conduct a child protective  
1070 investigation of each report of institutional child abuse,  
1071 abandonment, or neglect. Upon receipt of a report that alleges  
1072 that an employee or agent of the department, or any other entity  
1073 or person covered by s. 39.01(37) or (54), acting in an official

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1074 capacity, has committed an act of child abuse, abandonment, or  
1075 neglect, the department shall initiate a child protective  
1076 investigation within the timeframe established under s.  
1077 39.101(2) ~~s. 39.201(5)~~ and notify the appropriate state  
1078 attorney, law enforcement agency, and licensing agency, which  
1079 shall immediately conduct a joint investigation, unless  
1080 independent investigations are more feasible. When conducting  
1081 investigations or having face-to-face interviews with the child,  
1082 investigation visits shall be unannounced unless it is  
1083 determined by the department or its agent that unannounced  
1084 visits threaten the safety of the child. If a facility is exempt  
1085 from licensing, the department shall inform the owner or  
1086 operator of the facility of the report. Each agency conducting a  
1087 joint investigation is entitled to full access to the  
1088 information gathered by the department in the course of the  
1089 investigation. A protective investigation must include an  
1090 interview with the child's parent or legal guardian. The  
1091 department shall make a full written report to the state  
1092 attorney within 3 business ~~working~~ days after making the oral  
1093 report. A criminal investigation shall be coordinated, whenever  
1094 possible, with the child protective investigation of the  
1095 department. Any interested person who has information regarding  
1096 the offenses described in this subsection may forward a  
1097 statement to the state attorney as to whether prosecution is  
1098 warranted and appropriate. Within 15 days after the completion  
1099 of the investigation, the state attorney shall report the  
1100 findings to the department and shall include in the report a  
1101 determination of whether or not prosecution is justified and  
1102 appropriate in view of the circumstances of the specific case.

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1103           (2) (a) If in the course of the child protective  
1104 investigation, the department finds that a subject of a report,  
1105 by continued contact with children in care, constitutes a  
1106 threatened harm to the physical health, mental health, or  
1107 welfare of the children, the department may restrict a subject's  
1108 access to the children pending the outcome of the investigation.  
1109 The department or its agent shall employ the least restrictive  
1110 means necessary to safeguard the physical health, mental health,  
1111 and welfare of the children in care. This authority shall apply  
1112 only to child protective investigations in which there is some  
1113 evidence that child abuse, abandonment, or neglect has occurred.  
1114 A subject of a report whose access to children in care has been  
1115 restricted is entitled to petition the circuit court for  
1116 judicial review. The court shall enter written findings of fact  
1117 based upon the preponderance of evidence that child abuse,  
1118 abandonment, or neglect did occur and that the department's  
1119 restrictive action against a subject of the report was justified  
1120 in order to safeguard the physical health, mental health, and  
1121 welfare of the children in care. The restrictive action of the  
1122 department shall be effective for no more than 90 days without a  
1123 judicial finding supporting the actions of the department.

1124           (b) During an investigation, the alleged perpetrator may be  
1125 represented by an attorney, at his or her own expense, or may be  
1126 accompanied by another person, if the attorney or the other  
1127 person executes an affidavit of understanding with the  
1128 department and agrees to comply with the confidentiality  
1129 requirements under s. 39.202. The absence of an attorney or  
1130 accompanying person does not prevent the department from  
1131 proceeding with other aspects of the investigation, including

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1132 interviews with other persons. In institutional child abuse,  
1133 abandonment, or neglect cases when the institution is not  
1134 operational and the child cannot otherwise be located, the  
1135 investigation must commence immediately upon the institution  
1136 resuming operation. If requested by a state attorney or local  
1137 law enforcement agency, the department shall furnish all  
1138 investigative reports to such state attorney or agency.

1139 (c) ~~(b)~~ Upon completion of the department's child protective  
1140 investigation, the department may make application to the  
1141 circuit court for continued restrictive action against any  
1142 person necessary to safeguard the physical health, mental  
1143 health, and welfare of the children in care.

1144 Section 10. Subsections (1), (2), and (3) of section  
1145 39.3035, Florida Statutes, are renumbered as subsections (2),  
1146 (3), and (4), respectively, present subsection (3) is amended,  
1147 and a new subsection (1) is added to that section, to read:

1148 39.3035 Child advocacy centers; standards; state funding.-

1149 (1) Child advocacy centers are facilities that offer  
1150 multidisciplinary services in a community-based, child-focused  
1151 environment to children who are alleged to be victims of child  
1152 abuse, abandonment, or neglect. The children served by such  
1153 centers may have experienced a variety of types of child abuse,  
1154 abandonment, or neglect, including, but not limited to, sexual  
1155 abuse or severe physical abuse. The centers bring together,  
1156 often in one location, child protective investigators, law  
1157 enforcement officers, prosecutors, health care professionals,  
1158 and mental health professionals to provide a coordinated,  
1159 comprehensive response to victims and their caregivers.

1160 (4) ~~(3)~~ A child advocacy center within this state may not



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1161 receive the funds generated pursuant to s. 938.10, state or  
1162 federal funds administered by a state agency, or any other funds  
1163 appropriated by the Legislature unless all of the standards of  
1164 subsection (2) ~~(1)~~ are met and the screening requirement of  
1165 subsection (3) ~~(2)~~ is met. The Florida Network of Children's  
1166 Advocacy Centers, Inc., shall be responsible for tracking and  
1167 documenting compliance with subsections (2) and (3) ~~(1)~~ and ~~(2)~~  
1168 for any of the funds it administers to member child advocacy  
1169 centers.

1170 (a) Funds for the specific purpose of funding children's  
1171 advocacy centers shall be appropriated to the Department of  
1172 Children and Families from funds collected from the additional  
1173 court cost imposed in cases of certain crimes against minors  
1174 under s. 938.10. Funds shall be disbursed to the Florida Network  
1175 of Children's Advocacy Centers, Inc., as established under this  
1176 section, for the purpose of providing community-based services  
1177 that augment, but do not duplicate, services provided by state  
1178 agencies.

1179 (b) The board of directors of the Florida Network of  
1180 Children's Advocacy Centers, Inc., shall retain 10 percent of  
1181 all revenues collected to be used to match local contributions,  
1182 at a rate not to exceed an equal match, in communities  
1183 establishing children's advocacy centers. The board of directors  
1184 may use up to 5 percent of the remaining funds to support the  
1185 activities of the network office and must develop funding  
1186 criteria and an allocation methodology that ensures an equitable  
1187 distribution of remaining funds among network participants. The  
1188 criteria and methodologies must take into account factors that  
1189 include, but need not be limited to, the center's accreditation

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1190 status with respect to the National Children's Alliance, the  
1191 number of clients served, and the population of the area being  
1192 served by the children's advocacy center.

1193 (c) At the end of each fiscal year, each children's  
1194 advocacy center receiving revenue as provided in this section  
1195 must provide a report to the board of directors of the Florida  
1196 Network of Children's Advocacy Centers, Inc., which reflects  
1197 center expenditures, all sources of revenue received, and  
1198 outputs that have been standardized and agreed upon by network  
1199 members and the board of directors, such as the number of  
1200 clients served, client demographic information, and number and  
1201 types of services provided. The Florida Network of Children's  
1202 Advocacy Centers, Inc., must compile reports from the centers  
1203 and provide a report to the President of the Senate and the  
1204 Speaker of the House of Representatives in August of each year.

1205 Section 11. Subsection (3) of section 39.4015, Florida  
1206 Statutes, is amended to read:

1207 39.4015 Family finding.—

1208 (3) FAMILY-FINDING PROGRAM.—~~Subject to available resources,~~  
1209 The department, in collaboration with sheriffs' offices that  
1210 conduct child protective investigations and community-based care  
1211 lead agencies, shall ~~may~~ develop a formal family-finding program  
1212 to be implemented by child protective investigators and  
1213 community-based care lead agencies ~~as resources permit~~.

1214 (a) Family-finding efforts shall ~~Family finding may~~ begin  
1215 as soon as a child is taken into custody of the department,  
1216 pursuant to s. 39.401, and throughout the duration of the case  
1217 as necessary, finding and engaging with as many family members  
1218 and fictive kin as possible for each child who may help with

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1219 care or support for the child. The department or community-based  
1220 care lead agency must specifically document strategies taken to  
1221 locate and engage relatives and fictive kin. Strategies of  
1222 engagement may include, but are not limited to, asking the  
1223 relatives and fictive kin to:

- 1224 1. Participate in a family group decisionmaking conference,  
1225 family team conferencing, or other family meetings aimed at  
1226 developing or supporting the family service plan;
- 1227 2. Attend visitations with the child;
- 1228 3. Assist in transportation of the child;
- 1229 4. Provide respite or child care services; or
- 1230 5. Provide actual kinship care.

1231 (b) The family-finding ~~family-finding~~ program shall provide  
1232 the department and the community-based care lead agencies with  
1233 best practices for identifying family and fictive kin. The  
1234 family-finding ~~family-finding~~ program must use diligent efforts  
1235 in family finding and~~7~~ must continue those efforts until  
1236 multiple relatives and fictive kin are identified, ~~and must go~~  
1237 ~~beyond basic searching tools by exploring alternative tools and~~  
1238 ~~methodologies.~~ Family-finding ~~Family-finding~~ efforts by the  
1239 department and the community-based care lead agency may include,  
1240 but are not limited to:

- 1241 1. Searching for and locating adult relatives and fictive  
1242 kin.
- 1243 2. Identifying and building positive connections between  
1244 the child and the child's relatives and fictive kin.
- 1245 3. Supporting the engagement of relatives and fictive kin  
1246 in social service planning and delivery of services and creating  
1247 a network of extended family support to assist in remedying the

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1248 concerns that led to the child becoming involved with the child  
1249 welfare system, when appropriate.

1250 4. Maintaining family connections, when possible.

1251 5. Keeping siblings together in care, when in the best  
1252 interest of each child and when possible.

1253 (c) To be compliant with this section, family-finding  
1254 efforts must go beyond basic searching tools by exploring  
1255 alternative tools and methodologies. A basic computer search  
1256 using the Internet or attempts to contact known relatives at a  
1257 last known address or telephone number do not constitute  
1258 effective family finding.

1259 Section 12. Section 39.4085, Florida Statutes, is amended  
1260 to read:

1261 39.4085 ~~Legislative findings and declaration of intent for~~  
1262 ~~Goals for dependent children; responsibilities; education.-~~

1263 (1) The Legislature finds ~~and declares~~ that the design and  
1264 delivery of child welfare services should be directed by the  
1265 principle that the health and safety of children, including the  
1266 freedom from abuse, abandonment, or neglect, is ~~should be~~ of  
1267 paramount concern and, therefore, establishes the following  
1268 goals for children in shelter or foster care:

1269 (a) ~~(1)~~ To receive a copy of this act and have it fully  
1270 explained to them when they are placed in the custody of the  
1271 department.

1272 (b) ~~(2)~~ To enjoy individual dignity, liberty, pursuit of  
1273 happiness, and the protection of their civil and legal rights as  
1274 persons in the custody of the state.

1275 (c) ~~(3)~~ To have their privacy protected, have their personal  
1276 belongings secure and transported with them, and, unless

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1277 otherwise ordered by the court, have uncensored communication,  
1278 including receiving and sending unopened communications and  
1279 having access to a telephone.

1280 (d)~~(4)~~ To have personnel providing services who are  
1281 sufficiently qualified and experienced to assess the risk  
1282 children face before ~~prior to~~ removal from their homes and to  
1283 meet the needs of the children once they are in the custody of  
1284 the department.

1285 (e)~~(5)~~ To remain in the custody of their parents or legal  
1286 custodians unless and until there has been a determination by a  
1287 qualified person exercising competent professional judgment that  
1288 removal is necessary to protect their physical, mental, or  
1289 emotional health or safety.

1290 (f)~~(6)~~ To have a full risk, health, educational, medical,  
1291 and psychological screening and, if needed, assessment and  
1292 testing upon adjudication into foster care; and to have their  
1293 photograph and fingerprints included in their case management  
1294 file.

