

By Senator Brodeur

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1 A bill to be entitled
2 An act relating to child welfare; amending s. 39.202,
3 F.S.; clarifying a provision regarding access to
4 certain records in the event of the death of a child
5 as a result of abuse, abandonment, or neglect;
6 amending s. 39.4092, F.S.; revising provisions to
7 refer to a multidisciplinary legal representation
8 program rather than a model; revising requirements for
9 an office of criminal conflict and civil regional
10 counsel's multidisciplinary legal representation
11 program; requiring each office of criminal conflict
12 and civil regional counsel to annually submit certain
13 data to the Office of Program Policy Analysis and
14 Government Accountability (OPPAGA) by a specified
15 date; deleting a requirement that each office of
16 criminal conflict and civil regional counsel submit a
17 certain report; requiring the OPPAGA to compile
18 certain data and conduct a certain analysis; revising
19 the date the OPPAGA must annually report its analysis;
20 creating s. 39.5035, F.S.; authorizing certain persons
21 to initiate a proceeding by filing a petition for
22 adjudication and permanent commitment if both parents
23 of a child are deceased or the last known living
24 parent dies; requiring that such petition be filed at
25 a specified time under certain circumstances;
26 authorizing certain persons to file a petition for
27 permanent commitment if both parents die or the last
28 known living parent dies after a child has been
29 adjudicated dependent; specifying a timeframe for

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30 filing such petition; specifying requirements for such
31 petitions; requiring the clerk of the court to set the
32 case for hearing within a specified timeframe after a
33 petition for adjudication and permanent commitment or
34 a petition for permanent commitment is filed;
35 requiring that a certain notice of the hearing and a
36 copy of the petition be served on certain persons;
37 specifying procedures for the adjudicatory hearing on
38 the petitions; specifying the determinations a judge
39 must make at the adjudicatory hearing; specifying that
40 a disposition hearing must be set within a certain
41 timeframe; requiring the Department of Children and
42 Families to provide a certain amended case plan;
43 requiring the department to make certain reasonable
44 efforts regarding the case plan; requiring the court
45 to hold hearings at a certain timeframe; specifying
46 that a certified copy of the death certificate is
47 sufficient evidence of a parent's death; requiring the
48 court to make a certain determination within a
49 specified timeframe after an adjudicatory hearing on
50 certain petitions; providing construction; amending s.
51 39.522, F.S.; authorizing certain persons to remove a
52 child from a court-ordered placement under certain
53 circumstances; requiring the department to file a
54 motion within a certain timeframe to modify placement
55 following such removals; requiring the court to set a
56 hearing on the motion within a specified timeframe
57 under certain circumstances; requiring the court to
58 make a specified determination at the hearing;

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59 authorizing the court to base its determination on
60 certain evidence and to hear all relevant and material
61 evidence; requiring the court to enter certain orders
62 under certain circumstances; requiring a placement
63 meet certain home study criteria; requiring the court
64 to conduct a hearing under certain circumstances;
65 amending s. 39.6013, F.S.; authorizing a case plan to
66 be amended at any hearing based upon certain evidence;
67 requiring the department to provide reasonable efforts
68 if the court changes the permanency goal of the case;
69 conforming provisions to changes made by the act;
70 amending s. 39.6221, F.S.; revising conditions for a
71 child's placement in a permanent guardianship;
72 amending s. 39.6251, F.S.; specifying that certain
73 young adults in a Department of Juvenile Justice
74 detention center or commitment program are deemed to
75 have met a certain licensed placement eligibility
76 requirement; specifying that the department's
77 supervision for such young adults is limited to
78 providing certain services; amending s. 39.701, F.S.;
79 revising the required determinations at judicial
80 review hearings for children younger than 18 years of
81 age; amending s. 39.801, F.S.; authorizing certain
82 notice to be waived under certain circumstances;
83 amending s. 39.812, F.S.; revising the court's
84 authorization to review certain information after
85 custody of a child for subsequent adoption has been
86 given to the department; providing procedures if the
87 department denies an application to adopt; revising

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88 the circumstances that must apply for the department
89 to remove a child from a foster home or custodian
90 after a denial of an application to adopt; conforming
91 provisions to changes made by the act; amending s.
92 63.062, F.S.; conforming a provision to changes made
93 by the act; amending s. 409.167, F.S.; revising the
94 purpose and requirements of the statewide adoption
95 exchange; specifying requirements of the photo listing
96 component of the adoption exchange; requiring the
97 department or lead agency to refer certain children to
98 the adoption exchange; deleting the requirement that
99 the referral be accompanied by a photograph and
100 description of the child; deleting the requirement
101 that the department provide certain information to the
102 adoption exchange for children accepted for permanent
103 placement by the department; deleting a requirement
104 that the adoption exchange provide a certain service
105 to certain groups, organizations, and associations;
106 requiring that certain children be registered with
107 existing regional and national adoption exchanges
108 under a specified condition; amending s. 409.1678,
109 F.S.; revising the required services that safe houses
110 and safe foster homes must provide, arrange for, or
111 coordinate; conforming a provision to changes made by
112 the act; requiring the department, in collaboration
113 with the Florida Digital Service, to provide a
114 confidential web-based portal for safe house operators
115 and foster parents for safe foster homes; specifying
116 the requirements for such portal; requiring service

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117 providers to bill Medicaid, contract with local school
118 districts, or obtain federal and local funding for
119 services rendered to victims of commercial sexual
120 exploitation whenever possible; amending s. 409.175,
121 F.S.; revising the timeframe for which a family foster
122 home license is valid; increasing the timeframe for
123 which the department may extend a license expiration
124 date; making a technical change; revising requirements
125 for inservice training for foster parents and agency
126 staff related to human trafficking; amending s.
127 409.1754, F.S.; requiring the Department of Children
128 and Families, in collaboration with other entities, to
129 implement certain recommendations and develop a
130 certain tool and algorithm by a specified date;
131 requiring that the screening and assessment
132 instruments be validated by a specified date, if
133 possible; requiring the department and the Department
134 of Juvenile Justice to use the previously validated
135 screening and assessment instruments and indicator
136 tool under certain circumstances; requiring the
137 department and each community-based care lead agency
138 to prepare a certain service capacity assessment and
139 development plan by a specified date and triennially
140 thereafter; specifying the requirements of such plan;
141 authorizing the department to provide training to
142 certain local law enforcement officials; defining the
143 term "survivor peer mentor"; providing legislative
144 findings; requiring certain service providers and
145 certain operators to collaborate with local providers

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146 to ensure survivor peer mentors are regularly
147 accessible to certain children; requiring survivor
148 peer mentors to undergo certain training; amending s.
149 409.988, F.S.; requiring that all individuals
150 providing care for dependent children be provided
151 contact information for a certain foster-family
152 support program; amending s. 409.996, F.S.; requiring
153 the department's contracts with lead agencies to
154 require the lead agency to provide a certain foster-
155 family support group; requiring certain governmental
156 entities to create a workgroup for a specified purpose
157 relating to commercial sexual exploitation; requiring
158 the Agency for Health Care Administration to modify
159 state Medicaid plans and implement federal waivers
160 necessary to implement the act; requiring the
161 workgroup to draft a certain plan and submit a certain
162 report to the Legislature by a specified date;
163 providing effective dates.

