

By the Committee on Children, Families, and Elder Affairs; and
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; making
6 technical changes; amending s. 39.4092, F.S.; revising
7 provisions to refer to a multidisciplinary legal
8 representation program rather than a model; revising
9 requirements for an office of criminal conflict and
10 civil regional counsel's multidisciplinary legal
11 representation program; requiring each office of
12 criminal conflict and civil regional counsel to
13 annually submit certain data to the Office of Program
14 Policy Analysis and Government Accountability (OPPAGA)
15 by a specified date; deleting a requirement that each
16 office of criminal conflict and civil regional counsel
17 submit a certain report; requiring the OPPAGA to
18 compile certain data and conduct a certain analysis;
19 revising the date the OPPAGA must annually report its
20 analysis; creating s. 39.5035, F.S.; authorizing
21 certain persons to initiate a proceeding by filing a
22 petition for adjudication and permanent commitment if
23 both parents of a child are deceased or the last known
24 living parent dies; requiring that such petition be
25 filed at 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; requiring the court to make a specified
39 determination after an adjudicatory hearing; requiring
40 that a disposition hearing 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 a hearing within a certain timeframe after a
46 petition is filed; specifying that a certified copy of
47 the death certificate is sufficient evidence of a
48 parent's death; requiring the court to make a certain
49 determination within a specified timeframe after an
50 adjudicatory hearing on certain petitions; providing
51 construction; amending s. 39.522, F.S.; authorizing
52 certain persons to remove a child from a court-ordered
53 placement under certain circumstances; requiring the
54 department to file a motion within a certain timeframe
55 to modify placement following such removals; requiring
56 the court to set a hearing on the motion within a
57 specified timeframe under certain circumstances;
58 requiring the court to make a specified determination

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

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88 adopt; revising the circumstances that must apply for
89 the department to remove a child from a foster home or
90 custodian after a denial of an application to adopt;
91 conforming provisions to changes made by the act;
92 amending s. 63.062, F.S.; conforming a provision to
93 changes made by the act; amending s. 409.1454, F.S.;
94 revising eligibility criteria for a child to
95 participate in a specified program covering certain
96 costs for a driver license and motor vehicle
97 insurance; amending s. 409.167, F.S.; revising the
98 purpose and requirements of the statewide adoption
99 exchange; specifying requirements of the photo listing
100 component of the adoption exchange; requiring the
101 department or lead agency to refer certain children to
102 the adoption exchange; deleting the requirement that
103 the referral be accompanied by a photograph and
104 description of the child; deleting the requirement
105 that the department provide certain information to the
106 adoption exchange for children accepted for permanent
107 placement by the department; deleting a requirement
108 that the adoption exchange provide a certain service
109 to certain groups, organizations, and associations;
110 requiring that certain children be registered with
111 existing regional and national adoption exchanges
112 under a specified condition; amending s. 409.1678,
113 F.S.; revising the required services that safe houses
114 and safe foster homes must provide, arrange for, or
115 coordinate; conforming a provision to changes made by
116 the act; requiring the department, in collaboration

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

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146 certain local law enforcement officials; defining the
147 term "survivor peer mentor"; providing legislative
148 findings; requiring certain service providers and
149 certain operators to collaborate with local providers
150 to ensure survivor peer mentors are regularly
151 accessible to certain children; requiring survivor
152 peer mentors to undergo certain training; amending s.
153 409.988, F.S.; requiring that all individuals
154 providing care for dependent children be provided
155 contact information for a certain foster-family
156 support program; amending s. 409.996, F.S.; requiring
157 the department's contracts with lead agencies to
158 require the lead agency to provide a certain foster-
159 family support group; requiring certain governmental
160 entities to create a workgroup for a specified purpose
161 relating to commercial sexual exploitation; requiring
162 the Agency for Health Care Administration to modify
163 state Medicaid plans and implement federal waivers
164 necessary to implement the act; requiring the
165 workgroup to draft a certain plan and submit a certain
166 report to the Legislature by a specified date;
167 requiring the Florida Institute for Child Welfare to
168 validate the current screening and assessment
169 instruments by a certain date and for the institute to
170 complete the validation within its base appropriation;
171 providing effective dates.

172

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

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175 Section 1. Paragraph (o) of subsection (2) of section
176 39.202, Florida Statutes, is amended to read:

177 39.202 Confidentiality of reports and records in cases of
178 child abuse or neglect; exception.—

179 (2) Except as provided in subsection (4), access to such
180 records, excluding the name of, or other identifying information
181 with respect to, the reporter which shall be released only as
182 provided in subsection (5), shall be granted only to the
183 following persons, officials, and agencies:

184 (o) Any person in the event of the death of a child
185 determined by the department at the closure of its
186 investigation, in accordance with s. 39.301(16), to be a result
187 of abuse, abandonment, or neglect. Information identifying the
188 person reporting abuse, abandonment, or neglect may ~~shall~~ not be
189 released. Any information otherwise made confidential or exempt
190 by law may ~~shall~~ not be released pursuant to this paragraph.

191 Section 2. Section 39.4092, Florida Statutes, is amended to
192 read:

193 39.4092 Multidisciplinary legal representation ~~model~~
194 program for parents of children in the dependency system.—

195 (1) LEGISLATIVE FINDINGS.—

196 (a) The Legislature finds that the use of a specialized
197 team that includes an attorney, a social worker, and a parent-
198 peer specialist, also known as a multidisciplinary legal
199 representation ~~model~~ program, in dependency judicial matters is
200 effective in reducing safety risks to children and providing
201 families with better outcomes, such as significantly reducing
202 the time the children spend in out-of-home care and achieving
203 permanency more quickly.

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204 (b) The Legislature finds that parents in dependency court
205 often suffer from multiple challenges, such as mental illness,
206 substance use disorder, domestic violence or other trauma,
207 unstable housing, or unemployment. These challenges are often a
208 contributing factor to children experiencing instability or
209 safety risks. While these challenges may result in legal
210 involvement or require legal representation, addressing the
211 underlying challenges in a manner that achieves stability often
212 falls within the core functions of the practice of social work.

