

By the Appropriations Committee on Health and Human Services;
the Committee on Children, Families, and Elder Affairs; and
Senators Garcia, Osgood, Perry, and Book

603-03944-23

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1 A bill to be entitled
2 An act relating to children and young adults in out-
3 of-home care; providing a short title; amending s.
4 39.4085, F.S.; requiring a case manager or other staff
5 to provide a child with verbal and written information
6 about certain topics; deleting limitations on the type
7 of questions a child may ask; establishing the Office
8 of the Children's Ombudsman within the Department of
9 Children and Families; specifying responsibilities of
10 the office; requiring the department to consult with
11 specified children and young adults when creating or
12 revising certain print or digital written information;
13 conforming provisions to changes made by the act;
14 amending s. 409.1454, F.S.; revising eligibility
15 criteria for certain youth to participate in a
16 specified program covering certain costs for a driver
17 license and motor vehicle insurance; providing an
18 effective date.

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

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22 Section 1. This act may be cited as the "Nancy C. Detert
23 Champion for Children Act."

24 Section 2. Paragraph (a) of subsection (3) of section
25 39.4085, Florida Statutes, is amended, and subsections (4) and
26 (5) are added to that section, to read:

27 39.4085 Goals for dependent children; responsibilities;
28 education; Office of the Children's Ombudsman.-

29 (3) (a) The case manager or other staff shall, at a minimum,

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30 provide verbal and written:

31 1. Instructions to a child entering shelter or foster care
32 to educate the child on identifying and reporting abuse,
33 abandonment, or neglect; and

34 2. Information to a child about laws and requirements
35 relating to the topics of nurturing care, personal safety, and
36 protection from abuse, abandonment, and neglect; normalcy and
37 what that means for a child in out-of-home care; education;
38 participation in court proceedings; participation in permanency
39 planning, transition planning, and other case planning;
40 placement, visitation, and contact with siblings, family, and
41 other individuals who are important to the child; and access to
42 food, clothing, shelter, and health care.

43
44 The ~~verbal and written~~ instructions and information must use
45 words and phrasing that each child can understand and must occur
46 in a manner that is most effective for each child. The written
47 instructions and information are only required if the child is
48 of a sufficient age and understanding to receive such
49 instructions and information. The case manager or other staff
50 shall ~~must~~ give each child the opportunity to ask questions and
51 ~~about his or her rights and how to identify and report abuse,~~
52 ~~abandonment, or neglect. The case manager or other staff shall~~
53 document in court reports and case notes the date the
54 instructions and information were ~~was~~ provided to the child. The
55 case manager or other staff shall ~~must~~ review the instructions
56 and information with the child every 6 months and upon every
57 placement change until the child leaves shelter or foster care.

58 (4) The Office of the Children's Ombudsman is established

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59 within the department. To the extent permitted by available
60 resources, the office shall, at a minimum:

61 (a) Receive complaints from children and young adults about
62 placement, care, and services and assist in mediating such
63 concerns.

64 (b) Be a resource to identify and explain relevant policies
65 or procedures to children, young adults, and their caregivers.

66 (c) Provide recommendations to the department to address
67 systemic problems that are leading to complaints from children
68 and young adults.

69 (5) The department shall consult with children and young
70 adults who are currently or have formerly been in out-of-home
71 care when creating or revising any print or digital written
72 information used in implementing this section and shall use any
73 responses or feedback to ensure that such print or digital
74 written information is understandable by and appropriate and
75 useful for the children and young adults of the ages for which
76 such print or digital written information is intended.

77 Section 3. Subsection (4) of section 409.1454, Florida
78 Statutes, is amended to read:

79 409.1454 Motor vehicle insurance and driver licenses for
80 children in care and certified unaccompanied homeless youth.—

81 (4) Payment must be made to eligible recipients in the
82 order of eligibility until available funds are exhausted. If a
83 child determined to be eligible reaches permanency status or
84 turns 18 years of age, the program may pay for that child to
85 complete a driver education program and obtain a driver license
86 for up to 6 months after the date the child reaches permanency
87 status or 6 months after the date the child turns 18 years of

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88 age. A child may be eligible to have the costs of and incidental
89 to licensure paid if he or she demonstrates that such costs are
90 creating barriers to obtaining employment or completing
91 educational goals, if the child meets any of the following
92 criteria:

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

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

97 (c) Is an unaccompanied homeless youth certified under s.
98 743.067 who is a citizen of the United States or legal resident
99 of this state and is:

100 1. Completing secondary education;

101 2. Employed at least part time;

102 3. Attending any postsecondary education program at least
103 part time; or

104 4. Has a disability that precludes full-time work or
105 education.

106 Section 4. This act shall take effect July 1, 2023.