164

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

166

167 Section 1. Paragraph (o) of subsection (2) of section
168 39.202, Florida Statutes, is amended to read:

169 39.202 Confidentiality of reports and records in cases of
170 child abuse or neglect; exception.—

171 (2) Except as provided in subsection (4), access to such
172 records, excluding the name of, or other identifying information
173 with respect to, the reporter which shall be released only as
174 provided in subsection (5), shall be granted only to the

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175 following persons, officials, and agencies:

176 (o) Any person in the event of the death of a child
177 determined by the department at the closure of its
178 investigation, in accordance with s. 39.301(16), to be a result
179 of abuse, abandonment, or neglect. Information identifying the
180 person reporting abuse, abandonment, or neglect shall not be
181 released. Any information otherwise made confidential or exempt
182 by law shall not be released pursuant to this paragraph.

183 Section 2. Section 39.4092, Florida Statutes, is amended to
184 read:

185 39.4092 Multidisciplinary legal representation ~~model~~
186 program for parents of children in the dependency system.—

187 (1) LEGISLATIVE FINDINGS.—

188 (a) The Legislature finds that the use of a specialized
189 team that includes an attorney, a social worker, and a parent-
190 peer specialist, also known as a multidisciplinary legal
191 representation ~~model~~ program, in dependency judicial matters is
192 effective in reducing safety risks to children and providing
193 families with better outcomes, such as significantly reducing
194 the time the children spend in out-of-home care and achieving
195 permanency more quickly.

196 (b) The Legislature finds that parents in dependency court
197 often suffer from multiple challenges, such as mental illness,
198 substance use disorder, domestic violence or other trauma,
199 unstable housing, or unemployment. These challenges are often a
200 contributing factor to children experiencing instability or
201 safety risks. While these challenges may result in legal
202 involvement or require legal representation, addressing the
203 underlying challenges in a manner that achieves stability often

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204 falls within the core functions of the practice of social work.

205 (c) The Legislature also finds that social work
206 professionals have a unique skill set, including client
207 assessment and clinical knowledge of family dynamics. This
208 unique skill set allows these professionals to interact and
209 engage with families in meaningful and unique ways that are
210 distinct from the ways in which the families interact with
211 attorneys or other professional staff involved in dependency
212 matters. Additionally, social work professionals are skilled at
213 quickly connecting families facing crisis to resources that can
214 address the specific underlying challenges.

215 (d) The Legislature finds that there is a great benefit to
216 using parent-peer specialists in the dependency system, which
217 allows parents who have successfully navigated the dependency
218 system and have been successfully reunified with their children
219 to be paired with parents whose children are currently involved
220 in the dependency system. By working with someone who has
221 personally lived the experience of overcoming great personal
222 crisis, parents currently involved in the dependency system have
223 a greater ability to address the underlying challenges that
224 resulted in the instability and safety risk to their children,
225 to provide a safe and stable home environment, and to be
226 successfully reunified.

227 (e) The Legislature further finds that current federal law
228 authorizes the reimbursement of a portion of the cost of
229 attorneys for parents and children in eligible cases, whereas
230 such funds were formerly restricted to foster care
231 administrative costs.

232 (f) The Legislature finds it is necessary to encourage and

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233 facilitate the use of a multidisciplinary legal representation
234 program ~~model~~ for parents and their children in order to improve
235 outcomes for those families involved in the dependency system
236 and to provide the families who find themselves in a crisis with
237 the best opportunity to be successful in creating safe and
238 stable homes for their children.

239 (2) ESTABLISHMENT.—Each office of criminal conflict and
240 civil regional counsel established under s. 27.511 may establish
241 a multidisciplinary legal representation ~~model~~ program to serve
242 families in the dependency system.

243 (3) DUTIES.—

244 (a) The department shall collaborate with the office of
245 criminal conflict and civil regional counsel to determine and
246 execute any necessary documentation for approval of federal
247 Title IV-E matching funding. The department shall submit such
248 documentation as promptly as possible upon the establishment of
249 a multidisciplinary legal representation ~~model~~ program and shall
250 execute the necessary agreements to ensure the program accesses
251 available federal matching funding for the program in order to
252 help eligible families involved in the dependency system.

253 (b) An office of criminal conflict and civil regional
254 counsel that establishes a multidisciplinary legal
255 representation ~~model~~ program must, at a minimum:

256 1. Use a team that consists of at least an attorney and, a
257 parent-peer specialist or a forensic social worker, or a similar
258 professional ~~and a parent-peer specialist~~. For purposes of this
259 section, the term "parent-peer specialist" means a person who
260 has:

261 a. Previously had his or her child removed from his or her

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262 care and placed in out-of-home care.

263 b. Been successfully reunified with the child for more than
264 2 years.

265 c. Received specialized training to become a parent-peer
266 specialist.

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

270 3. Provide specialized training and support for attorneys,
271 forensic social workers, and parent-peer specialists involved in
272 a ~~the model~~ program.

273 4. Collect uniform data on each child whose parent is
274 served by the program and ensure that reporting of data is
275 conducted through the child's unique identification number in
276 the Florida Safe Families Network or any successor system, if
277 applicable.

278 5. Develop consistent operational program policies and
279 procedures throughout each region that establishes a ~~the model~~
280 program.

281 6. Obtain agreements with universities relating to approved
282 placements for social work students to ensure the placement of
283 social workers in the program.

284 7. Execute conflict of interest agreements with each team
285 member.

286 (4) REPORTING.—

287 ~~(a)~~ Beginning July 15, 2023 ~~October 1, 2022~~, and annually
288 thereafter through July 15, 2026 ~~October 1, 2025~~, each office of
289 criminal conflict and civil regional counsel ~~that establishes a~~
290 ~~multidisciplinary legal representation model program~~ must submit

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291 certain requested data ~~an annual report~~ to the Office of Program
292 Policy Analysis and Government Accountability to ensure its
293 ability to perform an analysis evaluating the use and efficacy
294 of the multidisciplinary legal representation or similar
295 program. The annual data ~~report~~ must include ~~use~~ the uniform
296 data collected on each unique child whose parents are served by
297 the program and ~~must detail, at a minimum, all of the following:~~

- 298 1. ~~Reasons the family became involved in the dependency~~
299 ~~system.~~
- 300 2. ~~Length of time it takes to achieve a permanency goal for~~
301 ~~children whose parents are served by the program.~~
- 302 3. ~~Frequency of each type of permanency goal achieved by~~
303 ~~children whose parents are served by the program.~~
- 304 4. ~~Rate of subsequent abuse or neglect which results in the~~
305 ~~removal of children whose parents are served by the program.~~
- 306 5. ~~Any other relevant factors that tend to show the impact~~
307 ~~of the use of such multidisciplinary legal representation model~~
308 ~~programs on the outcomes for children in the dependency system.~~
309 ~~Each region that has established a model program must agree on~~
310 ~~the additional factors and how to collect data on such~~
311 ~~additional factors for the annual report.~~

