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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/25/2022	.	
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The Committee on Appropriations (Rodriguez) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 184 and 185

insert:

Section 2. Subsection (3) of section 402.40, Florida Statutes, is amended to read:

402.40 Child welfare training and certification.—

(3) THIRD-PARTY CREDENTIALING ENTITIES.—

(a) The department shall approve one or more third-party credentialing entities for the purpose of developing and



805500

11 administering child welfare certification programs for persons  
12 who provide child welfare services. A third-party credentialing  
13 entity shall request such approval in writing from the  
14 department. In order to obtain approval, the third-party  
15 credentialing entity must:

16 1.~~(a)~~ Establish professional requirements and standards  
17 that applicants must achieve in order to obtain a child welfare  
18 certification and to maintain such certification.

19 2.~~(b)~~ Develop and apply core competencies and examination  
20 instruments according to nationally recognized certification and  
21 psychometric standards.

22 3.~~(c)~~ Maintain a professional code of ethics and a  
23 disciplinary process that apply to all persons holding child  
24 welfare certification.

25 4.~~(d)~~ Maintain a database, accessible to the public, of all  
26 persons holding child welfare certification, including any  
27 history of ethical violations.

28 5.~~(e)~~ Require annual continuing education for persons  
29 holding child welfare certification.

30 6.~~(f)~~ Administer a continuing education provider program to  
31 ensure that only qualified providers offer continuing education  
32 opportunities for certificateholders.

33 7.~~(g)~~ Review the findings and all relevant records  
34 involving the death of a child or other critical incident  
35 following completion of any reviews by the department, the  
36 inspector general, or the Office of the Attorney General. Such  
37 review may occur only upon the filing of a complaint from an  
38 outside party involving certified personnel. This review shall  
39 assess the certified personnel's compliance with the third-party



40 credentialing entity's published code of ethical and  
41 professional conduct and disciplinary procedures.

42 8.(h) Maintain an advisory committee, including  
43 representatives from each region of the department, each  
44 sheriff's office providing child protective services, and each  
45 community-based care lead agency, who shall be appointed by the  
46 organization they represent. The third-party credentialing  
47 entity may appoint additional members to the advisory committee.

48 (b) Any decision by a third-party credentialing entity to  
49 deny, revoke, or suspend a certification or otherwise impose  
50 sanctions on an individual who is certified is reviewable by the  
51 department. Upon receiving an adverse determination, the  
52 aggrieved person may request an administrative hearing pursuant  
53 to ss. 120.569 and 120.57(1) within 30 days after completing any  
54 appeals process offered by the credentialing entity or the  
55 department, as applicable.

56 Section 3. Subsection (2) of section 402.402, Florida  
57 Statutes, is amended to read:

58 402.402 Child protection and child welfare personnel;  
59 attorneys employed by the department.—

60 (2) SPECIALIZED TRAINING.—All child protective  
61 investigators and child protective investigation supervisors  
62 employed by the department or a sheriff's office must complete  
63 the following specialized training:

64 (a) Training on the recognition of and responses to head  
65 trauma and brain injury in a child under 6 years of age  
66 developed by the Child Protection Team Program within the  
67 Department of Health.

68 (b) Training that is either focused on serving a specific



805500

69 population, including, but not limited to, medically fragile  
70 children, sexually exploited children, children under 3 years of  
71 age, or families with a history of domestic violence, mental  
72 illness, or substance abuse, or focused on performing certain  
73 aspects of child protection practice, including, but not limited  
74 to, investigation techniques and analysis of family dynamics.

75  
76 The specialized training may be used to fulfill continuing  
77 education requirements under s. 402.40(3)(a)5. ~~s. 402.40(3)(e).~~  
78 Individuals hired on or after July 1, 2014, shall complete the  
79 specialized training within 2 years after hire. An individual  
80 may receive specialized training in multiple areas.

81  
82 ===== T I T L E A M E N D M E N T =====

83 And the title is amended as follows:

84 Delete line 19

85 and insert:

86 authority; amending s. 402.40, F.S.; providing that  
87 certain decisions by third-party credentialing  
88 entities for child welfare certification programs are  
89 reviewable by the department; providing that an  
90 aggrieved person receiving an adverse determination  
91 may request an administrative hearing within a certain  
92 period; amending s. 402.402, F.S.; conforming a cross-  
93 reference; providing an effective date.