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

223 (d) The Legislature finds that there is a great benefit to
224 using parent-peer specialists in the dependency system, which
225 allows parents who have successfully navigated the dependency
226 system and have been successfully reunified with their children
227 to be paired with parents whose children are currently involved
228 in the dependency system. By working with someone who has
229 personally lived the experience of overcoming great personal
230 crisis, parents currently involved in the dependency system have
231 a greater ability to address the underlying challenges that
232 resulted in the instability and safety risk to their children,

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233 to provide a safe and stable home environment, and to be
234 successfully reunified.

235 (e) The Legislature further finds that current federal law
236 authorizes the reimbursement of a portion of the cost of
237 attorneys for parents and children in eligible cases, whereas
238 such funds were formerly restricted to foster care
239 administrative costs.

240 (f) The Legislature finds it is necessary to encourage and
241 facilitate the use of a multidisciplinary legal representation
242 program model for parents and their children in order to improve
243 outcomes for those families involved in the dependency system
244 and to provide the families who find themselves in a crisis with
245 the best opportunity to be successful in creating safe and
246 stable homes for their children.

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

251 (3) DUTIES.—

252 (a) The department shall collaborate with the office of
253 criminal conflict and civil regional counsel to determine and
254 execute any necessary documentation for approval of federal
255 Title IV-E matching funding. The department shall submit such
256 documentation as promptly as possible upon the establishment of
257 a multidisciplinary legal representation ~~model~~ program and shall
258 execute the necessary agreements to ensure the program accesses
259 available federal matching funding for the program in order to
260 help eligible families involved in the dependency system.

261 (b) An office of criminal conflict and civil regional

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262 counsel that establishes a multidisciplinary legal
263 representation ~~model~~ program must, at a minimum:

264 1. Use a team that consists of at least an attorney and, a
265 parent-peer specialist or a forensic social worker, or a similar
266 professional ~~and a parent-peer specialist~~. For purposes of this
267 section, the term "parent-peer specialist" means a person who
268 has:

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

271 b. Been successfully reunified with the child for more than
272 2 years.

273 c. Received specialized training to become a parent-peer
274 specialist.

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

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

281 4. Collect uniform data on each child whose parent is
282 served by the program and ensure that reporting of data is
283 conducted through the child's unique identification number in
284 the Florida Safe Families Network or any successor system, if
285 applicable.

286 5. Develop consistent operational program policies and
287 procedures throughout each region that establishes a ~~the model~~
288 program.

289 6. Obtain agreements with universities relating to approved
290 placements for social work students to ensure the placement of

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291 social workers in the program.

292 7. Execute conflict of interest agreements with each team
293 member.

294 (4) REPORTING.—

295 ~~(a)~~ Beginning July 15, 2023 ~~October 1, 2022~~, and annually
296 thereafter through July 15, 2026 ~~October 1, 2025~~, each office of
297 criminal conflict and civil regional counsel ~~that establishes a~~
298 ~~multidisciplinary legal representation model program~~ must submit
299 certain requested data ~~an annual report~~ to the Office of Program
300 Policy Analysis and Government Accountability to ensure its
301 ability to perform an analysis evaluating the use and efficacy
302 of the multidisciplinary legal representation or similar
303 program. The annual data ~~report~~ must include ~~use~~ the uniform
304 data collected on each unique child whose parents are served by
305 the program ~~and must detail, at a minimum, all of the following:~~

306 1. ~~Reasons the family became involved in the dependency~~
307 ~~system.~~

308 2. ~~Length of time it takes to achieve a permanency goal for~~
309 ~~children whose parents are served by the program.~~

310 3. ~~Frequency of each type of permanency goal achieved by~~
311 ~~children whose parents are served by the program.~~

312 4. ~~Rate of subsequent abuse or neglect which results in the~~
313 ~~removal of children whose parents are served by the program.~~

314 5. ~~Any other relevant factors that tend to show the impact~~
315 ~~of the use of such multidisciplinary legal representation model~~
316 ~~programs on the outcomes for children in the dependency system.~~

317 ~~Each region that has established a model program must agree on~~
318 ~~the additional factors and how to collect data on such~~
319 ~~additional factors for the annual report.~~

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320 ~~(b)~~ The Office of Program Policy Analysis and Government
321 Accountability shall compile the data results of the reports
322 ~~required under paragraph (a)~~ and conduct an analysis to
323 determine the utilization and efficacy of comparing the reported
324 ~~outcomes from~~ the multidisciplinary legal representation or
325 similar model program ~~to known outcomes of children in the~~
326 ~~dependency system whose parents are not served by a~~
327 ~~multidisciplinary legal representation model program.~~ Each
328 office of criminal conflict and civil regional counsel shall
329 provide any additional information or data requested by the
330 Office of Program Policy Analysis and Government Accountability
331 for its analysis. By December 1, 2022, and annually thereafter
332 through December 1, ~~2026~~ 2025, the Office of Program Policy
333 Analysis and Government Accountability must submit its analysis
334 in a report to the Governor, the President of the Senate, and
335 the Speaker of the House of Representatives.

336 Section 3. Section 39.5035, Florida Statutes, is created to
337 read:

338 39.5035 Deceased parents; special procedures.-

339 (1) (a) 1. If both parents of a child are deceased or the
340 last known living parent dies and a legal custodian has not been
341 appointed for the child through a probate or guardianship
342 proceeding, an attorney for the department or any other person
343 who has knowledge of alleged facts that support a petition for
344 adjudication and permanent commitment, or who is informed of the
345 alleged facts and believes them to be true, may initiate a
346 proceeding by filing such petition.

347 2. If a child has been placed in shelter status by order of
348 the court but has not yet been adjudicated, a petition for

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349 adjudication and permanent commitment must be filed within 21
350 days after the shelter hearing. In all other cases, the petition
351 must be filed within a reasonable time after the petitioner
352 first becomes aware of the alleged facts that support the
353 petition for adjudication and permanent commitment.