312 ~~(b)~~ The Office of Program Policy Analysis and Government
313 Accountability shall compile the data ~~results of the reports~~
314 ~~required under paragraph (a)~~ and conduct an analysis to
315 determine the utilization and efficacy of ~~comparing the reported~~
316 ~~outcomes from~~ the multidisciplinary legal representation or
317 similar ~~model~~ program ~~to known outcomes of children in the~~
318 ~~dependency system whose parents are not served by a~~
319 ~~multidisciplinary legal representation model program~~. Each

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320 office of criminal conflict and civil regional counsel shall
321 provide any additional information or data requested by the
322 Office of Program Policy Analysis and Government Accountability
323 for its analysis. By December 1, 2022, and annually thereafter
324 through December 1, 2026 ~~2025~~, the Office of Program Policy
325 Analysis and Government Accountability must submit its analysis
326 in a report to the Governor, the President of the Senate, and
327 the Speaker of the House of Representatives.

328 Section 3. Section 39.5035, Florida Statutes, is created to
329 read:

330 39.5035 Deceased parents; special procedures.—

331 (1) (a) 1. If both parents of a child are deceased or the
332 last known living parent dies and a legal custodian has not been
333 appointed for the child through a probate or guardianship
334 proceeding, an attorney for the department or any other person
335 who has knowledge of alleged facts that support a petition for
336 adjudication and permanent commitment, or is informed of the
337 alleged facts and believes them to be true, may initiate a
338 proceeding by filing such petition.

339 2. If a child has been placed in shelter status by order of
340 the court but has not yet been adjudicated, a petition for
341 adjudication and permanent commitment must be filed within 21
342 days after the shelter hearing. In all other cases, the petition
343 must be filed within a reasonable time after the petitioner
344 first becomes aware of the alleged facts that support the
345 petition for adjudication and permanent commitment.

346 (b) If both parents die or the last known living parent
347 dies after a child has already been adjudicated dependent, an
348 attorney for the department or any other person who has

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349 knowledge of the alleged facts or is informed of the alleged
350 facts and believes them to be true may file a petition for
351 permanent commitment. The petition must be filed within a
352 reasonable timeframe after the petitioner first becomes aware of
353 the alleged facts that support the petition for permanent
354 commitment.

355 (2) The petition for commitment and the petition for
356 adjudication and commitment must be in writing and must contain
357 all of the following:

358 (a) An identification of the alleged deceased parent or
359 parents, and the facts that establish that both parents of the
360 child are deceased or the last known living parent is deceased,
361 and that a legal custodian has not been appointed for the child
362 through a probate or guardianship proceeding.

363 (b) A signature by the petitioner under oath stating the
364 petitioner is filing the petition in good faith.

365 (3) If a petition for adjudication and permanent commitment
366 or a petition for permanent commitment has been filed, the clerk
367 of the court must set the case before the court for an
368 adjudicatory hearing. The adjudicatory hearing must be held as
369 soon as practicable after the petition is filed, but no later
370 than 30 days after the filing date.

371 (4) Notice of the date, time, and place of the adjudicatory
372 hearing and a copy of the petition must be served on the
373 following persons:

374 (a) Any person who has physical custody of the child.

375 (b) A living relative of each parent of the child, unless a
376 living relative cannot be found after a diligent search or
377 inquiry.

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378 (c) The guardian ad litem for the child or a representative
379 of the guardian ad litem program, if applicable.

380 (5) The adjudicatory hearing must be conducted by the judge
381 without a jury, applying the rules of evidence in use in civil
382 cases and adjourning the hearing as necessary. At the hearing,
383 the court must determine whether the petitioner has established
384 by clear and convincing evidence that both parents of the child
385 are deceased, or that the last known living parent is deceased
386 and the other parent cannot be found after diligent search or
387 inquiry, and that a legal custodian has not been appointed for
388 the child through a probate or guardianship proceeding. A
389 certified copy of the death certificate for a parent is
390 sufficient evidence of proof of the parent's death.

391 (6) Within 30 days after an adjudicatory hearing on a
392 petition for adjudication and permanent commitment, the court
393 must make one of the following determinations:

394 (a) If the court finds that the petitioner has met the
395 burden of clear and convincing evidence, the court must enter a
396 written order adjudicating the child dependent and permanently
397 committing the child to the custody of the department for the
398 purpose of adoption. A disposition hearing must be scheduled no
399 later than 30 days after the entry of the order, in which the
400 department must provide a case plan that identifies the
401 permanency goal for the child to the court. Reasonable efforts
402 must be made to place the child in a timely manner in accordance
403 with the permanency plan and to complete all steps necessary to
404 finalize the permanent placement of the child. Thereafter, until
405 the adoption of the child is finalized or the child reaches the
406 age of 18 years, whichever occurs first, the court must hold

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407 hearings every 6 months to review the progress being made toward
408 permanency for the child.

409 (b) If the court finds that the petitioner has not met the
410 burden of clear and convincing evidence, but that a
411 preponderance of the evidence establishes that the child does
412 not have a parent or legal custodian capable of providing
413 supervision or care, the court must enter a written order
414 adjudicating the child dependent. A disposition hearing must be
415 scheduled no later than 30 days after the entry of the order as
416 provided in s. 39.521.

417 (c) If the court finds that the petitioner has not met the
418 burden of clear and convincing evidence and that a preponderance
419 of the evidence does not establish that the child does not have
420 a parent or legal custodian capable of providing supervision or
421 care, the court must enter a written order so finding and
422 dismissing the petition.

423 (7) Within 30 days after an adjudicatory hearing on a
424 petition for permanent commitment, the court must make one of
425 the following determinations:

426 (a) If the court finds that the petitioner has met the
427 burden of clear and convincing evidence, the court must enter a
428 written order permanently committing the child to the custody of
429 the department for purposes of adoption. A disposition hearing
430 must be scheduled no later than 30 days after the entry of the
431 order, in which the department must provide an amended case plan
432 that identifies the permanency goal for the child to the court.
433 Reasonable efforts must be made to place the child in a timely
434 manner in accordance with the permanency plan and to complete
435 all steps necessary to finalize the permanent placement of the

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436 child. Thereafter, until the adoption of the child is finalized
437 or the child reaches the age of 18 years, whichever occurs
438 first, the court must hold hearings every 6 months to review the
439 progress being made toward permanency for the child.

440 (b) If the court finds that the petitioner has not met the
441 burden of clear and convincing evidence, the court must enter a
442 written order denying the petition. The order has no effect on
443 the child's prior adjudication. The order does not bar the
444 petitioner from filing a subsequent petition for permanent
445 commitment based on newly discovered evidence that establishes
446 that both parents of a child are deceased or that the last
447 living known parent is deceased and that a legal custodian has
448 not been appointed for the child through a probate or
449 guardianship proceeding.