1295 (g)~~(7)~~ To be referred to and receive services, including  
1296 necessary medical, emotional, psychological, psychiatric, and  
1297 educational evaluations and treatment, as soon as practicable  
1298 after identification of the need for such services by the  
1299 screening and assessment process.

1300 (h)~~(8)~~ To be placed in a home with no more than one other  
1301 child, unless they are part of a sibling group.

1302 (i)~~(9)~~ To be placed away from other children known to pose  
1303 a threat of harm to them, either because of their own risk  
1304 factors or those of the other child.

1305 (j)~~(10)~~ To be placed in a home where the shelter or foster

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1306 caregiver is aware of and understands the child's history,  
1307 needs, and risk factors.

1308 (k)~~(11)~~ To be the subject of a plan developed by the  
1309 counselor and the shelter or foster caregiver to deal with  
1310 identified behaviors that may present a risk to the child or  
1311 others.

1312 (l)~~(12)~~ To be involved and incorporated, if ~~where~~  
1313 appropriate, in the development of the case plan, to have a case  
1314 plan which will address their specific needs, and to object to  
1315 any of the provisions of the case plan.

1316 (m)~~(13)~~ To receive meaningful case management and planning  
1317 that will quickly return the child to his or her family or move  
1318 the child on to other forms of permanency.

1319 (n)~~(14)~~ To receive regular communication with a case  
1320 manager ~~caseworker~~, at least once a month, which shall include  
1321 meeting with the child alone and conferring with the shelter or  
1322 foster caregiver.

1323 (o)~~(15)~~ To enjoy regular visitation, at least once a week,  
1324 with their siblings unless the court orders otherwise.

1325 (p)~~(16)~~ To enjoy regular visitation with their parents, at  
1326 least once a month, unless the court orders otherwise.

1327 (q)~~(17)~~ To receive a free and appropriate education;  
1328 minimal disruption to their education and retention in their  
1329 home school, if appropriate; referral to the child study team;  
1330 all special educational services, including, if ~~where~~  
1331 appropriate, the appointment of a parent surrogate; and the  
1332 sharing of all necessary information between the school board  
1333 and the department, including information on attendance and  
1334 educational progress.

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1335        (r) ~~(18)~~ To be able to raise grievances with the department  
1336 over the care they are receiving from their caregivers, case  
1337 managers ~~caseworkers~~, or other service providers.

1338        (s) ~~(19)~~ To be heard by the court, if appropriate, at all  
1339 review hearings.

1340        (t) ~~(20)~~ To have a guardian ad litem appointed to represent,  
1341 within reason, their best interests and, if ~~where~~ appropriate,  
1342 an attorney ad litem appointed to represent their legal  
1343 interests; the guardian ad litem and attorney ad litem shall  
1344 have immediate and unlimited access to the children they  
1345 represent.

1346        (u) ~~(21)~~ To have all their records available for review by  
1347 their guardian ad litem and attorney ad litem if they deem such  
1348 review necessary.

1349        (v) ~~(22)~~ To organize as a group for purposes of ensuring  
1350 that they receive the services and living conditions to which  
1351 they are entitled and to provide support for one another while  
1352 in the custody of the department.

1353        (w) ~~(23)~~ To be afforded prompt access to all available state  
1354 and federal programs, including, but not limited to: Early  
1355 Periodic Screening, Diagnosis, and Testing (EPSDT) services,  
1356 developmental services programs, Medicare and supplemental  
1357 security income, Children's Medical Services, and programs for  
1358 severely emotionally disturbed children.

1359  
1360 ~~The provisions of This subsection establishes~~ section establish  
1361 goals and not rights. Nothing in This subsection does not  
1362 require ~~section shall be interpreted as requiring~~ the delivery  
1363 of any particular service or level of service in excess of

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1364 existing appropriations. A ~~No~~ person does not ~~shall~~ have a cause  
1365 of action against the state or any of its subdivisions,  
1366 agencies, contractors, subcontractors, or agents, based upon the  
1367 adoption of or failure to provide adequate funding for the  
1368 achievement of these goals by the Legislature. This subsection  
1369 does not ~~Nothing herein shall~~ require the expenditure of funds  
1370 to meet the goals established in this subsection ~~herein~~ except  
1371 those funds specifically appropriated for such purpose.

1372 (2) The department shall operate with the understanding  
1373 that the rights of children in shelter or foster care are  
1374 critical to their safety, permanency, and well-being. The  
1375 department shall work with all stakeholders to help such  
1376 children become knowledgeable about their rights.

1377 (3) (a) The case manager or other staff shall provide verbal  
1378 and written instructions to a child entering shelter or foster  
1379 care to educate the child on identifying and reporting abuse,  
1380 abandonment, or neglect. The verbal and written instructions  
1381 must use words and phrasing that each child can understand and  
1382 must occur in a manner that is most effective for each child.  
1383 The written instructions are only required if the child is of a  
1384 sufficient age and understanding to receive such instructions.  
1385 The case manager or other staff must give each child the  
1386 opportunity to ask questions about his or her rights and how to  
1387 identify and report abuse, abandonment, or neglect. The case  
1388 manager or other staff shall document in court reports and case  
1389 notes the date the information was provided to the child. The  
1390 case manager or other staff must review the information with the  
1391 child every 6 months and upon every placement change until the  
1392 child leaves shelter or foster care.



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1393           (b) District school boards are authorized and encouraged to  
1394 establish educational programs for students ages 5 through 18  
1395 relating to identifying and reporting abuse, abandonment, or  
1396 neglect and the effects of such abuse, abandonment, or neglect  
1397 on a child. The district school boards may provide such programs  
1398 in conjunction with the youth mental health awareness and  
1399 assistance training program required under s. 1012.584, any  
1400 other mental health education program offered by the school  
1401 district, or any of the educational instruction required under  
1402 s. 1003.42(2).

1403           Section 13. Paragraphs (c), (k), and (l) of subsection (1)  
1404 of section 39.4087, Florida Statutes, are amended to read:

1405           39.4087 Department goals and requirements relating to  
1406 caregivers; dispute resolution.—

1407           (1) To provide the best care to children, the Legislature  
1408 establishes as goals for the department to treat foster parents,  
1409 kinship caregivers, and nonrelative caregivers with dignity,  
1410 respect, and trust while ensuring delivery of child welfare  
1411 services is focused on the best interest of the child. To that  
1412 end, regarding foster parents, kinship caregivers, and  
1413 nonrelative caregivers caring for dependent children in their  
1414 home, to the extent not otherwise prohibited by state or federal  
1415 law and to the extent of current resources, the department will  
1416 strive to:

1417           (c)1. Fully disclose all relevant information regarding the  
1418 child and the background of his or her biological family. ~~A~~  
1419 ~~caregiver must maintain the confidentiality of any information~~  
1420 ~~as required by law.~~ Such disclosure includes, but is not limited  
1421 to:

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1422       ~~a.1.~~ Any issues relative to the child that may jeopardize  
1423 the health and safety of the caregiver or other individuals  
1424 residing in the household or alter the manner in which the  
1425 caregiver would normally provide care.

1426       ~~b.2.~~ Any delinquency or criminal record of the child,  
1427 including, but not limited to, any pending petitions or  
1428 adjudications of delinquency when the conduct constituting the  
1429 delinquent act, if committed by an adult, would constitute  
1430 murder in the first degree, murder in the second degree, rape,  
1431 robbery, or kidnapping.

1432       ~~c.3.~~ Information about any physical or sexual abuse the  
1433 child has experienced.

1434       ~~d.4.~~ Any behavioral issues that may affect the care and  
1435 supervision of the child.

1436       ~~e.5.~~ With parental consent to the extent required by law,  
1437 any known health history and medical, psychological, or  
1438 behavioral ~~mental~~ health issues or needs of the child,  
1439 including, but not limited to, current infectious diseases the  
1440 child has or any episodes of hospitalization due to mental or  
1441 physical illness.

1442       2. A caregiver must maintain the confidentiality of any  
1443 information provided under this paragraph as required by law.

1444       (k) Give at least 7 days' notice to a caregiver, to the  
1445 extent possible, of any meeting or court hearing related to a  
1446 child in his or her care. The notice must ~~shall~~ include, at  
1447 minimum, ~~but is not limited to~~, the name of the judge or hearing  
1448 officer, the docket number, and the purpose and location of the  
1449 hearing or meeting. If the department is providing such  
1450 information to a child's biological parent, the department shall

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1451 provide notice to the caregiver at the same time as the  
1452 biological parent.

1453 ~~(1) If the caregiver agrees,~~ Consider the caregiver as a  
1454 placement option for a child if such child, who was formerly  
1455 placed with the caregiver, reenters out-of-home care and the  
1456 caregiver agrees to the child being placed with the caregiver  
1457 upon reentry and reenters out-of-home care.

1458 Section 14. Section 39.4092, Florida Statutes, is created  
1459 to read:

1460 39.4092 Multidisciplinary legal representation model  
1461 program for parents of children in the dependency system.-

1462 (1) LEGISLATIVE FINDINGS.-

1463 (a) The Legislature finds that the use of a specialized  
1464 team that includes an attorney, a social worker, and a parent-  
1465 peer specialist, also known as a multidisciplinary legal  
1466 representation model program, in dependency judicial matters is  
1467 effective in reducing safety risks to children and providing  
1468 families with better outcomes, such as significantly reducing  
1469 the time the children spend in out-of-home care and achieving  
1470 permanency more quickly.

1471 (b) The Legislature finds that parents in dependency court  
1472 often suffer from multiple challenges, such as mental illness,  
1473 substance use disorder, domestic violence or other trauma,  
1474 unstable housing, or unemployment. These challenges are often a  
1475 contributing factor to children experiencing instability or  
1476 safety risks. While these challenges may result in legal  
1477 involvement or require legal representation, addressing the  
1478 underlying challenges in a manner that achieves stability often  
1479 falls within the core functions of the practice of social work.

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1480           (c) The Legislature also finds that social work  
1481 professionals have a unique skill set, including client  
1482 assessment and clinical knowledge of family dynamics. This  
1483 unique skill set allows these professionals to interact and  
1484 engage with families in meaningful and unique ways that are  
1485 distinct from the ways in which the families interact with  
1486 attorneys or other professional staff involved in dependency  
1487 matters. Additionally, social work professionals are skilled at  
1488 quickly connecting families facing crisis to resources that can  
1489 address the specific underlying challenges.

1490           (d) The Legislature finds that there is a great benefit to  
1491 using parent-peer specialists in the dependency system, which  
1492 allows parents who have successfully navigated the dependency  
1493 system and have been successfully reunified with their children  
1494 to be paired with parents whose children are currently involved  
1495 in the dependency system. By working with someone who has  
1496 personally lived the experience of overcoming great personal  
1497 crisis, parents currently involved in the dependency system have  
1498 a greater ability to address the underlying challenges that  
1499 resulted in the instability and safety risk to their children,  
1500 to provide a safe and stable home environment, and to be  
1501 successfully reunified.

1502           (e) The Legislature further finds that current federal law  
1503 authorizes the reimbursement of a portion of the cost of  
1504 attorneys for parents and children in eligible cases, whereas  
1505 such funds were formerly restricted to foster care  
1506 administrative costs.

1507           (f) The Legislature finds it is necessary to encourage and  
1508 facilitate the use of a multidisciplinary legal representation

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1509 model for parents and their children in order to improve  
1510 outcomes for those families involved in the dependency system  
1511 and to provide the families who find themselves in a crisis with  
1512 the best opportunity to be successful in creating safe and  
1513 stable homes for their children.

1514 (2) ESTABLISHMENT.—Each office of criminal conflict and  
1515 civil regional counsel established under s. 27.511 may establish  
1516 a multidisciplinary legal representation model program to serve  
1517 families in the dependency system.