354 (b) If both parents die or the last known living parent
355 dies after a child has already been adjudicated dependent, an
356 attorney for the department or any other person who has
357 knowledge of the alleged facts or is informed of the alleged
358 facts and believes them to be true may file a petition for
359 permanent commitment. The petition must be filed within a
360 reasonable timeframe after the petitioner first becomes aware of
361 the alleged facts that support the petition for permanent
362 commitment.

363 (2) The petition for commitment and the petition for
364 adjudication and commitment must be in writing and must contain
365 all of the following:

366 (a) An identification of the alleged deceased parent or
367 parents, and the facts that establish that both parents of the
368 child are deceased or the last known living parent is deceased,
369 and that a legal custodian has not been appointed for the child
370 through a probate or guardianship proceeding.

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

373 (3) If a petition for adjudication and permanent commitment
374 or a petition for permanent commitment has been filed, the clerk
375 of the court must set the case before the court for an
376 adjudicatory hearing. The adjudicatory hearing must be held as
377 soon as practicable after the petition is filed, but no later

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378 than 30 days after the filing date.

379 (4) Notice of the date, time, and place of the adjudicatory
380 hearing and a copy of the petition must be served on the
381 following persons:

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

383 (b) A living relative of each parent of the child, unless a
384 living relative cannot be found after a diligent search or
385 inquiry.

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

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

399 (6) Within 30 days after an adjudicatory hearing on a
400 petition for adjudication and permanent commitment, the court
401 shall make one of the following determinations:

402 (a) If the court finds that the petitioner has met the
403 burden of clear and convincing evidence, the court must enter a
404 written order adjudicating the child dependent and permanently
405 committing the child to the custody of the department for the
406 purpose of adoption. A disposition hearing must be scheduled no

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407 later than 30 days after the entry of the order, in which the
408 department must provide a case plan that identifies the
409 permanency goal for the child to the court. Reasonable efforts
410 must be made to place the child in a timely manner in accordance
411 with the permanency plan and to complete all steps necessary to
412 finalize the permanent placement of the child. Thereafter, until
413 the adoption of the child is finalized or the child reaches the
414 age of 18 years, whichever occurs first, the court shall hold
415 hearings every 6 months to review the progress being made toward
416 permanency for the child.

417 (b) If the court finds that the petitioner has not met the
418 burden of clear and convincing evidence, but that a
419 preponderance of the evidence establishes that the child does
420 not have a parent or legal custodian capable of providing
421 supervision or care, the court must enter a written order
422 adjudicating the child dependent. A disposition hearing must be
423 scheduled no later than 30 days after the entry of the order as
424 provided in s. 39.521.

425 (c) If the court finds that the petitioner has not met the
426 burden of clear and convincing evidence and that a preponderance
427 of the evidence does not establish that the child does not have
428 a parent or legal custodian capable of providing supervision or
429 care, the court must enter a written order so finding and
430 dismissing the petition.

431 (7) Within 30 days after an adjudicatory hearing on a
432 petition for permanent commitment, the court shall make one of
433 the following determinations:

434 (a) If the court finds that the petitioner has met the
435 burden of clear and convincing evidence, the court must enter a

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436 written order permanently committing the child to the custody of
437 the department for purposes of adoption. A disposition hearing
438 must be scheduled no later than 30 days after the entry of the
439 order, in which the department must provide an amended case plan
440 that identifies the permanency goal for the child to the court.
441 Reasonable efforts must be made to place the child in a timely
442 manner in accordance with the permanency plan and to complete
443 all steps necessary to finalize the permanent placement of the
444 child. Thereafter, until the adoption of the child is finalized
445 or the child reaches the age of 18 years, whichever occurs
446 first, the court shall hold hearings every 6 months to review
447 the progress being made toward permanency for the child.

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

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

460 39.522 Postdisposition change of custody.—

461 (7) Notwithstanding any other provision of this section, at
462 any time a child's case manager, an authorized agent of the
463 department, or a law enforcement officer may remove a child from
464 a court-ordered placement and take the child into custody if the

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465 child's current caregiver requests immediate removal of the
466 child from the home. An authorized agent of the department or a
467 law enforcement officer may also remove a child from a court-
468 ordered placement and take the child into custody under s.
469 39.401(1)(b).

470 (a) If at the time of the removal the child was not placed
471 in licensed care in the department's custody, the department
472 must file a motion to modify placement within 1 business day
473 after the child is taken into custody. Unless all parties and
474 the current caregiver agree to the change of placement, the
475 court shall set a hearing within 24 hours after the filing of
476 the motion. At the hearing, the court shall determine whether
477 the department has established probable cause to support the
478 immediate removal of the child from his or her current
479 placement. The court may base its determination on a sworn
480 petition, testimony, or an affidavit and may hear all relevant
481 and material evidence, including oral or written reports, to the
482 extent of its probative value even though such evidence would
483 not be competent evidence at an adjudicatory hearing.

484 (b) If the court finds that probable cause is not
485 established to support the removal of the child from the
486 placement, the court must order that the child be returned to
487 his or her current placement. Such a finding does not preclude a
488 party from filing a subsequent motion pursuant to subsection
489 (2).

490 (c) If the current caregiver admits to a need for a change
491 of placement or probable cause is established to support the
492 removal, the court must enter an order changing the placement of
493 the child. If the child is not placed in foster care, the new

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494 placement for the child must meet the home study criteria in
495 this chapter.

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

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

502 39.6013 Case plan amendments.—

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

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

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

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

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

529 (5) At any hearing, the case plan may be amended by the
530 court or upon motion of any party ~~at any hearing~~ to provide
531 appropriate services to the child if there is ~~competent~~ evidence
532 demonstrating the need for the amendment. The court may base its
533 determination on testimony and may hear all relevant and
534 material evidence, including oral and written reports, to the
535 extent of its probative value, even though such evidence would
536 not be competent evidence at an adjudicatory hearing. The reason
537 for amending the case plan may be based on information
538 discovered or circumstances arising after the approval of the
539 case plan regarding the provision of safe and proper care to the
540 child.