450 Section 4. Subsection (7) is added to section 39.522,
451 Florida Statutes, to read:

452 39.522 Postdisposition change of custody.—

453 (7) Notwithstanding any other provision of this section, at
454 any time a child's case manager, an authorized agent of the
455 department, or a law enforcement officer may remove a child from
456 a court-ordered placement and take the child into custody if the
457 child's current caregiver requests immediate removal of the
458 child from the home. An authorized agent of the department or a
459 law enforcement officer may also remove a child from a court-
460 ordered placement and take the child into custody under s.
461 39.401(1)(b).

462 (a) If at the time of the removal the child was not placed
463 in licensed care in the department's custody, the department
464 must file a motion to modify placement within 1 business day

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465 after the child is taken into custody. Unless all parties and
466 the current caregiver agree to the change of placement, the
467 court must set a hearing within 24 hours after the filing of the
468 motion. At the hearing, the court must determine whether the
469 department has established probable cause to support the
470 immediate removal of the child from his or her current
471 placement. The court may base its determination on a sworn
472 petition, testimony, or an affidavit and may hear all relevant
473 and material evidence, including oral or written reports, to the
474 extent of its probative value even though such evidence would
475 not be competent evidence at an adjudicatory hearing.

476 (b) If the court finds that probable cause is not
477 established to support the removal of the child from the
478 placement, the court must order that the child be returned to
479 his or her current placement. Such a finding does not preclude a
480 party from filing a subsequent motion pursuant to subsection
481 (2).

482 (c) If the current caregiver admits to a need for a change
483 of placement or probable cause is established to support the
484 removal, the court must enter an order changing the placement of
485 the child. If the child is not placed in foster care, then the
486 new placement for the child must meet the home study criteria in
487 this chapter.

488 (d) If the child's placement is modified based on a
489 probable cause finding, the court must conduct a hearing under
490 the procedures in subsection (2) or subsection (3), unless
491 waived by all parties and the caregiver.

492 Section 5. Subsections (4) and (5) of section 39.6013,
493 Florida Statutes, are amended to read:

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494 39.6013 Case plan amendments.—

495 (4) At any hearing, the case plan may be amended by the
496 court or upon motion of any party ~~at any hearing~~ to change the
497 goal of the plan, employ the use of concurrent planning, or add
498 or remove tasks the parent must complete in order to
499 substantially comply with the plan if there is ~~a preponderance~~
500 ~~of~~ evidence demonstrating the need for the amendment. The court
501 may base its determination on testimony and may hear all
502 relevant and material evidence, including oral and written
503 reports, to the extent of its probative value, even though such
504 evidence would not be competent evidence at an adjudicatory
505 hearing. However, if the court changes a goal of reunification
506 to a different permanency goal, the change does not eliminate
507 the department's responsibility to provide reasonable efforts to
508 provide services where reasonable efforts are otherwise required
509 by law. The need to amend the case plan may be based on
510 information discovered or circumstances arising after the
511 approval of the case plan for:

512 (a) A previously unaddressed condition that, without
513 services, may prevent the child from safely returning to the
514 home or may prevent the child from safely remaining in the home;

515 (b) The child's need for permanency, taking into
516 consideration the child's age and developmental needs;

517 (c) The failure of a party to substantially comply with a
518 task in the original case plan, including the ineffectiveness of
519 a previously offered service; or

520 (d) An error or oversight in the case plan.

521 (5) At any hearing, the case plan may be amended by the
522 court or upon motion of any party ~~at any hearing~~ to provide

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523 appropriate services to the child if there is ~~competent~~ evidence
524 demonstrating the need for the amendment. The court may base its
525 determination on testimony and may hear all relevant and
526 material evidence, including oral and written reports, to the
527 extent of its probative value, even though such evidence would
528 not be competent evidence at an adjudicatory hearing. The reason
529 for amending the case plan may be based on information
530 discovered or circumstances arising after the approval of the
531 case plan regarding the provision of safe and proper care to the
532 child.

533 Section 6. Paragraph (a) of section (1) of section 39.6221,
534 Florida Statutes, is amended, and paragraph (g) is added to that
535 subsection, to read:

536 39.6221 Permanent guardianship of a dependent child.—

537 (1) If a court determines that reunification or adoption is
538 not in the best interest of the child, the court may place the
539 child in a permanent guardianship with a relative or other adult
540 approved by the court if all of the following conditions are
541 met:

542 (a) The child has been in the placement for not less than
543 the preceding 6 months, or the preceding 3 months if the
544 caregiver has been named as the successor guardian on the
545 child's guardianship assistance agreement.

546 (g) The department has advised the caregiver of the
547 caregiver's eligibility for the Guardianship Assistance Program
548 under s. 39.6225.

549 Section 7. Paragraph (a) of subsection (4) of section
550 39.6251, Florida Statutes, is amended to read:

551 39.6251 Continuing care for young adults.—

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552 (4) (a) 1. The young adult must reside in a supervised living
553 environment that is approved by the department or a community-
554 based care lead agency. The young adult shall live
555 independently, but in an environment in which he or she is
556 provided supervision, case management, and supportive services
557 by the department or lead agency. Such an environment must offer
558 developmentally appropriate freedom and responsibility to
559 prepare the young adult for adulthood. For the purposes of this
560 subsection, a supervised living arrangement may include a
561 licensed foster home, licensed group home, college dormitory,
562 shared housing, apartment, or another housing arrangement if the
563 arrangement is approved by the community-based care lead agency
564 and is acceptable to the young adult. A young adult may continue
565 to reside with the same licensed foster family or group care
566 provider with whom he or she was residing at the time he or she
567 reached the age of 18 years.

568 2. A young adult in a Department of Juvenile Justice
569 detention center or commitment program, who otherwise would have
570 been living in licensed care on the date of his or her 18th
571 birthday and has not achieved permanency under s. 39.621, shall
572 be deemed to have met the licensed placement eligibility
573 requirement of subsection (2). The department's supervision of
574 such young adult is limited to the community-based care lead
575 agency providing case management services as needed to
576 facilitate the young adult's transition upon release from a
577 detention or a commitment program into a supervised living
578 environment as described in subparagraph 1.

579 Section 8. Paragraph (c) of subsection (2) of section
580 39.701, Florida Statutes, is amended to read:

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581 39.701 Judicial review.—

582 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
583 AGE.—

584 (c) *Review determinations.*—The court and any citizen review
585 panel shall take into consideration the information contained in
586 the social services study and investigation and all medical,
587 psychological, and educational records that support the terms of
588 the case plan; testimony by the social services agency, the
589 parent, the foster parent or caregiver, the guardian ad litem or
590 surrogate parent for educational decisionmaking if one has been
591 appointed for the child, and any other person deemed
592 appropriate; and any relevant and material evidence submitted to
593 the court, including written and oral reports to the extent of
594 their probative value. These reports and evidence may be
595 received by the court in its effort to determine the action to
596 be taken with regard to the child and may be relied upon to the
597 extent of their probative value, even though not competent in an
598 adjudicatory hearing. In its deliberations, the court and any
599 citizen review panel shall seek to determine:

600 1. If the parent was advised of the right to receive
601 assistance from any person or social service agency in the
602 preparation of the case plan.