1518 (3) DUTIES.—

1519 (a) The department shall collaborate with the office of  
1520 criminal conflict and civil regional counsel to determine and  
1521 execute any necessary documentation for approval of federal  
1522 Title IV-E matching funding. The department shall submit such  
1523 documentation as promptly as possible upon the establishment of  
1524 a multidisciplinary legal representation model program and shall  
1525 execute the necessary agreements to ensure the program accesses  
1526 available federal matching funding for the program in order to  
1527 help eligible families involved in the dependency system.

1528 (b) An office of criminal conflict and civil regional  
1529 counsel that establishes a multidisciplinary legal  
1530 representation model program must, at a minimum:

1531 1. Use a team that consists of an attorney, a forensic  
1532 social worker, and a parent-peer specialist. For purposes of  
1533 this section, the term “parent-peer specialist” means a person  
1534 who has:

1535 a. Previously had his or her child removed from his or her  
1536 care and placed in out-of-home care.

1537 b. Been successfully reunified with the child for more than

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1538 2 years.  
1539 c. Received specialized training to become a parent-peer  
1540 specialist.  
1541 2. Comply with any necessary cost-sharing or other  
1542 agreements to maximize financial resources and enable access to  
1543 available federal Title IV-E matching funding.  
1544 3. Provide specialized training and support for attorneys,  
1545 forensic social workers, and parent-peer specialists involved in  
1546 the model program.  
1547 4. Collect uniform data on each child whose parent is  
1548 served by the program and ensure that reporting of data is  
1549 conducted through the child's unique identification number in  
1550 the Florida Safe Families Network or any successor system, if  
1551 applicable.  
1552 5. Develop consistent operational program policies and  
1553 procedures throughout each region that establishes the model  
1554 program.  
1555 6. Obtain agreements with universities relating to approved  
1556 placements for social work students to ensure the placement of  
1557 social workers in the program.  
1558 7. Execute conflict of interest agreements with each team  
1559 member.  
1560 (4) REPORTING.—  
1561 (a) Beginning October 1, 2022, and annually thereafter  
1562 through October 1, 2025, each office of criminal conflict and  
1563 civil regional counsel that establishes a multidisciplinary  
1564 legal representation model program must submit an annual report  
1565 to the Office of Program Policy Analysis and Government  
1566 Accountability. The annual report must use the uniform data

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1567 collected on each unique child whose parents are served by the  
1568 program and must detail, at a minimum, all of the following:  
1569 1. Reasons the family became involved in the dependency  
1570 system.  
1571 2. Length of time it takes to achieve a permanency goal for  
1572 children whose parents are served by the program.  
1573 3. Frequency of each type of permanency goal achieved by  
1574 children whose parents are served by the program.  
1575 4. Rate of subsequent abuse or neglect which results in the  
1576 removal of children whose parents are served by the program.  
1577 5. Any other relevant factors that tend to show the impact  
1578 of the use of such multidisciplinary legal representation model  
1579 programs on the outcomes for children in the dependency system.  
1580 Each region that has established a model program must agree on  
1581 the additional factors and how to collect data on such  
1582 additional factors for the annual report.  
1583 (b) The Office of Program Policy Analysis and Government  
1584 Accountability shall compile the results of the reports required  
1585 under paragraph (a) and conduct an analysis comparing the  
1586 reported outcomes from the multidisciplinary legal  
1587 representation model program to known outcomes of children in  
1588 the dependency system whose parents are not served by a  
1589 multidisciplinary legal representation model program. Each  
1590 office of criminal conflict and civil regional counsel shall  
1591 provide any additional information or data requested by the  
1592 Office of Program Policy Analysis and Government Accountability  
1593 for its analysis. By December 1, 2022, and annually thereafter  
1594 through December 1, 2025, the Office of Program Policy Analysis  
1595 and Government Accountability must submit its analysis in a

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1596 report to the Governor, the President of the Senate, and the  
1597 Speaker of the House of Representatives.

1598 Section 15. Paragraph (b) of subsection (2) of section  
1599 39.5086, Florida Statutes, is amended to read:

1600 39.5086 Kinship navigator programs.—

1601 (2) PURPOSE AND SERVICES.—

1602 (b) ~~Subject to available resources,~~ Each community-based  
1603 care lead agency shall ~~may~~ establish a kinship navigator program  
1604 that:

1605 1. Coordinates with other state or local agencies that  
1606 promote service coordination or provide information and referral  
1607 services, including any entities that participate in the Florida  
1608 211 Network, to avoid duplication or fragmentation of services  
1609 to kinship care families;

1610 2. Is planned and operated in consultation with kinship  
1611 caregivers and organizations representing them, youth raised by  
1612 kinship caregivers, relevant governmental agencies, and relevant  
1613 community-based or faith-based organizations;

1614 3. Has a toll-free telephone hotline to provide information  
1615 to link kinship caregivers, kinship support group facilitators,  
1616 and kinship service providers to:

1617 a. One another;

1618 b. Eligibility and enrollment information for federal,  
1619 state, and local benefits;

1620 c. Relevant training to assist kinship caregivers in  
1621 caregiving and in obtaining benefits and services; and

1622 d. Relevant knowledge related to legal options available  
1623 for child custody, other legal assistance, and help in obtaining  
1624 legal services.



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1625 4. Provides outreach to kinship care families, including by  
1626 establishing, distributing, and updating a kinship care website,  
1627 or other relevant guides or outreach materials; and

1628 5. Promotes partnerships between public and private  
1629 agencies, including schools, community-based or faith-based  
1630 organizations, and relevant governmental agencies, to increase  
1631 their knowledge of the needs of kinship care families to promote  
1632 better services for those families.

1633 Section 16. Subsection (15) of section 39.6225, Florida  
1634 Statutes, is renumbered as subsection (13), and present  
1635 subsections (13) and (14) are amended to read:

1636 39.6225 Guardianship Assistance Program.—

1637 ~~(13) The Florida Institute for Child Welfare shall evaluate~~  
1638 ~~the implementation of the Guardianship Assistance Program. This~~  
1639 ~~evaluation shall be designed to determine the impact of~~  
1640 ~~implementation of the Guardianship Assistance Program, identify~~  
1641 ~~any barriers that may prevent eligible caregivers from~~  
1642 ~~participating in the program, and identify recommendations~~  
1643 ~~regarding enhancements to the state's system of supporting~~  
1644 ~~kinship caregivers. The institute shall submit the report to the~~  
1645 ~~Governor, the President of the Senate, and the Speaker of the~~  
1646 ~~House of Representatives no later than January 1, 2021. At a~~  
1647 ~~minimum, the evaluation shall include:~~

1648 ~~(a) Information about the perspectives and experiences of~~  
1649 ~~program participants, individuals who applied for licensure as~~  
1650 ~~child-specific foster homes or program participation but were~~  
1651 ~~determined to be ineligible, and individuals who were likely~~  
1652 ~~eligible for licensure as a child-specific foster home or for~~  
1653 ~~the program but declined to apply. The institute shall collect~~

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1654 ~~this information through methodologies including, but not~~  
1655 ~~limited to, surveys and focus groups.~~

1656 ~~(b) An assessment of any communications procedures and~~  
1657 ~~print and electronic materials developed to publicize the~~  
1658 ~~program and recommendations for improving these materials. If~~  
1659 ~~possible, individuals with expertise in marketing and~~  
1660 ~~communications shall contribute to this assessment.~~

1661 ~~(c) An analysis of the program's impact on caregivers and~~  
1662 ~~children, including any differences in impact on children placed~~  
1663 ~~with caregivers who were licensed and those who were not.~~

1664 ~~(d) Recommendations for maximizing participation by~~  
1665 ~~eligible caregivers and improving the support available to~~  
1666 ~~kinship caregivers.~~

1667 ~~(14) The program shall take effect July 1, 2019.~~

1668 Section 17. Paragraph (m) is added to subsection (3) and  
1669 paragraph (u) is added to subsection (5) of section 394.9082,  
1670 Florida Statutes, to read:

1671 394.9082 Behavioral health managing entities.—

1672 (3) DEPARTMENT DUTIES.—The department shall:

1673 (m) Collect and publish, and update annually, all of the  
1674 following information on its website for each managing entity:

1675 1. All compensation earned or awarded, whether paid or  
1676 accrued, regardless of contingency, by position, for any  
1677 employee, and any other person compensated through a contract  
1678 for services whose services include those commonly associated  
1679 with a chief executive, chief administrator, or other chief  
1680 officer of a business or corporation, who receives compensation  
1681 from state-appropriated funds in excess of 150 percent of the  
1682 annual salary paid to the secretary of the department. For

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1683 purposes of this paragraph, the term "employee" has the same  
1684 meaning as in s. 448.095(1).

1685 2. The most recent 3 years of the Return of Organization  
1686 Exempt from Income Tax, Internal Revenue Service Form 990 and  
1687 related documents filed with the Internal Revenue Service,  
1688 auditor reports, and annual reports for each managing entity or  
1689 affiliated entity.

1690 (5) MANAGING ENTITY DUTIES.—A managing entity shall:

1691 (u) Include the statement "(managing entity name) is a  
1692 managing entity contracted with the Department of Children and  
1693 Families" on its website and, at a minimum, in its promotional  
1694 literature, managing entity-created documents and forms provided  
1695 to families served by the managing entity, business cards, and  
1696 stationery letterhead.

1697 Section 18. Section 394.90825, Florida Statutes, is created  
1698 to read:

1699 394.90825 Boards of behavioral health managing entities;  
1700 conflicts of interest.—

1701 (1) As used in this section, the term:

1702 (a) "Activity" includes, but is not limited to, a contract  
1703 for goods and services, a contract for the purchase of any real  
1704 or tangible property, or an agreement to engage with the  
1705 managing entity for the benefit of a third party in exchange for  
1706 an interest in real or tangible property, a monetary benefit, or  
1707 an in-kind contribution.

1708 (b) "Conflict of interest" means when a board member or an  
1709 officer, or a relative of a board member or an officer, of the  
1710 managing entity does any of the following:

1711 1. Enters into a contract or other transaction for goods or

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1712 services with the managing entity.

1713 2. Holds a direct or indirect interest in a corporation,  
1714 limited liability corporation, partnership, limited liability  
1715 partnership, or other business entity that conducts business  
1716 with the managing entity or proposes to enter into a contract or  
1717 other transaction with the managing entity. For purposes of this  
1718 paragraph, the term "indirect interest" has the same meaning as  
1719 in s. 112.312.

1720 3. Knowingly obtains a direct or indirect personal,  
1721 financial, professional, or other benefit as a result of the  
1722 relationship of such board member or officer, or relative of the  
1723 board member or officer, with the managing entity. For purposes  
1724 of this paragraph, the term "benefit" does not include per diem  
1725 and travel expenses paid or reimbursed to board members or  
1726 officers of the managing entity in connection with their service  
1727 on the board.

1728 (c) "Managing entity" has the same meaning as in s.  
1729 394.9082.

1730 (d) "Relative" means a relative within the third degree of  
1731 consanguinity by blood or marriage.

1732 (2) (a) For any activity that is presented to the board of a  
1733 managing entity for its initial consideration and approval after  
1734 July 1, 2021, or any activity that involves a contract that is  
1735 being considered for renewal on or after July 1, 2021, but  
1736 before January 1, 2022, a board member or an officer of a  
1737 managing entity shall disclose to the board any activity that  
1738 may reasonably be construed to be a conflict of interest before  
1739 such activity is initially considered and approved or a contract  
1740 is renewed by the board. A rebuttable presumption of a conflict

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1741 of interest exists if the activity was acted on by the board  
1742 without prior notice as required under subsection (3).

1743 (b) For contracts with a managing entity which are in  
1744 existence on July 1, 2021, and are not subject to renewal before  
1745 January 1, 2022, a board member or an officer of the managing  
1746 entity shall disclose to the board any activity that may  
1747 reasonably be construed to be a conflict of interest under this  
1748 section by December 31, 2021.