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

544 39.6221 Permanent guardianship of a dependent child.—

545 (1) If a court determines that reunification or adoption is
546 not in the best interest of the child, the court may place the
547 child in a permanent guardianship with a relative or other adult
548 approved by the court if all of the following conditions are
549 met:

550 (a) The child has been in the placement for not less than
551 the preceding 6 months, or the preceding 3 months if the

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552 caregiver has been named as the successor guardian on the
553 child's guardianship assistance agreement.

554 (g) The department has advised the caregiver of the
555 caregiver's eligibility for the Guardianship Assistance Program
556 under s. 39.6225.

557 Section 7. Paragraph (a) of subsection (4) of section
558 39.6251, Florida Statutes, is amended to read:

559 39.6251 Continuing care for young adults.—

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

576 2. A young adult in a Department of Juvenile Justice
577 detention center or commitment program, who otherwise would have
578 been living in licensed care on the date of his or her 18th
579 birthday and has not achieved permanency under s. 39.621, is
580 deemed to have met the licensed placement eligibility

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581 requirement of subsection (2). The department's supervision of
582 such young adult is limited to the community-based care lead
583 agency providing case management services as needed to
584 facilitate the young adult's transition upon release from a
585 detention or a commitment program into a supervised living
586 environment as described in subparagraph 1.

587 Section 8. Paragraph (c) of subsection (2) of section
588 39.701, Florida Statutes, is amended to read:

589 39.701 Judicial review.—

590 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
591 AGE.—

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

608 1. If the parent was advised of the right to receive
609 assistance from any person or social service agency in the

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610 preparation of the case plan.

611 2. If the parent has been advised of the right to have
612 counsel present at the judicial review or citizen review
613 hearings. If not so advised, the court or citizen review panel
614 shall advise the parent of such right.

615 3. If a guardian ad litem needs to be appointed for the
616 child in a case in which a guardian ad litem has not previously
617 been appointed or if there is a need to continue a guardian ad
618 litem in a case in which a guardian ad litem has been appointed.

619 4. Who holds the rights to make educational decisions for
620 the child. If appropriate, the court may refer the child to the
621 district school superintendent for appointment of a surrogate
622 parent or may itself appoint a surrogate parent under the
623 Individuals with Disabilities Education Act and s. 39.0016.

624 5. Whether there is ~~The compliance or lack of~~ compliance of
625 all parties with applicable items of the case plan, including
626 the parents' compliance with child support orders.

627 6. Whether there is ~~The compliance or lack of~~ compliance
628 with a visitation contract between the parent and the social
629 service agency for contact with the child, including the
630 frequency, duration, and results of the parent-child visitation
631 and the reason for any noncompliance.

632 7. If the frequency, kind, and duration of contacts among
633 siblings who have been separated during placement, as well as
634 any efforts undertaken to reunite separated siblings are ~~if~~
635 ~~doing so is~~ in the best interests of the child.

636 8. Whether ~~The compliance or lack of~~ compliance of the
637 parent is ~~in~~ meeting specified financial obligations pertaining
638 to the care of the child, including the reason for failure to

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639 comply, if applicable.

640 9. Whether the child is receiving safe and proper care
641 according to s. 39.6012, including, but not limited to, the
642 appropriateness of the child's current placement, including
643 whether the child is in a setting that is as family-like and as
644 close to the parent's home as possible, consistent with the
645 child's best interests and special needs, and including
646 maintaining stability in the child's educational placement, as
647 documented by assurances from the community-based care lead
648 agency that:

649 a. The placement of the child takes into account the
650 appropriateness of the current educational setting and the
651 proximity to the school in which the child is enrolled at the
652 time of placement.

653 b. The community-based care lead agency has coordinated
654 with appropriate local educational agencies to ensure that the
655 child remains in the school in which the child is enrolled at
656 the time of placement.

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

659 11. When appropriate, the basis for the unwillingness or
660 inability of the parent to become a party to a case plan. The
661 court and the citizen review panel shall determine if the
662 efforts of the social service agency to secure party
663 participation in a case plan were sufficient.

664 12. For a child who has reached 13 years of age but is not
665 yet 18 years of age, whether ~~the adequacy of~~ the child's
666 preparation for adulthood and independent living is adequate.
667 For a child who is 15 years of age or older, the court shall

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668 determine if appropriate steps are being taken for the child to
669 obtain a driver license or learner's driver license.

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

672 14. If the parents and caregivers have developed a
673 productive relationship that includes meaningful communication
674 and mutual support.

675 15. Whether there are any barriers to meeting the
676 eligibility requirements for the Guardianship Assistance Program
677 under s. 39.6225, if applicable.

678 Section 9. Present subsection (7) of section 39.801,
679 Florida Statutes, is redesignated as subsection (8), a new
680 subsection (7) is added to that section, and paragraph (c) of
681 subsection (3) of that section is amended, to read:

682 39.801 Procedures and jurisdiction; notice; service of
683 process.—

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

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

694 (7) Notice as prescribed by this section may be waived, in
695 the discretion of the judge, with regard to any person to whom
696 notice must be given under this subsection if the person

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697 executes, before two witnesses and a notary public or other
698 officer authorized to take acknowledgments, a written surrender
699 of the child to a licensed child-placing agency or the
700 department. Notice as prescribed by this section may be waived,
701 in the discretion of the judge, with regard to any person to
702 whom notice must be given under this subsection if that person
703 appears before the court at the advisory hearing or any other
704 hearing after the advisory hearing.

705 Section 10. Present subsections (5) and (6) of section
706 39.812, Florida Statutes, are redesignated as subsections (6)
707 and (7), respectively, a new subsection (5) is added to that
708 section, and subsection (4) and present subsection (5) of that
709 section are amended, to read:

710 39.812 Postdisposition relief; petition for adoption.—

711 (4) The court shall retain jurisdiction over any child
712 placed in the custody of the department until the child is
713 adopted. After custody of a child for subsequent adoption has
714 been given to the department, the court has jurisdiction for the
715 purpose of reviewing the status of the child and the progress
716 being made toward permanent adoptive placement. As part of this
717 continuing jurisdiction, the court may review any of the
718 following:

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

722 (b) The department's denial of an application to adopt a
723 child. The department's decision to deny an application to adopt
724 a child is reviewable only as provided in this section and is
725 not subject to chapter 120.