603 2. If the parent has been advised of the right to have
604 counsel present at the judicial review or citizen review
605 hearings. If not so advised, the court or citizen review panel
606 shall advise the parent of such right.

607 3. If a guardian ad litem needs to be appointed for the
608 child in a case in which a guardian ad litem has not previously
609 been appointed or if there is a need to continue a guardian ad

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610 litem in a case in which a guardian ad litem has been appointed.

611 4. Who holds the rights to make educational decisions for
612 the child. If appropriate, the court may refer the child to the
613 district school superintendent for appointment of a surrogate
614 parent or may itself appoint a surrogate parent under the
615 Individuals with Disabilities Education Act and s. 39.0016.

616 5. The compliance or lack of compliance of all parties with
617 applicable items of the case plan, including the parents'
618 compliance with child support orders.

619 6. The compliance or lack of compliance with a visitation
620 contract between the parent and the social service agency for
621 contact with the child, including the frequency, duration, and
622 results of the parent-child visitation and the reason for any
623 noncompliance.

624 7. The frequency, kind, and duration of contacts among
625 siblings who have been separated during placement, as well as
626 any efforts undertaken to reunite separated siblings if doing so
627 is in the best interests of the child.

628 8. The compliance or lack of compliance of the parent in
629 meeting specified financial obligations pertaining to the care
630 of the child, including the reason for failure to comply, if
631 applicable.

632 9. Whether the child is receiving safe and proper care
633 according to s. 39.6012, including, but not limited to, the
634 appropriateness of the child's current placement, including
635 whether the child is in a setting that is as family-like and as
636 close to the parent's home as possible, consistent with the
637 child's best interests and special needs, and including
638 maintaining stability in the child's educational placement, as

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639 documented by assurances from the community-based care lead
640 agency that:

641 a. The placement of the child takes into account the
642 appropriateness of the current educational setting and the
643 proximity to the school in which the child is enrolled at the
644 time of placement.

645 b. The community-based care lead agency has coordinated
646 with appropriate local educational agencies to ensure that the
647 child remains in the school in which the child is enrolled at
648 the time of placement.

649 10. A projected date likely for the child's return home or
650 other permanent placement.

651 11. When appropriate, the basis for the unwillingness or
652 inability of the parent to become a party to a case plan. The
653 court and the citizen review panel shall determine if the
654 efforts of the social service agency to secure party
655 participation in a case plan were sufficient.

656 12. For a child who has reached 13 years of age but is not
657 yet 18 years of age, the adequacy of the child's preparation for
658 adulthood and independent living. For a child who is 15 years of
659 age or older, the court shall determine if appropriate steps are
660 being taken for the child to obtain a driver license or
661 learner's driver license.

662 13. If amendments to the case plan are required. Amendments
663 to the case plan must be made under s. 39.6013.

664 14. If the parents and caregivers have developed a
665 productive relationship that includes meaningful communication
666 and mutual support.

667 15. Whether there are any barriers to meeting the

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668 eligibility requirements for the Guardianship Assistance Program
669 under s. 39.6225, if applicable.

670 Section 9. Present subsection (7) of section 39.801,
671 Florida Statutes, is redesignated as subsection (8), paragraph
672 (c) of subsection (3) of that section is amended, and a new
673 subsection (7) is added to that section, to read:

674 39.801 Procedures and jurisdiction; notice; service of
675 process.-

676 (3) Before the court may terminate parental rights, in
677 addition to the other requirements set forth in this part, the
678 following requirements must be met:

679 ~~(c) Notice as prescribed by this section may be waived, in~~
680 ~~the discretion of the judge, with regard to any person to whom~~
681 ~~notice must be given under this subsection if the person~~
682 ~~executes, before two witnesses and a notary public or other~~
683 ~~officer authorized to take acknowledgments, a written surrender~~
684 ~~of the child to a licensed child-placing agency or the~~
685 ~~department.~~

686 (7) Notice as prescribed by this section may be waived, in
687 the discretion of the judge, with regard to any person to whom
688 notice must be given under this subsection if the person
689 executes, before two witnesses and a notary public or other
690 officer authorized to take acknowledgments, a written surrender
691 of the child to a licensed child-placing agency or the
692 department. Notice as prescribed by this section may be waived,
693 in the discretion of the judge, with regard to any person to
694 whom notice must be given under this subsection if that person
695 appears before the court at the advisory hearing or any other
696 hearing after the advisory hearing.

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697 Section 10. Subsections (4), (5), and (6) of section
698 39.812, Florida Statutes, are amended to read:

699 39.812 Postdisposition relief; petition for adoption.—

700 (4) The court shall retain jurisdiction over any child
701 placed in the custody of the department until the child is
702 adopted. After custody of a child for subsequent adoption has
703 been given to the department, the court has jurisdiction for the
704 purpose of reviewing the status of the child and the progress
705 being made toward permanent adoptive placement. As part of this
706 continuing jurisdiction, the court may review any of the
707 following:

708 (a) For good cause shown by the guardian ad litem for the
709 child, ~~the court may review~~ the appropriateness of the adoptive
710 placement of the child.

711 (b) The department's denial of an application to adopt a
712 child. The department's decision to deny an application to adopt
713 a child is reviewable only as provided in this section and is
714 not subject to chapter 120.

715 1. If the department denies an application to adopt, the
716 written notification of denial provided to the applicant must be
717 filed with the court and copies provided to all parties within
718 10 business days after the decision.

719 2. A denied applicant may file a motion to review the
720 department's denial within 30 days after the issuance of the
721 department's written notification of the decision to deny the
722 application.

723 3. A denied applicant has standing under this chapter only
724 to file the motion to review in subparagraph 2. and to present
725 evidence in support of the motion. Such standing is terminated

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726 upon entry of the court's order.

727 4. The motion to review under subparagraph 2. must allege
728 the department unreasonably withheld its consent to the adoption
729 and must request that the court allow the denied applicant to
730 file a petition to adopt the child under chapter 63 without the
731 department's consent.

732 5. The court must hold a hearing within 30 days after the
733 filing of the motion to review. The court may only consider
734 whether the department's denial of the application was
735 consistent with its policies and made in an expeditious manner.
736 The standard of review is whether the department's denial of the
737 application was an abuse of discretion.

738 6. If the department selected a different applicant to
739 adopt the child, the selected applicant may participate in the
740 hearing as a participant as provided in s. 39.01(57) and may be
741 granted leave by the court to be heard without the necessity of
742 filing a motion to intervene.

743 7. The court must enter a written order within 15 days
744 after the conclusion of the hearing either denying the motion to
745 review or finding that the department unreasonably withheld its
746 consent and authorizing the denied applicant to file a petition
747 to adopt the child under chapter 63 without the department's
748 consent.