1749 (3) (a) If a board member or an officer of the managing  
1750 entity, or a relative of a board member or an officer, proposes  
1751 to engage in an activity as described in paragraph (2) (a), the  
1752 proposed activity must be listed on the meeting agenda for the  
1753 next general or special meeting of the board members, and copies  
1754 of all contracts and transactional documents related to the  
1755 proposed activity must be included in the agenda. The meeting  
1756 agenda must clearly identify the existence of a potential  
1757 conflict of interest for the proposed activity. Before a board  
1758 member or an officer of the managing entity, or a relative of a  
1759 board member or an officer, engages in the proposed activity,  
1760 the activity and contract or other transactional documents must  
1761 be approved by an affirmative vote of two-thirds of all other  
1762 board members present.

1763 (b) If a board member or an officer of the managing entity  
1764 notifies the board of a potential conflict of interest with the  
1765 board member or officer, or a relative of the board member or  
1766 officer, under an existing contract as described in paragraph  
1767 (2) (b), the board must notice the activity on a meeting agenda  
1768 for the next general or special meeting of the board members,  
1769 and copies of all contracts and transactional documents related

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1770 to the activity must be attached. The meeting agenda must  
1771 clearly identify the existence of a potential conflict of  
1772 interest. The board must be given the opportunity to approve or  
1773 disapprove the conflict of interest by a vote of two-thirds of  
1774 all other board members present.

1775 (4) (a) If the board votes against the proposed activity  
1776 under paragraph (3) (a), the board member or officer of the  
1777 managing entity, or the relative of the board member or officer,  
1778 must notify the board in writing of his or her intention, or his  
1779 or her relative's intention, not to pursue the proposed  
1780 activity, or the board member or officer shall withdraw from  
1781 office before the next scheduled board meeting. If the board  
1782 finds that a board member or officer has violated this  
1783 paragraph, the board member or officer shall be removed from  
1784 office before the next scheduled board meeting.

1785 (b) In the event that the board does not approve a conflict  
1786 of interest as required under paragraph (3) (b), the parties to  
1787 the activity may opt to cancel the activity or, in the  
1788 alternative, the board member or officer of the managing entity  
1789 must resign from the board before the next scheduled board  
1790 meeting. If the activity canceled is a contract, the managing  
1791 entity is only liable for the reasonable value of the goods and  
1792 services provided up to the time of cancellation and is not  
1793 liable for any termination fee, liquidated damages, or other  
1794 form of penalty for such cancellation.

1795 (5) A board member or an officer of the managing entity, or  
1796 a relative of a board member or an officer, who is a party to,  
1797 or has an interest in, an activity that is a possible conflict  
1798 of interest may attend the meeting at which the activity is

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1799 considered by the board and may make a presentation to the board  
1800 regarding the activity. After the presentation, the board member  
1801 or officer, or the relative of the board member or officer, must  
1802 leave the meeting during the discussion of, and the vote on, the  
1803 activity. A board member or an officer who is a party to, or has  
1804 an interest in, the activity shall recuse himself or herself  
1805 from the vote.

1806 (6) A contract entered into between a board member or an  
1807 officer of the managing entity, or a relative of a board member  
1808 or an officer, and the managing entity which has not been  
1809 properly disclosed as a conflict of interest or potential  
1810 conflict of interest under this section is voidable and  
1811 terminates upon the filing of a written notice terminating the  
1812 contract with the board of directors which contains the consent  
1813 of at least 20 percent of the voting interests of the managing  
1814 entity.

1815 Section 19. Section 394.9086, Florida Statutes, is created  
1816 to read:

1817 394.9086 Commission on Mental Health and Substance Abuse.—

1818 (1) CREATION.—The Commission on Mental Health and Substance  
1819 Abuse, a commission as defined in s. 20.03(10), is created  
1820 adjunct to the department. The department shall provide  
1821 administrative and staff support services relating to the  
1822 functions of the commission.

1823 (2) PURPOSES.—The purposes of the commission are to examine  
1824 the current methods of providing mental health and substance  
1825 abuse services in the state and to improve the effectiveness of  
1826 current practices, procedures, programs, and initiatives in  
1827 providing such services; identify any barriers or deficiencies

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1828 in the delivery of such services; and recommend changes to  
1829 existing laws, rules, and policies necessary to implement the  
1830 commission's recommendations.

1831 (3) MEMBERSHIP; TERM LIMITS; MEETINGS.-

1832 (a) The commission shall be composed of 19 members as  
1833 follows:

1834 1. A member of the Senate, appointed by the President of  
1835 the Senate.

1836 2. A member of the House of Representatives, appointed by  
1837 the Speaker of the House of Representatives.

1838 3. The Secretary of Children and Families or his or her  
1839 designee.

1840 4. The Secretary of the Agency for Health Care  
1841 Administration or his or her designee.

1842 5. A person living with a mental health disorder, appointed  
1843 by the President of the Senate.

1844 6. A family member of a consumer of publicly funded mental  
1845 health services, appointed by the President of the Senate.

1846 7. A representative of the Louis de la Parte Florida Mental  
1847 Health Institute within the University of South Florida,  
1848 appointed by the President of the Senate.

1849 8. A representative of a county school district, appointed  
1850 by the President of the Senate.

1851 9. A representative of mental health courts, appointed by  
1852 the Governor.

1853 10. A representative of a treatment facility, as defined in  
1854 s. 394.455, appointed by the Speaker of the House of  
1855 Representatives.

1856 11. A representative of a managing entity, as defined in s.



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1857 394.9082(2), appointed by the Speaker of the House of  
1858 Representatives.

1859 12. A representative of a community substance abuse  
1860 provider, appointed by the Speaker of the House of  
1861 Representatives.

1862 13. A psychiatrist licensed under chapter 458 or chapter  
1863 459 practicing within the mental health delivery system,  
1864 appointed by the Speaker of the House of Representatives.

1865 14. A psychologist licensed under chapter 490 practicing  
1866 within the mental health delivery system, appointed by the  
1867 Governor.

1868 15. A mental health professional licensed under chapter  
1869 491, appointed by the Governor.

1870 16. An emergency room physician, appointed by the Governor.

1871 17. A representative from the field of law enforcement,  
1872 appointed by the Governor.

1873 18. A representative from the criminal justice system,  
1874 appointed by the Governor.

1875 19. A representative of a child welfare agency involved in  
1876 the delivery of behavioral health services, appointed by the  
1877 Governor.

1878 (b) The Governor shall appoint the chair from the members  
1879 of the commission. Appointments to the commission must be made  
1880 by August 1, 2021. Members shall be appointed to serve at the  
1881 pleasure of the officer who appointed the member. A vacancy on  
1882 the commission shall be filled in the same manner as the  
1883 original appointment.

1884 (c) The commission shall convene no later than September 1,  
1885 2021. The commission shall meet quarterly or upon the call of

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1886 the chair. The commission shall hold its meetings via  
1887 teleconference or other electronic means.

1888 (4) DUTIES.—

1889 (a) The duties of the Commission on Mental Health and  
1890 Substance Abuse include the following:

1891 1. Conducting a review and evaluation of the management and  
1892 functioning of the existing publicly supported mental health and  
1893 substance abuse systems and services in the department, the  
1894 Agency for Health Care Administration, and all other departments  
1895 which administer mental health and substance abuse services.  
1896 Such review shall include, at a minimum, a review of current  
1897 goals and objectives, current planning, services strategies,  
1898 coordination management, purchasing, contracting, financing,  
1899 local government funding responsibility, and accountability  
1900 mechanisms.

1901 2. Considering the unique needs of persons who are dually  
1902 diagnosed.

1903 3. Addressing access to, financing of, and scope of  
1904 responsibility in the delivery of emergency behavioral health  
1905 care services.

1906 4. Addressing the quality and effectiveness of current  
1907 mental health and substance abuse services delivery systems, and  
1908 professional staffing and clinical structure of services, roles,  
1909 and responsibilities of public and private providers, such as  
1910 community mental health centers, community substance abuse  
1911 agencies, hospitals, including emergency services departments,  
1912 law enforcement agencies, and the judicial system.

1913 5. Addressing priority population groups for publicly  
1914 funded mental health and substance abuse services, identifying

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1915 the comprehensive mental health and substance abuse services  
1916 delivery systems, mental health and substance abuse needs  
1917 assessment and planning activities, and local government funding  
1918 responsibilities for mental health and substance abuse services.

1919 6. Reviewing the implementation of chapter 2020-107, Laws  
1920 of Florida.

1921 7. Identifying any gaps in the provision of mental health  
1922 and substance use disorder services.

1923 8. Providing recommendations on how behavioral health  
1924 managing entities may fulfill their purpose of promoting service  
1925 continuity.

1926 9. Making recommendations regarding the mission and  
1927 objectives of state-supported mental health and substance abuse  
1928 services and the planning, management, staffing, financing,  
1929 contracting, coordination, and accountability mechanisms which  
1930 will best foster the recommended mission and objectives.

1931 10. Evaluating and making recommendations regarding the  
1932 establishment of a permanent, agency-level entity to manage  
1933 mental health, substance abuse, and related services statewide.

1934 At a minimum, the evaluation must consider and describe the:

1935 a. Specific duties and organizational structure proposed  
1936 for the entity;

1937 b. Resource needs of the entity and possible sources of  
1938 funding;

1939 c. Estimated impact on access to and quality of services;

1940 d. Impact on individuals with behavioral health needs and  
1941 their families, both those currently served through the affected  
1942 systems providing behavioral health services and those in need  
1943 of services; and

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1944 e. Relation to, integration with, and impact on providers,  
1945 managing entities, communities, state agencies, and systems  
1946 which provide mental health and substance abuse services in this  
1947 state. Such recommendations must ensure that the ability of such  
1948 other agencies and systems to carry out their missions and  
1949 responsibilities is not impaired.

1950 (b) The commission may call upon appropriate departments  
1951 and agencies of state government for such professional  
1952 assistance as may be needed in the discharge of its duties, and  
1953 such departments and agencies shall provide such assistance in a  
1954 timely manner.

1955 (5) REPORTS.—By September 1, 2022, the commission shall  
1956 submit an interim report to the President of the Senate, the  
1957 Speaker of the House of Representatives, and the Governor  
1958 containing its findings and recommendations on how to best  
1959 provide and facilitate mental health and substance abuse  
1960 services in the state. The commission shall submit its final  
1961 report to the President of the Senate, the Speaker of the House  
1962 of Representatives, and the Governor by September 1, 2023.

1963 (6) REPEAL.—This section is repealed September 1, 2023,  
1964 unless saved from repeal through reenactment by the Legislature.

1965 Section 20. Subsection (3) of section 409.1415, Florida  
1966 Statutes, is renumbered as subsection (4), paragraphs (b) and  
1967 (c) of subsection (2) are amended, and a new subsection (3) is  
1968 added to that section, to read:

1969 409.1415 Parenting partnerships for children in out-of-home  
1970 care; resources.—

1971 (2) PARENTING PARTNERSHIPS.—

1972 (b) To ensure that a child in out-of-home care receives

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1973 support for healthy development which gives the child the best  
1974 possible opportunity for success, caregivers, birth or legal  
1975 parents, the department, and the community-based care lead  
1976 agency shall work cooperatively in a respectful partnership by  
1977 adhering to the following requirements:

1978 1. All members of the partnership must interact and  
1979 communicate professionally with one another, must share all  
1980 relevant information promptly, and must respect the  
1981 confidentiality of all information related to the child and his  
1982 or her family.

1983 2. The caregiver; the birth or legal parent; the child, if  
1984 appropriate; the department; and the community-based care lead  
1985 agency must participate in developing a case plan for the child  
1986 and the birth or legal parent. All members of the team must work  
1987 together to implement the case plan. The caregiver must have the  
1988 opportunity to participate in all team meetings or court  
1989 hearings related to the child's care and future plans. The  
1990 department and community-based care lead agency must support and  
1991 facilitate caregiver participation through timely notification  
1992 of such meetings and hearings and provide alternative methods  
1993 for participation for a caregiver who cannot be physically  
1994 present at a meeting or hearing.

1995 3. A caregiver must strive to provide, and the department  
1996 and community-based care lead agency must support, excellent  
1997 parenting, which includes:

1998 a. A loving commitment to the child and the child's safety  
1999 and well-being.

2000 b. Appropriate supervision and positive methods of  
2001 discipline.

