

By Senator Sharief

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1 A bill to be entitled
2 An act relating to child abuse investigations;
3 providing a short title; amending s. 39.301, F.S.;
4 requiring child protective investigators to inform
5 subjects of their investigations of the right to
6 request specified examinations of the alleged victim;
7 amending s. 39.304, F.S.; authorizing an alleged
8 perpetrator of child abuse to request specified
9 examinations of the alleged victim under certain
10 circumstances; providing that the alleged perpetrator
11 is responsible for paying for such examinations;
12 prohibiting the request for or use of such
13 examinations to obtain a second opinion on whether an
14 alleged victim has been sexually abused; providing an
15 effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. This act may be cited as "Patterson's Law."

20 Section 2. Paragraph (a) of subsection (5) of section
21 39.301, Florida Statutes, is amended to read:

22 39.301 Initiation of protective investigations.—

23 (5) (a) Upon commencing an investigation under this part,
24 the child protective investigator shall inform any subject of
25 the investigation of the following:

- 26 1. The names of the investigators and identifying
27 credentials from the department.
- 28 2. The purpose of the investigation.
- 29 3. The right to obtain his or her own attorney and ways

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30 that the information provided by the subject may be used.

31 4. The possible outcomes and services of the department's
32 response.

33 5. The right of the parent or legal custodian to be engaged
34 to the fullest extent possible in determining the nature of the
35 allegation and the nature of any identified problem and the
36 remedy.

37 6. The duty of the parent or legal custodian to report any
38 change in the residence or location of the child to the
39 investigator and that the duty to report continues until the
40 investigation is closed.

41 7. The right of the subject to request examinations of the
42 alleged victim as specified in s. 39.304(1)(c).

43 Section 3. Paragraph (c) is added to subsection (1) of
44 section 39.304, Florida Statutes, to read:

45 39.304 Photographs, medical examinations, X rays, and
46 medical treatment of abused, abandoned, or neglected child.—

47 (1)

48 (c) If an examination is performed on the child under
49 paragraph (b), the alleged perpetrator may:

50 1. For the purpose of obtaining a second opinion, request
51 that the alleged victim be examined by a licensed physician or
52 advanced practice registered nurse who did not perform the
53 initial examination and who routinely provides medical care to
54 pediatric patients; and

55 2. For the purpose of ruling out a differential diagnosis,
56 request that the alleged victim be examined by a licensed
57 physician or an advanced practice registered nurse who routinely
58 provides medical care to pediatric patients to determine whether

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59 the alleged victim has one or more of the following medical
60 conditions:

61 a. Rickets.

62 b. Ehlers-Danlos syndromes.

63 c. Osteogenesis imperfecta, also known as brittle bone
64 disease.

65 d. Vitamin D deficiency.

66 e. Any other medical condition known to appear to be caused
67 by suspected abuse or to increase the risk of a misdiagnosis of
68 abuse.

69
70 Examinations requested under this paragraph are to be paid for
71 by the alleged perpetrator or as otherwise covered by insurance
72 or Medicaid. Examinations under this paragraph may not be
73 requested or used to obtain a second opinion on whether an
74 alleged victim has been sexually abused.

75 Section 4. This act shall take effect July 1, 2025.