749 (5) When a licensed foster parent or court-ordered
750 custodian has applied to adopt a child who has resided with the
751 foster parent or custodian for at least 6 months and who has
752 previously been permanently committed to the legal custody of
753 the department and the department does not grant the application
754 to adopt, the department may not, in the absence of a prior

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755 court order authorizing it to do so, remove the child from the
756 foster home or custodian, except when all of the following
757 circumstances apply:

758 (a) There is probable cause to believe that the child is at
759 imminent risk of abuse or neglect.~~†~~

760 (b) A motion to review the department's denial of
761 application filed under paragraph (4) (b)2. has been denied by
762 the court.

763 (c) Thirty days have expired following written notice to
764 the foster parent or custodian of the denial of the application
765 to adopt, within which period no formal challenge of the
766 department's decision has been filed.~~† or~~

767 (d)~~(e)~~ The foster parent or custodian agrees to the child's
768 removal.

769 (6)~~(5)~~ The petition for adoption must be filed in the
770 division of the circuit court which entered the judgment
771 terminating parental rights, unless a motion for change of venue
772 is granted pursuant to s. 47.122. A copy of the consent executed
773 by the department must be attached to the petition, unless the
774 court has found the department unreasonably withheld its consent
775 under paragraph (4) (b) waived pursuant to s. 63.062(7). The
776 petition must be accompanied by a statement, signed by the
777 prospective adoptive parents, acknowledging receipt of all
778 information required to be disclosed under s. 63.085 and a form
779 provided by the department which details the social and medical
780 history of the child and each parent and includes the social
781 security number and date of birth for each parent, if such
782 information is available or readily obtainable. The prospective
783 adoptive parents may not file a petition for adoption until the

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784 judgment terminating parental rights becomes final. An adoption
785 proceeding under this subsection is governed by chapter 63.

786 Section 11. Subsection (7) of section 63.062, Florida
787 Statutes, is amended to read:

788 63.062 Persons required to consent to adoption; affidavit
789 of nonpaternity; waiver of venue.—

790 (7) If parental rights to the minor have previously been
791 terminated, the adoption entity with which the minor has been
792 placed for subsequent adoption may provide consent to the
793 adoption. In such case, no other consent is required. If the
794 minor has been permanently committed to the department for
795 subsequent adoption, the department must consent to the
796 adoption, or, if the department does not consent, the court
797 order finding that the department unreasonably withheld its
798 consent entered under s. 39.812(4) must be attached to the
799 petition to adopt and ~~The consent of the department shall be~~
800 ~~waived upon a determination by the court that such consent is~~
801 ~~being unreasonably withheld and if the petitioner~~ must file ~~has~~
802 ~~filed~~ with the court a favorable preliminary adoptive home study
803 as required under s. 63.092.

804 Section 12. Section 409.167, Florida Statutes, is amended,
805 to read:

806 409.167 Statewide adoption exchange; establishment;
807 responsibilities; registration requirements; rules.—

808 (1) The Department of Children and Families shall
809 establish, either directly or through purchase, a statewide
810 adoption exchange, with a photo listing component, which shall
811 serve all authorized licensed child-placing agencies in the
812 state for the purpose of facilitating family-matching between

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813 prospective adoptive parents and children who have been legally
814 freed for adoption and who have been permanently placed with the
815 department as a means of recruiting adoptive families for
816 ~~children who have been legally freed for adoption and who have~~
817 ~~been permanently placed with the department or a licensed child-~~
818 placing agency. The exchange shall provide, in accordance with
819 rules established by the department descriptions and photographs
820 ~~of such children, as well as any other~~ information deemed useful
821 in facilitating family-matching between children and prospective
822 adoptive parents for licensed child-placing agencies the
823 ~~recruitment of adoptive families for each child.~~ The photo
824 listing component of the adoption exchange must be in a format
825 that is accessible only to persons who have completed or are in
826 the process of completing an adoption home study updated
827 monthly. A child 12 years of age or older must be consulted
828 about his or her photo listing.

829 (2) (a) ~~Each district of~~ The department or community-based
830 care lead agency shall refer each child in its care who has been
831 legally freed for adoption to the adoption exchange no later
832 than 30 days after the date of acceptance by the department for
833 permanent placement. ~~The referral must be accompanied by a~~
834 ~~photograph and description of the child.~~

835 (b) The department shall establish criteria by which a
836 district may determine that a child need not be registered with
837 the adoption exchange. Within 30 days after the date of
838 acceptance by the department for permanent placement, the name
839 of the child accepted for permanent placement must be forwarded
840 to the statewide adoption exchange by the district together with
841 reference to the specific reason why the child should not be

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842 placed on the adoption exchange. ~~If the child has not been~~
843 ~~placed for adoption within 3 months after the date of acceptance~~
844 ~~by the department for permanent placement, the district shall~~
845 ~~provide the adoption exchange with the necessary photograph and~~
846 ~~information for registration of the child with the adoption~~
847 ~~exchange and the child shall be placed on the exchange. The~~
848 department shall establish procedures for monitoring the status
849 of children who are not placed on the adoption exchange within
850 30 days after the date of acceptance by the department for
851 permanent placement.

852 (3) In accordance with rules established by the department,
853 the adoption exchange may accept, from licensed child-placing
854 agencies, information pertaining to children meeting the
855 criteria of this section, and to prospective adoptive families,
856 for registration with the exchange.

857 ~~(4) The adoption exchange shall provide the photo listing~~
858 ~~service to all licensed child placing agencies and, in~~
859 ~~accordance with rules established by the department, to all~~
860 ~~appropriate citizen groups and other organizations and~~
861 ~~associations interested in children's services.~~

862 ~~(5)~~ Children who are registered with the statewide adoption
863 exchange and for whom there is no available family resource
864 shall be registered with existing regional and national adoption
865 exchanges, consistent with the restrictions in this section.

866 (5)~~(6)~~ The department shall adopt rules governing the
867 operation of the statewide adoption exchange.

868 Section 13. Paragraphs (d) and (e) of subsection (2) and
869 paragraph (a) of subsection (4) of section 409.1678, Florida
870 Statutes, are amended, and paragraph (h) is added to subsection

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871 (2) of that section, to read:

872 409.1678 Specialized residential options for children who
873 are victims of commercial sexual exploitation.—

874 (2) CERTIFICATION OF SAFE HOUSES AND SAFE FOSTER HOMES.—

875 (d) Safe houses and safe foster homes shall provide
876 services tailored to the needs of child victims of commercial
877 sexual exploitation and shall conduct a comprehensive assessment
878 of the service needs of each resident. In addition to the
879 services required to be provided by residential child caring
880 agencies and family foster homes, safe houses and safe foster
881 homes must provide, arrange for, or coordinate, at a minimum,
882 the following services:

883 1. Victim-witness counseling.

884 2. Family counseling.

885 3. Behavioral health care.

886 4. Treatment and intervention for sexual assault.

887 5. Education tailored to the child's individual needs,
888 including remedial education if necessary.

889 6. Life skills and workforce training.

890 7. Mentoring by a survivor of commercial sexual
891 exploitation, if available and appropriate for the child. A
892 mentor who meets the survivor peer mentor model as detailed in
893 s. 409.1754(5) must be used whenever possible.