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- 2002 c. Encouragement of the child's strengths.
- 2003 d. Respect for the child's individuality and likes and  
2004 dislikes.
- 2005 e. Providing opportunities to develop the child's interests  
2006 and skills.
- 2007 f. Being aware of the impact of trauma on behavior.
- 2008 g. Facilitating equal participation of the child in family  
2009 life.
- 2010 h. Involving the child within his or her community.
- 2011 i. A commitment to enable the child to lead a normal life.
- 2012 4. A child in out-of-home care must be placed with a  
2013 caregiver who has the ability to care for the child, is willing  
2014 to accept responsibility for providing care, and is willing and  
2015 able to learn about and be respectful of the child's culture,  
2016 religion, and ethnicity; special physical or psychological  
2017 needs; circumstances unique to the child; and family  
2018 relationships. The department, the community-based care lead  
2019 agency, and other agencies must provide a caregiver with all  
2020 available information necessary to assist the caregiver in  
2021 determining whether he or she is able to appropriately care for  
2022 a particular child.
- 2023 5. A caregiver must have access to and take advantage of  
2024 all training that he or she needs to improve his or her skills  
2025 in parenting a child who has experienced trauma due to neglect,  
2026 abuse, or separation from home; to meet the child's special  
2027 needs; and to work effectively with child welfare agencies, the  
2028 courts, the schools, and other community and governmental  
2029 agencies.
- 2030 6. The department and community-based care lead agency must

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2031 provide a caregiver with the services and support they need to  
2032 enable them to provide quality care for the child pursuant to  
2033 subsection (3).

2034 7. Once a caregiver accepts the responsibility of caring  
2035 for a child, the child may be removed from the home of the  
2036 caregiver only if:

2037 a. The caregiver is clearly unable to safely or legally  
2038 care for the child;

2039 b. The child and the birth or legal parent are reunified;

2040 c. The child is being placed in a legally permanent home in  
2041 accordance with a case plan or court order; or

2042 d. The removal is demonstrably in the best interests of the  
2043 child.

2044 8. If a child must leave the caregiver's home for one of  
2045 the reasons stated in subparagraph 7., and in the absence of an  
2046 unforeseeable emergency, the transition must be accomplished  
2047 according to a plan that involves cooperation and sharing of  
2048 information among all persons involved, respects the child's  
2049 developmental stage and psychological needs, ensures the child  
2050 has all of his or her belongings, allows for a gradual  
2051 transition from the caregiver's home, and, if possible, allows  
2052 for continued contact with the caregiver after the child leaves.

2053 9. When the case plan for a child includes reunification,  
2054 the caregiver, the department, and the community-based care lead  
2055 agency must work together to assist the birth or legal parent in  
2056 improving his or her ability to care for and protect the child  
2057 and to provide continuity for the child.

2058 10. A caregiver must respect and support the child's ties  
2059 to his or her birth or legal family, including parents,

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2060 siblings, and extended family members, and must assist the child  
2061 in maintaining allowable visitation and other forms of  
2062 communication. The department and community-based care lead  
2063 agency must provide a caregiver with the information, guidance,  
2064 training, and support necessary for fulfilling this  
2065 responsibility.

2066 11. A caregiver must work in partnership with the  
2067 department and community-based care lead agency to obtain and  
2068 maintain records that are important to the child's well-being,  
2069 including, but not limited to, child resource records, medical  
2070 records, school records, photographs, and records of special  
2071 events and achievements.

2072 12. A caregiver must advocate for a child in his or her  
2073 care with the child welfare system, the court, and community  
2074 agencies, including schools, child care providers, health and  
2075 mental health providers, and employers. The department and  
2076 community-based care lead agency must support a caregiver in  
2077 advocating for a child and may not retaliate against the  
2078 caregiver as a result of this advocacy.

2079 13. A caregiver must be as fully involved in the child's  
2080 medical, psychological, and dental care as he or she would be  
2081 for his or her biological child. The department and community-  
2082 based care lead agency must support and facilitate such  
2083 participation. The caregiver, the department, and the community-  
2084 based care lead agency must share information with each other  
2085 about the child's health and well-being.

2086 14. A caregiver must support a child's school success,  
2087 including, when possible, maintaining school stability by  
2088 participating in school activities and meetings. The department



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2089 and community-based care lead agency must facilitate this  
2090 participation and be informed of the child's progress and needs.

2091 15. A caregiver must ensure that a child in his or her care  
2092 who is between 13 and 17 years of age learns and masters  
2093 independent living skills. The department shall make available  
2094 training for caregivers developed in collaboration with the  
2095 Florida Foster and Adoptive Parent Association and the Quality  
2096 Parenting Initiative on the life skills necessary for children  
2097 in out-of-home care.

2098 16. The case manager and case manager supervisor must  
2099 mediate disagreements that occur between a caregiver and the  
2100 birth or legal parent.

2101 (c) An employee of a residential group home must meet the  
2102 background screening requirements under s. 39.0138 and the level  
2103 2 screening standards for screening under chapter 435. An  
2104 employee of a residential group home who works directly with a  
2105 child as a caregiver must meet, at a minimum, the same education  
2106 and, training, background, and other screening requirements as  
2107 caregivers in family foster homes licensed as level II under s.  
2108 409.175(5).

2109 (3) RESOURCES AND SUPPORT FOR CAREGIVERS.-

2110 (a) Foster parents.-The department shall establish the  
2111 Foster Information Center to connect current and former foster  
2112 parents, known as foster parent advocates, to prospective and  
2113 current foster parents in order to provide information and  
2114 services, including, but not limited to:

2115 1. Navigating the application and approval process,  
2116 including timelines for each; preparing for transitioning from  
2117 approval for placement to accepting a child into the home; and

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2118 learning about and connecting with any available resources in  
2119 the prospective foster parent's community.

2120 2. Accessing available resources and services, including,  
2121 but not limited to, those from the Florida Foster and Adoptive  
2122 Parent Association, for any current foster parents who need  
2123 additional assistance.

2124 3. Providing information specific to a foster parent's  
2125 individual needs.

2126 4. Providing immediate assistance when needed.

2127 (b) Kinship caregivers.—

2128 1. A community-based care lead agency shall provide a  
2129 caregiver with resources and supports that are available and  
2130 discuss whether the caregiver meets any eligibility criteria for  
2131 such resources and supports. If the caregiver is unable to  
2132 access resources and supports beneficial to the well-being of  
2133 the child, the community-based care lead agency or case  
2134 management agency must assist the caregiver in initiating access  
2135 to resources by:

2136 a. Providing referrals to kinship navigation services, if  
2137 available.

2138 b. Assisting with linkages to community resources and  
2139 completion of program applications.

2140 c. Scheduling appointments.

2141 d. Initiating contact with community service providers.

2142 2. The community-based care lead agency shall provide each  
2143 caregiver with a telephone number to call during normal business  
2144 hours whenever immediate assistance is needed and the child's  
2145 caseworker is unavailable. The telephone number must be staffed  
2146 and answered by individuals possessing the knowledge and

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2147 authority necessary to assist caregivers.

2148 Section 21. Section 409.1453, Florida Statutes, is  
2149 repealed.

2150 Section 22. Subsection (3) of section 409.175, Florida  
2151 Statutes, is amended to read:

2152 409.175 Licensure of family foster homes, residential  
2153 child-caring agencies, and child-placing agencies; public  
2154 records exemption.—

2155 (3) (a) The total number of children placed in a ~~each~~ family  
2156 foster home shall be based on ~~the recommendation of the~~  
2157 ~~department, or the community-based care lead agency where one is~~  
2158 ~~providing foster care and related services, based on~~ the needs  
2159 of each child in care, the ability of the foster family to meet  
2160 the individual needs of each child, including any adoptive or  
2161 biological children or young adults remaining in foster care  
2162 living in the home, the amount of safe physical plant space, the  
2163 ratio of active and appropriate adult supervision, and the  
2164 background, experience, and skill of the family foster parents.

2165 (b) The department must grant a capacity waiver before  
2166 another child may be placed in the home if:

2167 1. The total number of dependent children in a family  
2168 foster home is six or more; or ~~will exceed five, including the~~  
2169 ~~family's own children,~~

2170 2. The total number of children in a family foster home,  
2171 including both dependent children and the family's own children,  
2172 is eight or more.

2173 (c) Before granting a capacity waiver, the department must  
2174 conduct an assessment of each child to be placed in the home.  
2175 ~~must be completed by a family services counselor and approved in~~

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2176 ~~writing by the counselor's supervisor prior to placement of any~~  
2177 ~~additional children in the home, except that, If the placement~~  
2178 ~~involves a child whose sibling is already in the home or a child~~  
2179 ~~who has been in placement in the home previously, the assessment~~  
2180 ~~must be completed within 72 hours after placement. The~~  
2181 ~~assessment must assess and document the mental, physical, and~~  
2182 ~~psychosocial needs of the child and whether those needs will be~~  
2183 ~~met by placement in the home and recommend the maximum number of~~  
2184 ~~children in a family foster home that will allow the child's~~  
2185 ~~needs to be met.~~

2186 (d)(e) For any licensed family foster home, the  
2187 appropriateness of the number of children in the home must be  
2188 reassessed annually as part of the relicensure process. For a  
2189 home with more than eight ~~five~~ children, including the family's  
2190 own children, if it is determined by the licensure study at the  
2191 time of relicensure that the total number of children in the  
2192 home is appropriate and that there have been no substantive  
2193 licensure violations and no indications of child maltreatment or  
2194 child-on-child sexual abuse within the past 12 months, the  
2195 relicensure of the home may ~~shall~~ not be denied based on the  
2196 total number of children in the home.

2197 (e) The department may adopt rules to implement this  
2198 subsection.

2199 Section 23. Section 409.1753, Florida Statutes, is  
2200 repealed.

2201 Section 24. Subsections (6) and (7) are added to section  
2202 409.987, Florida Statutes, to read:

2203 409.987 Lead agency procurement; boards; conflicts of  
2204 interest.-

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2205           (6) In communities in which conditions make it not feasible  
2206 to competitively contract with a lead agency, the department may  
2207 collaborate with the local community alliance to establish an  
2208 alternative approach to providing community-based child welfare  
2209 services in the service area that would otherwise be served by a  
2210 lead agency.

2211           (a) The department and local community alliance shall  
2212 develop a plan that must detail how the community will continue  
2213 to implement community-based care through competitively  
2214 procuring either the specific components of foster care and  
2215 related services or comprehensive services for defined eligible  
2216 populations of children and families from qualified entities as  
2217 part of the community's efforts to develop the local capacity  
2218 for a community-based system of coordinated care. The plan must  
2219 ensure local control over the management and administration of  
2220 service provision. At a minimum, the plan must describe the  
2221 reasons for the department's inability to competitively contract  
2222 for lead agency services, the proposed alternative approach to  
2223 providing lead agency services, the entities that will be  
2224 involved in service provision, how local control will be  
2225 maintained, how services will be managed to ensure that federal  
2226 and state requirements are met and outcome goals under s.  
2227 409.986 are achieved, and recommendations for increasing the  
2228 ability of the department to contract with a lead agency in that  
2229 area.

2230           (b) The department shall submit the plan to the Governor,  
2231 the President of the Senate, and the Speaker of the House of  
2232 Representatives before implementation. The department shall  
2233 submit quarterly updates about the plan's implementation to the

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2234 Governor, the President of the Senate, and the Speaker of the  
2235 House of Representatives until 2 years after full implementation  
2236 of the plan.

2237 (7) (a) As used in this subsection, the term:

2238 1. "Activity" includes, but is not limited to, a contract  
2239 for goods and services, a contract for the purchase of any real  
2240 or tangible property, or an agreement to engage with a lead  
2241 agency for the benefit of a third party in exchange for an  
2242 interest in real or tangible property, a monetary benefit, or an  
2243 in-kind contribution.

2244 2. "Conflict of interest" means when a board member or an  
2245 officer, or a relative of a board member or an officer, of a  
2246 lead agency does any of the following:

2247 a. Enters into a contract or other transaction for goods or  
2248 services with the lead agency.