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726 1. If the department denies an application to adopt, the
727 written notification of denial provided to the applicant must be
728 filed with the court and copies provided to all parties within
729 10 business days after the decision.

730 2. A denied applicant may file a motion to review the
731 department's denial within 30 days after the issuance of the
732 department's written notification of the decision to deny the
733 application.

734 3. A denied applicant has standing under this chapter only
735 to file the motion to review in subparagraph 2. and to present
736 evidence in support of the motion. Such standing is terminated
737 upon entry of the court's order.

738 4. The motion to review under subparagraph 2. must allege
739 the department unreasonably withheld its consent to the adoption
740 and must request that the court allow the denied applicant to
741 file a petition to adopt the child under chapter 63 without the
742 department's consent.

743 5. The court must hold a hearing within 30 days after the
744 filing of the motion to review. The court may only consider
745 whether the department's denial of the application was
746 consistent with its policies and made in an expeditious manner.
747 The standard of review is whether the department's denial of the
748 application was an abuse of discretion.

749 6. If the department selected a different applicant to
750 adopt the child, the selected applicant may participate in the
751 hearing as a participant as provided in s. 39.01(57) and may be
752 granted leave by the court to be heard without the necessity of
753 filing a motion to intervene.

754 7. The court must enter a written order within 15 days

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755 after the conclusion of the hearing either denying the motion to
756 review or finding that the department unreasonably withheld its
757 consent and authorizing the denied applicant to file a petition
758 to adopt the child under chapter 63 without the department's
759 consent.

760 (5) When a licensed foster parent or court-ordered
761 custodian has applied to adopt a child who has resided with the
762 foster parent or custodian for at least 6 months and who has
763 previously been permanently committed to the legal custody of
764 the department and the department does not grant the application
765 to adopt, the department may not, in the absence of a prior
766 court order authorizing it to do so, remove the child from the
767 foster home or custodian, except when all of the following
768 circumstances apply:

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

771 (b) A motion to review the department's denial of
772 application filed under subparagraph (4)(b)2. has been denied by
773 the court.

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

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

780 (6)~~(5)~~ The petition for adoption must be filed in the
781 division of the circuit court which entered the judgment
782 terminating parental rights, unless a motion for change of venue
783 is granted pursuant to s. 47.122. A copy of the consent executed

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784 by the department must be attached to the petition, unless the
785 court has found the department unreasonably withheld its consent
786 under paragraph (4) (b) waived pursuant to s. 63.062(7). The
787 petition must be accompanied by a statement, signed by the
788 prospective adoptive parents, acknowledging receipt of all
789 information required to be disclosed under s. 63.085 and a form
790 provided by the department which details the social and medical
791 history of the child and each parent and includes the social
792 security number and date of birth for each parent, if such
793 information is available or readily obtainable. The prospective
794 adoptive parents may not file a petition for adoption until the
795 judgment terminating parental rights becomes final. An adoption
796 proceeding under this subsection is governed by chapter 63.

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

799 63.062 Persons required to consent to adoption; affidavit
800 of nonpaternity; waiver of venue.—

801 (7) If parental rights to the minor have previously been
802 terminated, the adoption entity with which the minor has been
803 placed for subsequent adoption may provide consent to the
804 adoption. In such case, no other consent is required. If the
805 minor has been permanently committed to the department for
806 subsequent adoption, the department must consent to the
807 adoption, or, if the department does not consent, the court
808 order finding that the department unreasonably withheld its
809 consent entered under s. 39.812(4) must be attached to the
810 petition to adopt and ~~The consent of the department shall be~~
811 ~~waived upon a determination by the court that such consent is~~
812 ~~being unreasonably withheld and if the petitioner must file has~~

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813 ~~filed~~ with the court a favorable preliminary adoptive home study
814 as required under s. 63.092.

815 Section 12. Subsection (4) of section 409.1454, Florida
816 Statutes, is amended to read:

817 409.1454 Motor vehicle insurance and driver licenses for
818 children in care and certified unaccompanied homeless youth.—

819 (4) Payment must be made to eligible recipients in the
820 order of eligibility until available funds are exhausted. If a
821 child determined to be eligible reaches permanency status or
822 turns 18 years of age, the program may pay for that child to
823 complete a driver education program and obtain a driver license
824 for up to 6 months after the date the child reaches permanency
825 status or 6 months after the date the child turns 18 years of
826 age. A child may be eligible to have the costs of and incidental
827 to licensure paid if he or she demonstrates that such costs are
828 creating barriers to obtaining employment or completing
829 educational goals, if the child meets any of the following
830 criteria:

831 (a) Is continuing in care under s. 39.6251;

832 (b) ~~Was in licensed care when the child reached 18 years of~~
833 ~~age and~~ Is currently receiving postsecondary education services
834 and support under s. 409.1451(2); or

835 (c) Is an unaccompanied homeless youth certified under s.
836 743.067 who is a citizen of the United States or legal resident
837 of this state and is:

838 1. Completing secondary education;

839 2. Employed at least part time;

840 3. Attending any postsecondary education program at least
841 part time; or

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842 4. Has a disability that precludes full-time work or
843 education.