894 8. Substance abuse screening and, when necessary, access to
895 treatment.

896 9. Planning services for the successful transition of each
897 child back to the community.

898 10. Activities structured in a manner that provides child
899 victims of commercial sexual exploitation with a full schedule.

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900 (e) The community-based care lead agencies shall ensure
901 that foster parents of safe foster homes and staff of safe
902 houses complete intensive training regarding, at a minimum, the
903 needs of child victims of commercial sexual exploitation, the
904 effects of trauma and sexual exploitation, and how to address
905 those needs using strength-based and trauma-informed approaches
906 and any training required under s. 409.175(14) (e) for licensure.
907 The department shall specify the contents of this training by
908 rule and may develop or contract for a standard curriculum. The
909 department may establish by rule additional criteria for the
910 certification of safe houses and safe foster homes that shall
911 address the security, therapeutic, social, health, and
912 educational needs of child victims of commercial sexual
913 exploitation.

914 (h) The department, in collaboration with the Florida
915 Digital Service, must provide a confidential web-based portal
916 that can be accessed by safe house operators and foster parents
917 for safe foster homes. The portal must provide or maintain:

918 1. Access through the Internet and use an encrypted login
919 and password or other user-specific security and access control;

920 2. Unique content for each of the following user types to
921 assist them with developing, meeting, or expanding community
922 services or bed capacity to serve children who are victims of
923 commercial sexual exploitation or who are at risk of becoming
924 victims of commercial sexual exploitation:

925 a. Prospective unlicensed safe house and safe foster home
926 operators.

927 b. Prospective safe house and safe foster home operators
928 that have a child-caring agency license.

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929 c. Actively licensed and certified safe house and safe
930 foster home operators;

931 3. Summaries of all current licensure and certification
932 requirements;

933 4. A frequently asked questions section;

934 5. A listing of safe house and safe foster home contacts
935 who are willing to provide support, advice, and counsel to new
936 operators; and

937 6. An interactive message board or similar system that
938 allows the posting of questions and responses by users.

939 (4) FUNDING FOR SERVICES; CASE MANAGEMENT.—

940 (a) ~~This section does not prohibit~~ Any provider of services
941 for child victims of commercial sexual exploitation must,
942 whenever possible, from appropriately bill ~~billing~~ Medicaid for
943 services rendered, contract ~~from contracting~~ with a local school
944 district for educational services, or obtain ~~from obtaining~~
945 federal or local funding for services provided, as long as two
946 or more funding sources do not pay for the same specific service
947 that has been provided to a child.

948 Section 14. Paragraph (i) of subsection (6), subsection
949 (7), and paragraph (e) of subsection (14) of section 409.175,
950 Florida Statutes, are amended to read:

951 409.175 Licensure of family foster homes, residential
952 child-caring agencies, and child-placing agencies; public
953 records exemption.—

954 (6)

955 (i) Upon determination that the applicant meets the state
956 minimum licensing requirements and has obtained a letter from a
957 community-based care lead agency which indicates that the family

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958 foster home meets the criteria established by the lead agency,
959 the department shall issue a license without charge to a
960 specific person or agency at a specific location. A license may
961 be issued if all the screening materials have been timely
962 submitted; however, a license may not be issued or renewed if
963 any person at the home or agency has failed the required
964 screening. The license is nontransferable. A copy of the license
965 must ~~shall~~ be displayed in a conspicuous place. Except as
966 provided in paragraph (k), the license is valid for a period of
967 up to 1 year from the date of issuance, unless the license is
968 suspended or revoked by the department or is voluntarily
969 surrendered by the licensee. The license is the property of the
970 department.

971 (7) The department may extend a license expiration date
972 once for a period of up to 60 ~~30~~ days. ~~However, the department~~
973 ~~may not extend a license expiration date more than once during a~~
974 ~~licensure period.~~

975 (14)

976 (e)1. In addition to any other preservice training required
977 by law, foster parents, as a condition of licensure, and agency
978 staff must successfully complete preservice training related to
979 human trafficking which must be uniform statewide and must
980 include, but need not be limited to:

981 a. Basic information on human trafficking, such as an
982 understanding of relevant terminology, and the differences
983 between sex trafficking and labor trafficking;

984 b. Factors and knowledge on identifying children at risk of
985 human trafficking; and

986 c. Steps that should be taken to prevent at-risk youths

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987 from becoming victims of human trafficking.

988 2. Foster parents, before licensure renewal, and agency
989 staff, during each full year of employment, must complete
990 inservice training related to human trafficking to satisfy the
991 training requirement under subparagraph (5) (b) 7., which must
992 include, but need not be limited to, providing such persons with
993 skills, tools, and strategies to:

994 a. Effectively communicate with children who are at risk of
995 human trafficking or who are victims of human trafficking;

996 b. Mitigate specific maladaptive behaviors exhibited by,
997 and barriers to accessing services or placement experienced by,
998 this unique population; and

999 c. Mitigate secondary traumatic stress experienced by
1000 foster parents and agency staff.

1001 Section 15. Effective upon becoming a law, paragraph (b) of
1002 subsection (1), paragraph (c) of subsection (3), and paragraph
1003 (a) of subsection (4) of section 409.1754, Florida Statutes, are
1004 amended, and subsection (5) is added to that section, to read:

1005 409.1754 Commercial sexual exploitation of children;
1006 screening and assessment; training; multidisciplinary staffings;
1007 service plans.—

1008 (1) SCREENING AND ASSESSMENT.—

1009 (b) 1. By December 1, 2023, the department shall, in
1010 collaboration with the Department of Juvenile Justice, the
1011 Florida Institute for Child Welfare at Florida State University,
1012 and the Office of Program Policy Analysis and Government
1013 Accountability:

1014 a. Implement any recommendations necessary to validate the
1015 current screening and assessment instruments; and

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1016 b. Develop an indicator tool and outcome algorithm to be
1017 used in conjunction with the screening and assessment
1018 instruments.

1019 2. The ~~initial~~ screening and assessment instruments must
1020 ~~shall~~ be validated by June 1, 2024, if possible, and must be
1021 used by the department, juvenile assessment centers as provided
1022 in s. 985.135, and community-based care lead agencies.

1023 3. If the screening and assessment instruments and
1024 indicator tool required by paragraph (b) are not validated by
1025 June 1, 2024, the department and the Department of Juvenile
1026 Justice shall identify and implement the use screening and
1027 assessment instruments and an indicator tool that have been
1028 previously validated.

1029 (3) TRAINING; LOCAL PROTOCOLS.—

1030 (c) Each region of the department and each community-based
1031 care lead agency shall jointly assess local service capacity to
1032 meet the specialized service needs of commercially sexually
1033 exploited children and establish a plan to develop the necessary
1034 capacity. Each plan shall be developed in consultation with
1035 community-based care lead agencies, local law enforcement
1036 officials, local school officials, runaway and homeless youth
1037 program providers, local probation departments, children's
1038 advocacy centers, guardians ad litem, public defenders, state
1039 attorneys' offices, safe houses, and child advocates and service
1040 providers who work directly with commercially sexually exploited
1041 children. By December 1, 2023, and on December 1 triennially
1042 thereafter, the department and each community-based care lead
1043 agency shall prepare a service capacity assessment and
1044 development plan. The plan must, at a minimum, detail all of the

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1045 following factors as they relate to the specific local community
1046 service options for children who are victims of commercial
1047 sexual exploitation or are at risk of being commercially
1048 sexually exploited:

1049 1. A summary of current specific community services and
1050 specific bed capacity.