2249 b. Holds a direct or indirect interest in a corporation,  
2250 limited liability corporation, partnership, limited liability  
2251 partnership, or other business entity that conducts business  
2252 with the lead agency or proposes to enter into a contract or  
2253 other transaction with the lead agency. For purposes of this  
2254 paragraph, the term "indirect interest" has the same meaning as  
2255 in s. 112.312.

2256 c. Knowingly obtains a direct or indirect personal,  
2257 financial, professional, or other benefit as a result of the  
2258 relationship of such board member or officer, or relative of the  
2259 board member or officer, with the lead agency. For purposes of  
2260 this paragraph, the term "benefit" does not include per diem and  
2261 travel expenses paid or reimbursed to board members or officers  
2262 of the lead agency in connection with their service on the

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2263 board.

2264 3. "Relative" means a relative within the third degree of  
2265 consanguinity by blood or marriage.

2266 (b)1. For any activity that is presented to the board of a  
2267 lead agency for its initial consideration and approval after  
2268 July 1, 2021, or any activity that involves a contract that is  
2269 being considered for renewal on or after July 1, 2021, but  
2270 before January 1, 2022, a board member or an officer of a lead  
2271 agency shall disclose to the board any activity that may  
2272 reasonably be construed to be a conflict of interest before such  
2273 activity is initially considered and approved or a contract is  
2274 renewed by the board. A rebuttable presumption of a conflict of  
2275 interest exists if the activity was acted on by the board  
2276 without prior notice as required under paragraph (c).

2277 2. For contracts with a lead agency which are in existence  
2278 on July 1, 2021, and are not subject to renewal before January  
2279 1, 2022, a board member or an officer of the lead agency shall  
2280 disclose to the board any activity that may reasonably be  
2281 construed to be a conflict of interest under this section by  
2282 December 31, 2021.

2283 (c)1. If a board member or an officer of a lead agency, or  
2284 a relative of a board member or an officer, proposes to engage  
2285 in an activity as described in subparagraph (b)1., the proposed  
2286 activity must be listed on the meeting agenda for the next  
2287 general or special meeting of the board members, and copies of  
2288 all contracts and transactional documents related to the  
2289 proposed activity must be included in the agenda. The meeting  
2290 agenda must clearly identify the existence of a potential  
2291 conflict of interest for the proposed activity. Before a board

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2292 member or an officer of the lead agency, or a relative of a  
2293 board member or an officer, engages in the proposed activity,  
2294 the activity and contract or other transactional documents must  
2295 be approved by an affirmative vote of two-thirds of all other  
2296 board members present.

2297 2. If a board member or an officer of the lead agency  
2298 notifies the board of a potential conflict of interest with the  
2299 board member or officer, or a relative of the board member or  
2300 officer, under an existing contract as described in subparagraph  
2301 (b)2., the board must notice the activity on a meeting agenda  
2302 for the next general or special meeting of the board members,  
2303 and copies of all contracts and transactional documents related  
2304 to the activity must be attached. The meeting agenda must  
2305 clearly identify the existence of a potential conflict of  
2306 interest. The board must be given the opportunity to approve or  
2307 disapprove the conflict of interest by a vote of two-thirds of  
2308 all other board members present.

2309 (d)1. If the board votes against the proposed activity  
2310 under subparagraph (c)1., the board member or officer of the  
2311 lead agency, or the relative of the board member or officer,  
2312 must notify the board in writing of his or her intention, or his  
2313 or her relative's intention, not to pursue the proposed  
2314 activity, or the board member or officer shall withdraw from  
2315 office before the next scheduled board meeting. If the board  
2316 finds that a board member or officer has violated this  
2317 paragraph, the board member or officer shall be removed from  
2318 office before the next scheduled board meeting.

2319 2. In the event that the board does not approve a conflict  
2320 of interest as required under subparagraph (c)2., the parties to



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2321 the activity may opt to cancel the activity or, in the  
2322 alternative, the board member or officer of the lead agency must  
2323 resign from the board before the next scheduled board meeting.  
2324 If the activity canceled is a contract, the lead agency is only  
2325 liable for the reasonable value of the goods and services  
2326 provided up to the time of cancellation and is not liable for  
2327 any termination fee, liquidated damages, or other form of  
2328 penalty for such cancellation.

2329 (e) A board member or an officer of a lead agency, or a  
2330 relative of a board member or an officer, who is a party to, or  
2331 has an interest in, an activity that is a possible conflict of  
2332 interest may attend the meeting at which the activity is  
2333 considered by the board and may make a presentation to the board  
2334 regarding the activity. After the presentation, the board member  
2335 or officer, or the relative of the board member or officer, must  
2336 leave the meeting during the discussion of, and the vote on, the  
2337 activity. A board member or an officer who is a party to, or has  
2338 an interest in, the activity shall recuse himself or herself  
2339 from the vote.

2340 (f) A contract entered into between a board member or an  
2341 officer of a lead agency, or a relative of a board member or an  
2342 officer, and the lead agency which has not been properly  
2343 disclosed as a conflict of interest or potential conflict of  
2344 interest under this section is voidable and terminates upon the  
2345 filing of a written notice terminating the contract with the  
2346 board of directors which contains the consent of at least 20  
2347 percent of the voting interests of the lead agency.

2348 Section 25. Subsection (1) of section 409.988, Florida  
2349 Statutes, is amended to read:

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2350 409.988 Lead agency duties; general provisions.—

2351 (1) DUTIES.—A lead agency:

2352 (a) Shall serve all children referred as a result of a  
2353 report of abuse, neglect, or abandonment to the department's  
2354 central abuse hotline, including, but not limited to, children  
2355 who are the subject of verified reports and children who are not  
2356 the subject of verified reports but who are at moderate to  
2357 extremely high risk of abuse, neglect, or abandonment, as  
2358 determined using the department's risk assessment instrument,  
2359 regardless of the level of funding allocated to the lead agency  
2360 by the state if all related funding is transferred. The lead  
2361 agency may also serve children who have not been the subject of  
2362 reports of abuse, neglect, or abandonment, but who are at risk  
2363 of abuse, neglect, or abandonment, to prevent their entry into  
2364 the child protection and child welfare system.

2365 (b) Shall provide accurate and timely information necessary  
2366 for oversight by the department pursuant to the child welfare  
2367 results-oriented accountability system required by s. 409.997.

2368 (c) Shall follow the financial guidelines developed by the  
2369 department and provide for a regular independent auditing of its  
2370 financial activities. Such financial information shall be  
2371 provided to the community alliance established under s.  
2372 20.19(5).

2373 ~~(d) Shall post on its website the current budget for the~~  
2374 ~~lead agency, including the salaries, bonuses, and other~~  
2375 ~~compensation paid, by position, for the agency's chief executive~~  
2376 ~~officer, chief financial officer, and chief operating officer,~~  
2377 ~~or their equivalents.~~

2378 (d) ~~(e)~~ Shall prepare all judicial reviews, case plans, and

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2379 other reports necessary for court hearings for dependent  
2380 children, except those related to the investigation of a  
2381 referral from the department's child abuse hotline, and shall  
2382 submit these documents timely to the department's attorneys for  
2383 review, any necessary revision, and filing with the court. The  
2384 lead agency shall make the necessary staff available to  
2385 department attorneys for preparation for dependency proceedings,  
2386 and shall provide testimony and other evidence required for  
2387 dependency court proceedings in coordination with the  
2388 department's attorneys. This duty does not include the  
2389 preparation of legal pleadings or other legal documents, which  
2390 remain the responsibility of the department.

2391 (e)~~(f)~~ Shall ensure that all individuals providing care for  
2392 dependent children receive:

2393 1. Appropriate training and meet the minimum employment  
2394 standards established by the department. Appropriate training  
2395 shall include, but is not limited to, training on the  
2396 recognition of and responses to head trauma and brain injury in  
2397 a child under 6 years of age developed by the Child Protection  
2398 Team Program within the Department of Health.

2399 2. Contact information for the local mobile response team  
2400 established under s. 394.495.

2401 (f)~~(g)~~ Shall maintain eligibility to receive all available  
2402 federal child welfare funds.

2403 (g) Shall adhere to all best child welfare practices under  
2404 ss. 39.4087, 39.523, 409.1415, and 409.145.

2405 (h) Shall maintain written agreements with Healthy Families  
2406 Florida lead entities in its service area pursuant to s. 409.153  
2407 to promote cooperative planning for the provision of prevention

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2408 and intervention services.

2409 (i) Shall comply with federal and state statutory  
2410 requirements and agency rules in the provision of contractual  
2411 services.

2412 (j) May subcontract for the provision of services required  
2413 by the contract with the lead agency and the department;  
2414 however, the subcontracts must specify how the provider will  
2415 contribute to the lead agency meeting the performance standards  
2416 established pursuant to the child welfare results-oriented  
2417 accountability system required by s. 409.997. The lead agency  
2418 shall directly provide no more than 35 percent of all child  
2419 welfare services provided unless it can demonstrate a need,  
2420 within the lead agency's geographic service area, to exceed this  
2421 threshold. The local community alliance in the geographic  
2422 service area in which the lead agency is seeking to exceed the  
2423 threshold shall review the lead agency's justification for need  
2424 and recommend to the department whether the department should  
2425 approve or deny the lead agency's request for an exemption from  
2426 the services threshold. If there is not a community alliance  
2427 operating in the geographic service area in which the lead  
2428 agency is seeking to exceed the threshold, such review and  
2429 recommendation shall be made by representatives of local  
2430 stakeholders, including at least one representative from each of  
2431 the following:

- 2432 1. The department.
- 2433 2. The county government.
- 2434 3. The school district.
- 2435 4. The county United Way.
- 2436 5. The county sheriff's office.

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2437 6. The circuit court corresponding to the county.  
2438 7. The county children's board, if one exists.  
2439 (k) Shall publish ~~post~~ on its website by the 15th day of  
2440 each month at a minimum the data specified ~~information contained~~  
2441 in subparagraphs 1.-5., calculated using a standard methodology  
2442 determined by the department, ~~subparagraphs 1.-4.~~ for the  
2443 preceding calendar month regarding its case management services.  
2444 The following information shall be reported by each individual  
2445 subcontracted case management provider, by the lead agency, if  
2446 the lead agency provides case management services, and in total  
2447 for all case management services subcontracted or directly  
2448 provided by the lead agency:  
2449 1. The average caseload of case managers, including only  
2450 filled positions;  
2451 2. The total number and percentage of case managers who  
2452 have 25 or more cases on their caseloads;  
2453 3.2. The turnover rate for case managers and case  
2454 management supervisors for the previous 12 months;  
2455 4.3. The percentage of required home visits completed; and  
2456 5.4. Performance on outcome measures required pursuant to  
2457 s. 409.997 for the previous 12 months.  
2458 (l) Shall identify an employee to serve as a liaison with  
2459 the community alliance and community-based and faith-based  
2460 organizations interested in collaborating with the lead agency  
2461 or offering services or other assistance on a volunteer basis to  
2462 the children and families served by the lead agency. The lead  
2463 agency shall ensure that appropriate lead agency staff and  
2464 subcontractors, including, but not limited to, case managers,  
2465 are informed of the specific services or assistance available

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2466 from community-based and faith-based organizations.

2467 (m) Shall include the statement "(community-based care lead  
2468 agency name) is a community-based care lead agency contracted  
2469 with the Department of Children and Families" on its website  
2470 and, at a minimum, in its promotional literature, lead agency-  
2471 created documents and forms provided to families served by the  
2472 lead agency, business cards, and stationery letterhead.

2473 Section 26. Subsection (7) of section 409.990, Florida  
2474 Statutes, is renumbered as subsection (8), and a new subsection  
2475 (7) is added to that section, to read:

2476 409.990 Funding for lead agencies.—A contract established  
2477 between the department and a lead agency must be funded by a  
2478 grant of general revenue, other applicable state funds, or  
2479 applicable federal funding sources.

2480 (7) If subcontracted service providers must provide  
2481 services that are beyond the contract limits due to increased  
2482 client need or caseload, the lead agencies shall fund the cost  
2483 of increased care.