844 Section 13. Section 409.167, Florida Statutes, is amended,
845 to read:

846 409.167 Statewide adoption exchange; establishment;
847 responsibilities; registration requirements; rules.—

848 (1) The Department of Children and Families shall
849 establish, either directly or through purchase, a statewide
850 adoption exchange, with a photo listing component, which shall
851 serve all authorized licensed child-placing agencies in the
852 state for the purpose of facilitating family-matching between
853 prospective adoptive parents and children who have been legally
854 freed for adoption and who have been permanently placed with the
855 department as a means of recruiting adoptive families for
856 children who have been legally freed for adoption and who have
857 been permanently placed with the department or a licensed child-
858 placing agency. The exchange shall provide, in accordance with
859 rules established by the department descriptions and photographs
860 of such children, as well as any other information deemed useful
861 in facilitating family-matching between children and prospective
862 adoptive parents for licensed child-placing agencies the
863 recruitment of adoptive families for each child. The photo
864 listing component of the adoption exchange must be in a format
865 that is accessible only to persons who have completed or are in
866 the process of completing an adoption home study updated
867 monthly. A child 12 years of age or older must be consulted
868 about his or her photo listing.

869 (2) (a) ~~Each district of~~ The department or community-based
870 care lead agency shall refer each child in its care who has been

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871 legally freed for adoption to the adoption exchange no later
872 than 30 days after the date of acceptance by the department for
873 permanent placement. ~~The referral must be accompanied by a~~
874 ~~photograph and description of the child.~~

875 (b) The department shall establish criteria by which a
876 district may determine that a child need not be registered with
877 the adoption exchange. Within 30 days after the date of
878 acceptance by the department for permanent placement, the name
879 of the child accepted for permanent placement must be forwarded
880 to the statewide adoption exchange by the district together with
881 reference to the specific reason why the child should not be
882 placed on the adoption exchange. ~~If the child has not been~~
883 ~~placed for adoption within 3 months after the date of acceptance~~
884 ~~by the department for permanent placement, the district shall~~
885 ~~provide the adoption exchange with the necessary photograph and~~
886 ~~information for registration of the child with the adoption~~
887 ~~exchange and the child shall be placed on the exchange.~~ The
888 department shall establish procedures for monitoring the status
889 of children who are not placed on the adoption exchange within
890 30 days after the date of acceptance by the department for
891 permanent placement.

892 (3) In accordance with rules established by the department,
893 the adoption exchange may accept, from licensed child-placing
894 agencies, information pertaining to children meeting the
895 criteria of this section, and to prospective adoptive families,
896 for registration with the exchange.

897 (4) ~~The adoption exchange shall provide the photo listing~~
898 ~~service to all licensed child-placing agencies and, in~~
899 ~~accordance with rules established by the department, to all~~

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900 ~~appropriate citizen groups and other organizations and~~
901 ~~associations interested in children's services.~~

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

906 ~~(5)(6)~~ The department shall adopt rules governing the
907 operation of the statewide adoption exchange.

908 Section 14. Paragraphs (d) and (e) of subsection (2) and
909 paragraph (a) of subsection (4) of section 409.1678, Florida
910 Statutes, are amended, and paragraph (h) is added to subsection
911 (2) of that section, to read:

912 409.1678 Specialized residential options for children who
913 are victims of commercial sexual exploitation.—

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

915 (d) Safe houses and safe foster homes shall provide
916 services tailored to the needs of child victims of commercial
917 sexual exploitation and shall conduct a comprehensive assessment
918 of the service needs of each resident. In addition to the
919 services required to be provided by residential child caring
920 agencies and family foster homes, safe houses and safe foster
921 homes must provide, arrange for, or coordinate, at a minimum,
922 the following services:

- 923 1. Victim-witness counseling.
- 924 2. Family counseling.
- 925 3. Behavioral health care.
- 926 4. Treatment and intervention for sexual assault.
- 927 5. Education tailored to the child's individual needs,
928 including remedial education if necessary.

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- 929 6. Life skills and workforce training.
- 930 7. Mentoring by a survivor of commercial sexual
931 exploitation, if available and appropriate for the child. A
932 mentor who meets the survivor peer mentor model as detailed in
933 s. 409.1754(5) must be used whenever possible.
- 934 8. Substance abuse screening and, when necessary, access to
935 treatment.
- 936 9. Planning services for the successful transition of each
937 child back to the community.
- 938 10. Activities structured in a manner that provides child
939 victims of commercial sexual exploitation with a full schedule.
- 940 (e) The community-based care lead agencies shall ensure
941 that foster parents of safe foster homes and staff of safe
942 houses complete intensive training regarding, at a minimum, the
943 needs of child victims of commercial sexual exploitation, the
944 effects of trauma and sexual exploitation, and how to address
945 those needs using strength-based and trauma-informed approaches
946 and any training required under s. 409.175(14)(e) for licensure.
947 The department shall specify the contents of this training by
948 rule and may develop or contract for a standard curriculum. The
949 department may establish by rule additional criteria for the
950 certification of safe houses and safe foster homes that shall
951 address the security, therapeutic, social, health, and
952 educational needs of child victims of commercial sexual
953 exploitation.
- 954 (h) The department shall, in collaboration with the Florida
955 Digital Service, provide a confidential web-based portal that
956 can be accessed by safe house operators and foster parents for
957 safe foster homes. The portal must provide or maintain:

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

960 2. Unique content for each of the following user types to
961 assist them with developing, meeting, or expanding community
962 services or bed capacity to serve children who are victims of
963 commercial sexual exploitation or who are at risk of becoming
964 victims of commercial sexual exploitation:

965 a. Prospective unlicensed safe house and safe foster home
966 operators.

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

969 c. Actively licensed and certified safe house and safe
970 foster home operators;

971 3. Summaries of all current licensure and certification
972 requirements;

973 4. A frequently asked questions section;

974 5. A listing of safe house and safe foster home contacts
975 who are willing to provide support, advice, and counsel to new
976 operators; and

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

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

980 (a) ~~This section does not prohibit~~ Any provider of services
981 for child victims of commercial sexual exploitation must,
982 whenever possible, from appropriately bill ~~billing~~ Medicaid for
983 services rendered, contract ~~from contracting~~ with a local school
984 district for educational services, or obtain ~~from obtaining~~
985 federal or local funding for services provided, as long as two
986 or more funding sources do not pay for the same specific service

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987 that has been provided to a child.