1051 2. Historical barriers to the development of specific
1052 community services and specific bed capacity.

1053 3. An analysis of funding and funding sources, including
1054 Medicaid billing.

1055 4. Any barriers to Medicaid billing.

1056 5. A strategic action plan to develop specific bed capacity
1057 and specific services in the local service area.

1058 (4) LOCAL RESPONSE TO HUMAN TRAFFICKING; TRAINING; TASK
1059 FORCE.—

1060 (a) The department ~~To the extent that funds are available,~~
1061 ~~the local regional director~~ may provide training to local law
1062 enforcement officials who are likely to encounter child victims
1063 of commercial sexual exploitation in the course of their law
1064 enforcement duties. Training must address this section and how
1065 to identify and obtain appropriate services for such children.
1066 The local circuit administrator may contract with a not-for-
1067 profit agency with experience working with commercially sexually
1068 exploited children to provide the training. Circuits may work
1069 cooperatively to provide training, which may be provided on a
1070 regional basis. The department shall assist circuits to obtain
1071 available funds for the purpose of conducting law enforcement
1072 training from the Office of Juvenile Justice and Delinquency
1073 Prevention of the United States Department of Justice.

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1074 (5) SURVIVOR PEER MENTOR MODEL.—

1075 (a) For purposes of this section, the term "survivor peer
1076 mentor" means a person who has previously been a victim of
1077 commercial sexual exploitation and received specialized training
1078 to become a survivor peer mentor.

1079 (b) The Legislature finds that the use of a survivor peer
1080 mentor model is effective in reducing safety risks and providing
1081 improved outcomes for children who are, or are at risk of
1082 becoming, victims of commercial sexual exploitation. The use of
1083 a survivor peer mentor who has actual experience in surviving
1084 and treating the trauma of being a victim of commercial sexual
1085 exploitation, in collaboration with a social worker or victim
1086 advocate, when possible, will provide the child with a
1087 supportive mentor who has specialized knowledge and experience
1088 in navigating the multiple challenges such victims face,
1089 including, but not limited to, mental illness, substance use
1090 disorder, domestic violence or other trauma, unstable housing,
1091 or unemployment.

1092 (c) Any community overlay service provider or operator of a
1093 safe house or safe foster home as those terms are defined in s.
1094 409.1678 shall collaborate with local providers to ensure that
1095 survivor peer mentors are regularly accessible to the children
1096 served by the service or program. A survivor peer mentor must
1097 undergo a minimum number of hours of training, as established by
1098 the department's rules, to ensure that the peer mentor is able
1099 to properly support and interact with the child in the
1100 dependency system.

1101 Section 16. Paragraph (e) of subsection (1) of section
1102 409.988, Florida Statutes, is amended to read:

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1103 409.988 Community-based care lead agency duties; general
1104 provisions.—

1105 (1) DUTIES.—A lead agency:

1106 (e) Shall ensure that all individuals providing care for
1107 dependent children receive:

1108 1. Appropriate training and meet the minimum employment
1109 standards established by the department. Appropriate training
1110 shall include, but is not limited to, training on the
1111 recognition of and responses to head trauma and brain injury in
1112 a child under 6 years of age developed by the Child Protection
1113 Team Program within the Department of Health.

1114 2. Contact information for the local mobile response team
1115 established under s. 394.495.

1116 3. Contact information for a foster-family support program
1117 available 24 hours a day, 7 days a week. The program must
1118 provide, at a minimum, the ability for foster parents to seek
1119 counsel and advice from former and current foster parents and
1120 access mental health crisis services and supports for foster
1121 parents, including, but not limited to, trauma counseling,
1122 placement stabilization, de-escalation, and parent coaching.

1123 Section 17. Present paragraph (f) of subsection (1) of
1124 section 409.996, Florida Statutes, is redesignated as paragraph
1125 (g), and a new paragraph (f) is added to that subsection, to
1126 read:

1127 409.996 Duties of the Department of Children and Families.—
1128 The department shall contract for the delivery, administration,
1129 or management of care for children in the child protection and
1130 child welfare system. In doing so, the department retains
1131 responsibility for the quality of contracted services and

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1132 programs and shall ensure that, at a minimum, services are
1133 delivered in accordance with applicable federal and state
1134 statutes and regulations and the performance standards and
1135 metrics specified in the strategic plan created under s.
1136 20.19(1).

1137 (1) The department shall enter into contracts with lead
1138 agencies for the performance of the duties by the lead agencies
1139 established in s. 409.988. At a minimum, the contracts must do
1140 all of the following:

1141 (f) Require lead agencies to provide a foster-family
1142 support program available 24 hours a day, 7 days a week. The
1143 program must provide, at a minimum, the ability for foster
1144 parents to seek counsel and advice from former and current
1145 foster parents and access mental health crisis services and
1146 supports for foster parents, including, but not limited to,
1147 trauma counseling, placement stabilization, de-escalation, and
1148 parent coaching.

1149 Section 18. Effective upon this act becoming a law, the
1150 Department of Children and Families, the Agency for Health Care
1151 Administration, and the Department of Juvenile Justice shall,
1152 with consultation from stakeholders and subject matter experts,
1153 create a workgroup for the purpose of developing and enhancing
1154 the state's service array for persons who are victims of
1155 commercial sexual exploitation. The workgroup shall analyze the
1156 current bed rate for commercial sexual exploitation beds and
1157 recommend a bed rate that is sufficient to provide for the
1158 services, physical space, safety, and costs incidental to
1159 treatment for this population; analyze the funding for
1160 community-based services for commercial sexual exploitation

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1161 victims and develop a funding model that combines available
1162 funding sources to cover services, board, and administrative
1163 costs; and analyze the use of Medicaid services for commercial
1164 sexual exploitation victims and, subject to any required
1165 approval of the Centers for Medicare and Medicaid Services,
1166 establish a commercial sexual exploitation specific behavioral
1167 health overlay as a Medicaid-covered service. The Agency for
1168 Health Care Administration shall modify any state Medicaid plans
1169 and implement any federal waivers necessary to implement this
1170 act. The workgroup shall draft a joint strategic action plan to
1171 implement the recommended solutions from the analysis of the
1172 commercial sexual exploitation service array and submit a report
1173 on the recommendations for implementation of the new rates to
1174 the President of the Senate and the Speaker of the House of
1175 Representatives by December 1, 2023.

1176 Section 19. Except as otherwise expressly provided in this
1177 act and except for this section, which shall take effect upon
1178 becoming a law, this act shall take effect July 1, 2023.