2484 Section 27. Subsections (3) through (25) of section  
2485 409.996, Florida Statutes, are renumbered as subsections (5)  
2486 through (27), respectively, subsections (1) and (2) and  
2487 paragraph (d) of present subsection (25) are amended, and new  
2488 subsections (3) and (4) are added to that section, to read:

2489 409.996 Duties of the Department of Children and Families.—  
2490 The department shall contract for the delivery, administration,  
2491 or management of care for children in the child protection and  
2492 child welfare system. In doing so, the department retains  
2493 responsibility for the quality of contracted services and  
2494 programs and shall ensure that, at a minimum, services are

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2495 delivered in accordance with applicable federal and state  
2496 statutes and regulations and the performance standards and  
2497 metrics specified in the strategic plan created under s.  
2498 20.19(1).

2499 (1) The department shall enter into contracts with lead  
2500 agencies for the performance of the duties by the lead agencies  
2501 established in s. 409.988. At a minimum, the contracts must do  
2502 all of the following:

2503 (a) Provide for the services needed to accomplish the  
2504 duties established in s. 409.988. and

2505 (b) Require the lead agency to provide information to the  
2506 department which specifies how the lead agency will adhere to  
2507 all best child welfare practices under ss. 39.4087, 39.523,  
2508 409.1415, and 409.145.

2509 (c) Provide information to the department which is  
2510 necessary to meet the requirements for a quality assurance  
2511 program under subsection (21) ~~(19)~~ and the child welfare  
2512 results-oriented accountability system under s. 409.997.

2513 (d) ~~(b)~~ Provide for tiered interventions and graduated  
2514 penalties for failure to comply with contract terms or in the  
2515 event of performance deficiencies. Such interventions and  
2516 penalties shall include, but are not limited to:

2517 1. Enhanced monitoring and reporting.

2518 2. Corrective action plans.

2519 3. Requirements to accept technical assistance and  
2520 consultation from the department under subsection (6) ~~(4)~~.

2521 4. Financial penalties, which shall require a lead agency  
2522 to reallocate funds from administrative costs to direct care for  
2523 children.

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2524 5. Early termination of contracts, as provided in s.  
2525 402.1705(3)(f).

2526 (e)~~(d)~~ Ensure that the lead agency shall furnish current  
2527 and accurate information on its activities in all cases in  
2528 client case records in the state's statewide automated child  
2529 welfare information system.

2530 (f)~~(d)~~ Specify the procedures to be used by the parties to  
2531 resolve differences in interpreting the contract or to resolve  
2532 disputes as to the adequacy of the parties' compliance with  
2533 their respective obligations under the contract.

2534 (2) The department must adopt written policies and  
2535 procedures for monitoring the contract for delivery of services  
2536 by lead agencies which must be published ~~posted~~ on the  
2537 department's website. These policies and procedures must, at a  
2538 minimum, address the evaluation of fiscal accountability and  
2539 program operations, including provider achievement of  
2540 performance standards, provider monitoring of subcontractors,  
2541 and timely followup of corrective actions for significant  
2542 monitoring findings related to providers and subcontractors.  
2543 These policies and procedures must also include provisions for  
2544 reducing the duplication of the department's program monitoring  
2545 activities both internally and with other agencies, to the  
2546 extent possible. The department's written procedures must ensure  
2547 that the written findings, conclusions, and recommendations from  
2548 monitoring the contract for services of lead agencies are  
2549 communicated to the director of the provider agency and the  
2550 community alliance as expeditiously as possible.

2551 (3) The department shall annually conduct a comprehensive,  
2552 multiyear review of the revenues, expenditures, and financial



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2553 position of all community-based care lead agencies which must  
2554 cover the most recent 2 consecutive fiscal years. The review  
2555 must include a comprehensive system-of-care analysis. All  
2556 community-based care lead agencies must develop and maintain a  
2557 plan to achieve financial viability. The department's review and  
2558 the agency's plan shall be submitted to the Governor, the  
2559 President of the Senate, and the Speaker of the House of  
2560 Representatives by November 1 of each year.

2561 (4) (a) The department shall collect and publish on its  
2562 website, and annually update, all of the following information  
2563 for each lead agency under contract with the department:

2564 1. All compensation earned or awarded, whether paid or  
2565 accrued, regardless of contingency, by position, for any  
2566 employee, and any other person who is compensated through a  
2567 contract for services whose services include those commonly  
2568 associated with a chief executive, chief administrator, or other  
2569 chief officer of a business or corporation, who receives  
2570 compensation from state-appropriated funds in excess of 150  
2571 percent of the annual salary paid to the secretary of the  
2572 department. For purposes of this paragraph, the term "employee"  
2573 has the same meaning as in s. 448.095.

2574 2. All findings of the review under subsection (3).

2575 (b) The department shall collect and publish on its  
2576 website, and update monthly, the information required under s.  
2577 409.988 (1) (k).

2578 (27) ~~(25)~~ Subject to an appropriation, for the 2020-2021 and  
2579 2021-2022 fiscal years, the department shall implement a pilot  
2580 project in the Sixth and Thirteenth Judicial Circuits,  
2581 respectively, aimed at improving child welfare outcomes.

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2582 (d) The department shall include the results of the pilot  
2583 projects in the report required in subsection (26) ~~(24)~~ of this  
2584 section. The report must include the department's findings and  
2585 recommendations relating to the pilot projects.

2586 Section 28. Paragraph (a) of subsection (4) of section  
2587 828.27, Florida Statutes, is amended to read:

2588 828.27 Local animal control or cruelty ordinances;  
2589 penalty.—

2590 (4) (a) 1. County-employed animal control officers must, and  
2591 municipally-employed ~~municipally-employed~~ animal control  
2592 officers may, successfully complete a 40-hour minimum standards  
2593 training course. Such course must include, but is not limited  
2594 to, training for: animal cruelty investigations, search and  
2595 seizure, animal handling, courtroom demeanor, and civil  
2596 citations. The course curriculum must be approved by the Florida  
2597 Animal Control Association. An animal control officer who  
2598 successfully completes such course shall be issued a certificate  
2599 indicating that he or she has received a passing grade.

2600 2. County-employed and municipally-employed animal control  
2601 officers must successfully complete the 1-hour training course  
2602 developed by the Department of Children and Families pursuant to  
2603 s. 39.208(5). Animal control officers must be provided with  
2604 opportunities to attend the training during their normal work  
2605 hours.

2606 3.2. Any animal control officer who is authorized before  
2607 January 1, 1990, by a county or municipality to issue citations  
2608 is not required to complete the minimum standards training  
2609 course.

2610 4.3. In order to maintain valid certification, every 2

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2611 years each certified animal control officer must complete 4  
2612 hours of postcertification continuing education training. Such  
2613 training may include, but is not limited to, training for:  
2614 animal cruelty investigations, search and seizure, animal  
2615 handling, courtroom demeanor, and civil citations.

2616 Section 29. Paragraph (c) is added to subsection (6) of  
2617 section 1012.795, Florida Statutes, to read:

2618 1012.795 Education Practices Commission; authority to  
2619 discipline.—

2620 (6)

2621 (c) If the Department of Education determines that any  
2622 instructional personnel or school administrator, as defined in  
2623 s. 1012.01(2) or (3), respectively, has knowingly failed to  
2624 report known or suspected child abuse as required under s.  
2625 39.201, and the Education Practices Commission has issued a  
2626 final order for a previous instance of failure to report by the  
2627 individual, the Education Practices Commission shall, at a  
2628 minimum, suspend the educator certificate of the instructional  
2629 personnel or school administrator for a period of at least 1  
2630 year.

2631 Section 30. Paragraph (d) of subsection (4) of section  
2632 119.071, Florida Statutes, is amended to read:

2633 119.071 General exemptions from inspection or copying of  
2634 public records.—

2635 (4) AGENCY PERSONNEL INFORMATION.—

2636 (d)1. For purposes of this paragraph, the term:

2637 a. "Home addresses" means the dwelling location at which an  
2638 individual resides and includes the physical address, mailing  
2639 address, street address, parcel identification number, plot

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2640 identification number, legal property description, neighborhood  
2641 name and lot number, GPS coordinates, and any other descriptive  
2642 property information that may reveal the home address.

2643 b. "Telephone numbers" includes home telephone numbers,  
2644 personal cellular telephone numbers, personal pager telephone  
2645 numbers, and telephone numbers associated with personal  
2646 communications devices.

2647 2.a. The home addresses, telephone numbers, dates of birth,  
2648 and photographs of active or former sworn law enforcement  
2649 personnel or of active or former civilian personnel employed by  
2650 a law enforcement agency, including correctional and  
2651 correctional probation officers, personnel of the Department of  
2652 Children and Families whose duties include the investigation of  
2653 abuse, neglect, exploitation, fraud, theft, or other criminal  
2654 activities, personnel of the Department of Health whose duties  
2655 are to support the investigation of child abuse or neglect, and  
2656 personnel of the Department of Revenue or local governments  
2657 whose responsibilities include revenue collection and  
2658 enforcement or child support enforcement; the names, home  
2659 addresses, telephone numbers, photographs, dates of birth, and  
2660 places of employment of the spouses and children of such  
2661 personnel; and the names and locations of schools and day care  
2662 facilities attended by the children of such personnel are exempt  
2663 from s. 119.07(1) and s. 24(a), Art. I of the State  
2664 Constitution.

2665 b. The home addresses, telephone numbers, dates of birth,  
2666 and photographs of current or former nonsworn investigative  
2667 personnel of the Department of Financial Services whose duties  
2668 include the investigation of fraud, theft, workers' compensation

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2669 coverage requirements and compliance, other related criminal  
2670 activities, or state regulatory requirement violations; the  
2671 names, home addresses, telephone numbers, dates of birth, and  
2672 places of employment of the spouses and children of such  
2673 personnel; and the names and locations of schools and day care  
2674 facilities attended by the children of such personnel are exempt  
2675 from s. 119.07(1) and s. 24(a), Art. I of the State  
2676 Constitution.

2677 c. The home addresses, telephone numbers, dates of birth,  
2678 and photographs of current or former nonsworn investigative  
2679 personnel of the Office of Financial Regulation's Bureau of  
2680 Financial Investigations whose duties include the investigation  
2681 of fraud, theft, other related criminal activities, or state  
2682 regulatory requirement violations; the names, home addresses,  
2683 telephone numbers, dates of birth, and places of employment of  
2684 the spouses and children of such personnel; and the names and  
2685 locations of schools and day care facilities attended by the  
2686 children of such personnel are exempt from s. 119.07(1) and s.  
2687 24(a), Art. I of the State Constitution.

2688 d. The home addresses, telephone numbers, dates of birth,  
2689 and photographs of current or former firefighters certified in  
2690 compliance with s. 633.408; the names, home addresses, telephone  
2691 numbers, photographs, dates of birth, and places of employment  
2692 of the spouses and children of such firefighters; and the names  
2693 and locations of schools and day care facilities attended by the  
2694 children of such firefighters are exempt from s. 119.07(1) and  
2695 s. 24(a), Art. I of the State Constitution.

2696 e. The home addresses, dates of birth, and telephone  
2697 numbers of current or former justices of the Supreme Court,

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2698 district court of appeal judges, circuit court judges, and  
2699 county court judges; the names, home addresses, telephone  
2700 numbers, dates of birth, and places of employment of the spouses  
2701 and children of current or former justices and judges; and the  
2702 names and locations of schools and day care facilities attended  
2703 by the children of current or former justices and judges are  
2704 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2705 Constitution.