988 Section 15. Paragraph (i) of subsection (6), subsection
989 (7), and paragraph (e) of subsection (14) of section 409.175,
990 Florida Statutes, are amended to read:

991 409.175 Licensure of family foster homes, residential
992 child-caring agencies, and child-placing agencies; public
993 records exemption.—

994 (6)

995 (i) Upon determination that the applicant meets the state
996 minimum licensing requirements and has obtained a letter from a
997 community-based care lead agency which indicates that the family
998 foster home meets the criteria established by the lead agency,
999 the department shall issue a license without charge to a
1000 specific person or agency at a specific location. A license may
1001 be issued if all the screening materials have been timely
1002 submitted; however, a license may not be issued or renewed if
1003 any person at the home or agency has failed the required
1004 screening. The license is nontransferable. A copy of the license
1005 must ~~shall~~ be displayed in a conspicuous place. Except as
1006 provided in paragraph (k), the license is valid for a period of
1007 up to 1 year from the date of issuance, unless the license is
1008 suspended or revoked by the department or is voluntarily
1009 surrendered by the licensee. The license is the property of the
1010 department.

1011 (7) The department may extend a license expiration date
1012 once for a period of up to 60 ~~30~~ days. ~~However, the department~~
1013 ~~may not extend a license expiration date more than once during a~~
1014 ~~licensure period.~~

1015 (14)

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1016 (e)1. In addition to any other preservice training required
1017 by law, foster parents, as a condition of licensure, and agency
1018 staff must successfully complete preservice training related to
1019 human trafficking which must be uniform statewide and must
1020 include, but need not be limited to:

1021 a. Basic information on human trafficking, such as an
1022 understanding of relevant terminology, and the differences
1023 between sex trafficking and labor trafficking;

1024 b. Factors and knowledge on identifying children at risk of
1025 human trafficking; and

1026 c. Steps that should be taken to prevent at-risk youths
1027 from becoming victims of human trafficking.

1028 2. Foster parents, before licensure renewal, and agency
1029 staff, during each full year of employment, must complete
1030 inservice training related to human trafficking to satisfy the
1031 training requirement under subparagraph (5)(b)7., which must
1032 include, but need not be limited to, providing such persons with
1033 skills, tools, and strategies to:

1034 a. Effectively communicate with children who are at risk of
1035 human trafficking or who are victims of human trafficking;

1036 b. Mitigate specific maladaptive behaviors exhibited by,
1037 and barriers to accessing services or placement experienced by,
1038 this unique population; and

1039 c. Mitigate secondary traumatic stress experienced by
1040 foster parents and agency staff.

1041 Section 16. Effective upon becoming a law, paragraph (b) of
1042 subsection (1), paragraph (c) of subsection (3), and paragraph
1043 (a) of subsection (4) of section 409.1754, Florida Statutes, are
1044 amended, and subsection (5) is added to that section, to read:

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1045 409.1754 Commercial sexual exploitation of children;
1046 screening and assessment; training; multidisciplinary staffings;
1047 service plans.—

1048 (1) SCREENING AND ASSESSMENT.—

1049 (b) 1. By December 1, 2023, the department shall, in
1050 collaboration with the Department of Juvenile Justice, the
1051 Florida Institute for Child Welfare at Florida State University,
1052 and the Office of Program Policy Analysis and Government
1053 Accountability:

1054 a. Implement any recommendations necessary to validate the
1055 current screening and assessment instruments; and

1056 b. Develop an indicator tool and outcome algorithm to be
1057 used in conjunction with the screening and assessment
1058 instruments.

1059 2. The ~~initial~~ screening and assessment instruments must
1060 ~~shall~~ be validated by June 1, 2024, if possible, and must be
1061 used by the department, juvenile assessment centers as provided
1062 in s. 985.135, and community-based care lead agencies.

1063 3. If the screening and assessment instruments and
1064 indicator tool required by paragraph (b) are not validated by
1065 June 1, 2024, the department and the Department of Juvenile
1066 Justice must identify and implement the use screening and
1067 assessment instruments and an indicator tool that have been
1068 previously validated.

1069 (3) TRAINING; LOCAL PROTOCOLS.—

1070 (c) Each region of the department and each community-based
1071 care lead agency shall jointly assess local service capacity to
1072 meet the specialized service needs of commercially sexually
1073 exploited children and establish a plan to develop the necessary

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1074 capacity. Each plan shall be developed in consultation with
1075 community-based care lead agencies, local law enforcement
1076 officials, local school officials, runaway and homeless youth
1077 program providers, local probation departments, children's
1078 advocacy centers, guardians ad litem, public defenders, state
1079 attorneys' offices, safe houses, and child advocates and service
1080 providers who work directly with commercially sexually exploited
1081 children. By December 1, 2023, and on December 1 triennially
1082 thereafter, the department and each community-based care lead
1083 agency shall prepare a service capacity assessment and
1084 development plan. The plan must, at a minimum, detail all of the
1085 following factors as they relate to the specific local community
1086 service options for children who are victims of commercial
1087 sexual exploitation or are at risk of being commercially
1088 sexually exploited:

1089 1. A summary of current specific community services and
1090 specific bed capacity.

1091 2. Historical barriers to the development of specific
1092 community services and specific bed capacity.

1093 3. An analysis of funding and funding sources, including
1094 Medicaid billing.

1095 4. Any barriers to Medicaid billing.

1096 5. A strategic action plan to develop specific bed capacity
1097 and specific services in the local service area.

1098 (4) LOCAL RESPONSE TO HUMAN TRAFFICKING; TRAINING; TASK
1099 FORCE.—

1100 (a) The department ~~To the extent that funds are available,~~
1101 ~~the local regional director~~ may provide training to local law
1102 enforcement officials who are likely to encounter child victims

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1103 of commercial sexual exploitation in the course of their law
1104 enforcement duties. Training must address this section and how
1105 to identify and obtain appropriate services for such children.
1106 The local circuit administrator may contract with a not-for-
1107 profit agency with experience working with commercially sexually
1108 exploited children to provide the training. Circuits may work
1109 cooperatively to provide training, which may be provided on a
1110 regional basis. The department shall assist circuits to obtain
1111 available funds for the purpose of conducting law enforcement
1112 training from the Office of Juvenile Justice and Delinquency
1113 Prevention of the United States Department of Justice.

1114 (5) SURVIVOR PEER MENTOR MODEL.—

1115 (a) For purposes of this section, the term "survivor peer
1116 mentor" means a person who has previously been a victim of
1117 commercial sexual exploitation and received specialized training
1118 to become a survivor peer mentor.

1119 (b) The Legislature finds that the use of a survivor peer
1120 mentor model is effective in reducing safety risks and providing
1121 improved outcomes for children who are, or are at risk of
1122 becoming, victims of commercial sexual exploitation. The use of
1123 a survivor peer mentor who has actual experience in surviving
1124 and treating the trauma of being a victim of commercial sexual
1125 exploitation, in collaboration with a social worker or victim
1126 advocate when possible, will provide the child with a supportive
1127 mentor who has specialized knowledge and experience in
1128 navigating the multiple challenges such victims face, including,
1129 but not limited to, mental illness, substance use disorder,
1130 domestic violence or other trauma, unstable housing, or
1131 unemployment.

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1132 (c) Any community overlay service provider or operator of a
1133 safe house or safe foster home as those terms are defined in s.
1134 409.1678 shall collaborate with local providers to ensure that
1135 survivor peer mentors are regularly accessible to the children
1136 served by the service or program. A survivor peer mentor must
1137 undergo a minimum number of hours of training, as established by
1138 the department's rules, to ensure that the peer mentor is able
1139 to properly support and interact with the child in the
1140 dependency system.

1141 Section 17. Paragraph (e) of subsection (1) of section
1142 409.988, Florida Statutes, is amended to read:

1143 409.988 Community-based care lead agency duties; general
1144 provisions.—

1145 (1) DUTIES.—A lead agency:

1146 (e) Shall ensure that all individuals providing care for
1147 dependent children receive:

1148 1. Appropriate training and meet the minimum employment
1149 standards established by the department. Appropriate training
1150 shall include, but is not limited to, training on the
1151 recognition of and responses to head trauma and brain injury in
1152 a child under 6 years of age developed by the Child Protection
1153 Team Program within the Department of Health.

1154 2. Contact information for the local mobile response team
1155 established under s. 394.495.

1156 3. Contact information for a foster-family support program
1157 available 24 hours a day, 7 days a week. The program shall, at a
1158 minimum, provide the ability for foster parents to seek counsel
1159 and advice from former and current foster parents and access
1160 mental health crisis services and supports for foster parents,

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1161 including, but not limited to, trauma counseling, placement
1162 stabilization, de-escalation, and parent coaching.

1163 Section 18. Present paragraph (f) of subsection (1) of
1164 section 409.996, Florida Statutes, is redesignated as paragraph
1165 (g), and a new paragraph (f) is added to that subsection, to
1166 read:

1167 409.996 Duties of the Department of Children and Families.—
1168 The department shall contract for the delivery, administration,
1169 or management of care for children in the child protection and
1170 child welfare system. In doing so, the department retains
1171 responsibility for the quality of contracted services and
1172 programs and shall ensure that, at a minimum, services are
1173 delivered in accordance with applicable federal and state
1174 statutes and regulations and the performance standards and
1175 metrics specified in the strategic plan created under s.
1176 20.19(1).

1177 (1) The department shall enter into contracts with lead
1178 agencies for the performance of the duties by the lead agencies
1179 established in s. 409.988. At a minimum, the contracts must do
1180 all of the following:

1181 (f) Require lead agencies to provide a foster-family
1182 support program that is available 24 hours a day, 7 days a week.
1183 The program must, at a minimum, provide the ability for foster
1184 parents to seek counsel and advice from former and current
1185 foster parents and access mental health crisis services and
1186 supports for foster parents, including, but not limited to,
1187 trauma counseling, placement stabilization, de-escalation, and
1188 parent coaching.

1189 Section 19. Effective upon this act becoming a law, the

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1190 Department of Children and Families, the Agency for Health Care
1191 Administration, and the Department of Juvenile Justice shall,
1192 with consultation from stakeholders and subject matter experts,
1193 create a workgroup for the purpose of developing and enhancing
1194 the state's service array for persons who are victims of
1195 commercial sexual exploitation. The workgroup shall analyze the
1196 current bed rate for commercial sexual exploitation beds and
1197 recommend a bed rate that is sufficient to provide for the
1198 services, physical space, safety, and costs incidental to
1199 treatment for this population; analyze the funding for
1200 community-based services for commercial sexual exploitation
1201 victims and develop a funding model that combines available
1202 funding sources to cover services, board, and administrative
1203 costs; and analyze the use of Medicaid services for commercial
1204 sexual exploitation victims and, subject to any required
1205 approval of the Centers for Medicare and Medicaid Services,
1206 establish a commercial sexual exploitation specific behavioral
1207 health overlay as a Medicaid-covered service. The Agency for
1208 Health Care Administration shall modify any state Medicaid plans
1209 and implement any federal waivers necessary to implement this
1210 act. The workgroup shall draft a joint strategic action plan to
1211 implement the recommended solutions from the analysis of the
1212 commercial sexual exploitation service array and submit a report
1213 on the recommendations for implementation of the new rates to
1214 the President of the Senate and the Speaker of the House of
1215 Representatives by December 1, 2023.

1216 Section 20. If the recommendations necessary to validate
1217 the current screening and assessment instruments are implemented
1218 by December 1, 2023, as required in s. 409.175, Florida

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1219 Statutes, as amended by this act, the Florida Institute for
1220 Child Welfare must validate the screening and assessment
1221 instruments by June 1, 2024. The cost of validation must be
1222 absorbed within the Florida Institute for Child Welfare's base
1223 appropriation.

1224 Section 21. Except as otherwise expressly provided in this
1225 act and except for this section, which shall take effect upon
1226 this act becoming a law, this act shall take effect July 1,
1227 2023.