2706 f. The home addresses, telephone numbers, dates of birth,  
2707 and photographs of current or former state attorneys, assistant  
2708 state attorneys, statewide prosecutors, or assistant statewide  
2709 prosecutors; the names, home addresses, telephone numbers,  
2710 photographs, dates of birth, and places of employment of the  
2711 spouses and children of current or former state attorneys,  
2712 assistant state attorneys, statewide prosecutors, or assistant  
2713 statewide prosecutors; and the names and locations of schools  
2714 and day care facilities attended by the children of current or  
2715 former state attorneys, assistant state attorneys, statewide  
2716 prosecutors, or assistant statewide prosecutors are exempt from  
2717 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2718 g. The home addresses, dates of birth, and telephone  
2719 numbers of general magistrates, special magistrates, judges of  
2720 compensation claims, administrative law judges of the Division  
2721 of Administrative Hearings, and child support enforcement  
2722 hearing officers; the names, home addresses, telephone numbers,  
2723 dates of birth, and places of employment of the spouses and  
2724 children of general magistrates, special magistrates, judges of  
2725 compensation claims, administrative law judges of the Division  
2726 of Administrative Hearings, and child support enforcement

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2727 hearing officers; and the names and locations of schools and day  
2728 care facilities attended by the children of general magistrates,  
2729 special magistrates, judges of compensation claims,  
2730 administrative law judges of the Division of Administrative  
2731 Hearings, and child support enforcement hearing officers are  
2732 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2733 Constitution.

2734 h. The home addresses, telephone numbers, dates of birth,  
2735 and photographs of current or former human resource, labor  
2736 relations, or employee relations directors, assistant directors,  
2737 managers, or assistant managers of any local government agency  
2738 or water management district whose duties include hiring and  
2739 firing employees, labor contract negotiation, administration, or  
2740 other personnel-related duties; the names, home addresses,  
2741 telephone numbers, dates of birth, and places of employment of  
2742 the spouses and children of such personnel; and the names and  
2743 locations of schools and day care facilities attended by the  
2744 children of such personnel are exempt from s. 119.07(1) and s.  
2745 24(a), Art. I of the State Constitution.

2746 i. The home addresses, telephone numbers, dates of birth,  
2747 and photographs of current or former code enforcement officers;  
2748 the names, home addresses, telephone numbers, dates of birth,  
2749 and places of employment of the spouses and children of such  
2750 personnel; and the names and locations of schools and day care  
2751 facilities attended by the children of such personnel are exempt  
2752 from s. 119.07(1) and s. 24(a), Art. I of the State  
2753 Constitution.

2754 j. The home addresses, telephone numbers, places of  
2755 employment, dates of birth, and photographs of current or former

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2756 guardians ad litem, as defined in s. 39.820; the names, home  
2757 addresses, telephone numbers, dates of birth, and places of  
2758 employment of the spouses and children of such persons; and the  
2759 names and locations of schools and day care facilities attended  
2760 by the children of such persons are exempt from s. 119.07(1) and  
2761 s. 24(a), Art. I of the State Constitution.

2762 k. The home addresses, telephone numbers, dates of birth,  
2763 and photographs of current or former juvenile probation  
2764 officers, juvenile probation supervisors, detention  
2765 superintendents, assistant detention superintendents, juvenile  
2766 justice detention officers I and II, juvenile justice detention  
2767 officer supervisors, juvenile justice residential officers,  
2768 juvenile justice residential officer supervisors I and II,  
2769 juvenile justice counselors, juvenile justice counselor  
2770 supervisors, human services counselor administrators, senior  
2771 human services counselor administrators, rehabilitation  
2772 therapists, and social services counselors of the Department of  
2773 Juvenile Justice; the names, home addresses, telephone numbers,  
2774 dates of birth, and places of employment of spouses and children  
2775 of such personnel; and the names and locations of schools and  
2776 day care facilities attended by the children of such personnel  
2777 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2778 Constitution.

2779 l. The home addresses, telephone numbers, dates of birth,  
2780 and photographs of current or former public defenders, assistant  
2781 public defenders, criminal conflict and civil regional counsel,  
2782 and assistant criminal conflict and civil regional counsel; the  
2783 names, home addresses, telephone numbers, dates of birth, and  
2784 places of employment of the spouses and children of current or



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2785 former public defenders, assistant public defenders, criminal  
2786 conflict and civil regional counsel, and assistant criminal  
2787 conflict and civil regional counsel; and the names and locations  
2788 of schools and day care facilities attended by the children of  
2789 current or former public defenders, assistant public defenders,  
2790 criminal conflict and civil regional counsel, and assistant  
2791 criminal conflict and civil regional counsel are exempt from s.  
2792 119.07(1) and s. 24(a), Art. I of the State Constitution.

2793 m. The home addresses, telephone numbers, dates of birth,  
2794 and photographs of current or former investigators or inspectors  
2795 of the Department of Business and Professional Regulation; the  
2796 names, home addresses, telephone numbers, dates of birth, and  
2797 places of employment of the spouses and children of such current  
2798 or former investigators and inspectors; and the names and  
2799 locations of schools and day care facilities attended by the  
2800 children of such current or former investigators and inspectors  
2801 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2802 Constitution.

2803 n. The home addresses, telephone numbers, and dates of  
2804 birth of county tax collectors; the names, home addresses,  
2805 telephone numbers, dates of birth, and places of employment of  
2806 the spouses and children of such tax collectors; and the names  
2807 and locations of schools and day care facilities attended by the  
2808 children of such tax collectors are exempt from s. 119.07(1) and  
2809 s. 24(a), Art. I of the State Constitution.

2810 o. The home addresses, telephone numbers, dates of birth,  
2811 and photographs of current or former personnel of the Department  
2812 of Health whose duties include, or result in, the determination  
2813 or adjudication of eligibility for social security disability

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2814 benefits, the investigation or prosecution of complaints filed  
2815 against health care practitioners, or the inspection of health  
2816 care practitioners or health care facilities licensed by the  
2817 Department of Health; the names, home addresses, telephone  
2818 numbers, dates of birth, and places of employment of the spouses  
2819 and children of such personnel; and the names and locations of  
2820 schools and day care facilities attended by the children of such  
2821 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
2822 the State Constitution.

2823 p. The home addresses, telephone numbers, dates of birth,  
2824 and photographs of current or former impaired practitioner  
2825 consultants who are retained by an agency or current or former  
2826 employees of an impaired practitioner consultant whose duties  
2827 result in a determination of a person's skill and safety to  
2828 practice a licensed profession; the names, home addresses,  
2829 telephone numbers, dates of birth, and places of employment of  
2830 the spouses and children of such consultants or their employees;  
2831 and the names and locations of schools and day care facilities  
2832 attended by the children of such consultants or employees are  
2833 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2834 Constitution.

2835 q. The home addresses, telephone numbers, dates of birth,  
2836 and photographs of current or former emergency medical  
2837 technicians or paramedics certified under chapter 401; the  
2838 names, home addresses, telephone numbers, dates of birth, and  
2839 places of employment of the spouses and children of such  
2840 emergency medical technicians or paramedics; and the names and  
2841 locations of schools and day care facilities attended by the  
2842 children of such emergency medical technicians or paramedics are

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2843 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2844 Constitution.

2845 r. The home addresses, telephone numbers, dates of birth,  
2846 and photographs of current or former personnel employed in an  
2847 agency's office of inspector general or internal audit  
2848 department whose duties include auditing or investigating waste,  
2849 fraud, abuse, theft, exploitation, or other activities that  
2850 could lead to criminal prosecution or administrative discipline;  
2851 the names, home addresses, telephone numbers, dates of birth,  
2852 and places of employment of spouses and children of such  
2853 personnel; and the names and locations of schools and day care  
2854 facilities attended by the children of such personnel are exempt  
2855 from s. 119.07(1) and s. 24(a), Art. I of the State  
2856 Constitution.

2857 s. The home addresses, telephone numbers, dates of birth,  
2858 and photographs of current or former directors, managers,  
2859 supervisors, nurses, and clinical employees of an addiction  
2860 treatment facility; the home addresses, telephone numbers,  
2861 photographs, dates of birth, and places of employment of the  
2862 spouses and children of such personnel; and the names and  
2863 locations of schools and day care facilities attended by the  
2864 children of such personnel are exempt from s. 119.07(1) and s.  
2865 24(a), Art. I of the State Constitution. For purposes of this  
2866 sub-subparagraph, the term "addiction treatment facility" means  
2867 a county government, or agency thereof, that is licensed  
2868 pursuant to s. 397.401 and provides substance abuse prevention,  
2869 intervention, or clinical treatment, including any licensed  
2870 service component described in s. 397.311(26).

2871 t. The home addresses, telephone numbers, dates of birth,

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2872 and photographs of current or former directors, managers,  
2873 supervisors, and clinical employees of a child advocacy center  
2874 that meets the standards of s. 39.3035(2) ~~s. 39.3035(1)~~ and  
2875 fulfills the screening requirement of s. 39.3035(3) ~~s.~~  
2876 ~~39.3035(2)~~, and the members of a Child Protection Team as  
2877 described in s. 39.303 whose duties include supporting the  
2878 investigation of child abuse or sexual abuse, child abandonment,  
2879 child neglect, and child exploitation or to provide services as  
2880 part of a multidisciplinary case review team; the names, home  
2881 addresses, telephone numbers, photographs, dates of birth, and  
2882 places of employment of the spouses and children of such  
2883 personnel and members; and the names and locations of schools  
2884 and day care facilities attended by the children of such  
2885 personnel and members are exempt from s. 119.07(1) and s. 24(a),  
2886 Art. I of the State Constitution.

2887         3. An agency that is the custodian of the information  
2888 specified in subparagraph 2. and that is not the employer of the  
2889 officer, employee, justice, judge, or other person specified in  
2890 subparagraph 2. shall maintain the exempt status of that  
2891 information only if the officer, employee, justice, judge, other  
2892 person, or employing agency of the designated employee submits a  
2893 written request for maintenance of the exemption to the  
2894 custodial agency.

2895         4. An officer, an employee, a justice, a judge, or other  
2896 person specified in subparagraph 2. may submit a written request  
2897 for the release of his or her exempt information to the  
2898 custodial agency. The written request must be notarized and must  
2899 specify the information to be released and the party that is  
2900 authorized to receive the information. Upon receipt of the

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2901 written request, the custodial agency shall release the  
2902 specified information to the party authorized to receive such  
2903 information.

2904 5. The exemptions in this paragraph apply to information  
2905 held by an agency before, on, or after the effective date of the  
2906 exemption.

2907 6. This paragraph is subject to the Open Government Sunset  
2908 Review Act in accordance with s. 119.15 and shall stand repealed  
2909 on October 2, 2024, unless reviewed and saved from repeal  
2910 through reenactment by the Legislature.

2911 Section 31. Paragraph (g) of subsection (2) of section  
2912 934.03, Florida Statutes, is amended to read:

2913 934.03 Interception and disclosure of wire, oral, or  
2914 electronic communications prohibited.—

2915 (2)

2916 (g) It is lawful under this section and ss. 934.04-934.09  
2917 for an employee of:

2918 1. An ambulance service licensed pursuant to s. 401.25, a  
2919 fire station employing firefighters as defined by s. 633.102, a  
2920 public utility, a law enforcement agency as defined by s.  
2921 934.02(10), or any other entity with published emergency  
2922 telephone numbers;

2923 2. An agency operating an emergency telephone number "911"  
2924 system established pursuant to s. 365.171; or

2925 3. The central abuse hotline operated under s. 39.101  
2926 ~~pursuant to s. 39.201~~

2927  
2928 to intercept and record incoming wire communications; however,  
2929 such employee may intercept and record incoming wire

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2930 communications on designated "911" telephone numbers and  
2931 published nonemergency telephone numbers staffed by trained  
2932 dispatchers at public safety answering points only. It is also  
2933 lawful for such employee to intercept and record outgoing wire  
2934 communications to the numbers from which such incoming wire  
2935 communications were placed when necessary to obtain information  
2936 required to provide the emergency services being requested. For  
2937 the purpose of this paragraph, the term "public utility" has the  
2938 same meaning as provided in s. 366.02 and includes a person,  
2939 partnership, association, or corporation now or hereafter owning  
2940 or operating equipment or facilities in the state for conveying  
2941 or transmitting messages or communications by telephone or  
2942 telegraph to the public for compensation.

2943 Section 32. Except as otherwise expressly provided in this  
2944 act, this act shall take effect July 1, 2021.