

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

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BILL: SPB 7012

INTRODUCER: Children, Families, and Elder Affairs Committee

SUBJECT: Child Welfare

DATE: March 3, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rao	Tuszynski	CF	<b>Pre-meeting</b>
2.			AHS	
3.			FP	

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**I. Summary:**

SPB 7012 addresses workforce issues in the child welfare system, creates a pilot program for treatment foster care, and enhances the data and information the state must collect and report related to commercial sexual exploitation of children.

The bill requires the Department of Children and Families (DCF) to create a Child Protective Investigator (CPI) and case manager recruitment program for individuals who have previously held public safety and service positions and have a continued desire to serve their communities. The bill also requires the DCF to collaborate with community-based care (CBC) lead agencies to create an employee referral system for case managers.

The bill requires the DCF to convene a case management workforce workgroup composed of child welfare professionals to address current policy gaps and develop actionable recommendations to improve case management.

The bill requires the DCF to create a pilot program for treatment foster care, or a substantially similar evidence-based program of professional foster care. This pilot program is intended to introduce a short-term, family-like placement option for children in foster care that have high resource indicators or children that are stepping down from a placement in an inpatient residential treatment. The bill requires specialized training requirements for foster parents and 24 hour on-call persons to provide crisis intervention and placement stabilization services if needed.

The bill creates additional requirements for the collection and maintenance of data on the commercial sexual exploitation of children (CSEC) and requires a study of both residential bed capacity and non-residential services for victims of CSEC.

The bill has an indeterminate, but significant, negative fiscal impact on state government and the private sector. *See* Section V. Fiscal Impact Statement.

The bill takes effect July 1, 2025, except as otherwise expressly provided in the bill.

## II. Present Situation:

### Florida's Child Welfare System – Generally

Chapter 39, F.S., creates Florida's dependency system charged with protecting children who have been abused, abandoned, or neglected.<sup>1</sup> Florida's child welfare system identifies children and families in need of services through reports to the central abuse hotline and child protective investigations. The Department of Children and Families (DCF) and community-based care lead agencies (CBCs) work with those families to address the problems endangering children, if possible. If the problems cannot be addressed, the child welfare system finds safe out-of-home placements for these children.<sup>2</sup>

Child welfare services are directed toward the prevention of child abuse, abandonment, and neglect.<sup>3</sup> The DCF practice model is based on increasing the safety of the child within his or her home, using in-home services, such as parenting coaching and counseling to maintain and strengthen the child's natural supports in the home environment.<sup>4</sup> These services are coordinated by DCF-contracted CBCs. The DCF is responsible for many child welfare services, including operating the central abuse hotline, performing child protective investigations, and providing children's legal services.<sup>5</sup> Ultimately, the DCF is responsible for program oversight and the overall performance of the child welfare system.<sup>6</sup>

### Department of Children and Families

The DCF's statutory mission is to work in partnership with local communities to protect the vulnerable, promote strong and economically self-sufficient families, and advance personal and family recovery and resiliency.<sup>7</sup> The DCF must develop a strategic plan to fulfill this mission and establish measurable goals, objectives, performance standards, and quality assurance requirements to ensure the DCF is accountable to taxpayers.<sup>8</sup>

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<sup>1</sup> Chapter 39, F.S.

<sup>2</sup> Chapter 39, F.S.

<sup>3</sup> Section 39.001, F.S.

<sup>4</sup> *See generally* The Department of Children and Families, *Florida's Child Welfare Practice Model*, available at: <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/floridas-child-welfare-practice-model> (last visited 2/25/25).

<sup>5</sup> Office of Program Policy Analysis and Government Accountability, *Child Welfare System Performance Mixed in First Year of Statewide Community-Based Care*, Report 06-50, June 2006, available at: <https://oppaga.fl.gov/Products/ReportDetail?rn=06-50> (last visited 2/25/25).

<sup>6</sup> *Id.*

<sup>7</sup> Section 20.19(1)(a), F.S.

<sup>8</sup> Section 20.19(1)(b), F.S.

The DCF is required to provide services relating to:<sup>9</sup>

- Adult protection.
- Child care regulation.
- Child welfare.
- Domestic violence.
- Economic self-sufficiency.
- Homelessness.
- Mental health.
- Refugees.
- Substance abuse.

The DCF must deliver services by contract through private providers to the extent allowed by law and funding.<sup>10</sup> These private providers include CBCs delivering child welfare services.<sup>11</sup>

### ***Community-Based Care System***

The DCF, through CBCs, administer a system of care<sup>12</sup> to children and families that must focus on:

- Prevention of separation of children from their families;
- Intervention to allow children to remain safely in their own homes;
- Reunification of families who have had their children removed from their care;
- Safety for children who are separated from their families;
- Promoting the well-being of children through emphasis on educational stability and timely health care;
- Permanency, including providing adoption and postadoption services; and
- Transition to independence and self-sufficiency.<sup>13</sup>

The CBCs must give priority to services that are evidence-based and trauma informed.<sup>14</sup> The CBCs contract with a number of subcontractors for case management and direct care services to children and their families. There are 16 CBCs statewide, which together serve the state's 20 judicial circuits.<sup>15</sup>

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<sup>9</sup> Section 20.19(4)(a), F.S.

<sup>10</sup> Section 20.19(1)(c), F.S.

<sup>11</sup> Part V of ch. 409, F.S. and s. 409.986 (1)(a), F.S.

<sup>12</sup> Section 409.145(1), F.S.

<sup>13</sup> *Id.*; Also see generally s. 409.988, F.S.

<sup>14</sup> Section 409.988(3), F.S.

<sup>15</sup> The DCF, Lead Agency Information, available at: <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/community-based-care/lead-agency-information> (last visited 2/25/25).

### ***Child Protective Investigations***

The DCF is required to operate and maintain a central abuse hotline (hotline)<sup>16</sup> to receive reports of known or suspected instances of child abuse<sup>17</sup>, abandonment<sup>18</sup>, or neglect<sup>19</sup>, or instances when a child does not have a parent, legal custodian, or adult relative available to provide supervision and care.<sup>20</sup> The hotline must operate 24 hours a day, 7 days a week, and accept reports through a single statewide toll-free telephone number or through electronic reporting.<sup>21</sup>

If the hotline determines a report meets the statutory criteria for child abuse, abandonment, or neglect, a DCF child protective investigator (CPI) must complete a child protective investigation.<sup>22</sup> Through face-to-face interviews with the child and family members, and assessments of the immediate safety of the children in the home, the CPI determines further actions.

The CPI must either implement a safety plan for the child, which allows the child to remain in the home with in-home services or take the child into custody. If the child cannot safely remain in the home with a safety plan, the DCF must file a shelter petition and remove the child from his or her current home and temporarily place them in out-of-home care.<sup>23</sup>

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<sup>16</sup> Hereinafter cited as “hotline.” The “Florida Abuse Hotline” is the DCF’s central abuse reporting intake assessment center, which receives and processes reports of known or suspected child abuse, neglect or abandonment 24 hours a day, seven days a week. Chapter 65C-30.001, F.A.C. and Section 39.101, F.S.

<sup>17</sup> Section 39.01(2), F.S. defines “abuse” as any willful act or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes or is likely to cause the child’s physical, mental, or emotional health to be significantly impaired.

<sup>18</sup> Section 39.01(1), F.S. defines “abandoned” or “abandonment” as a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child’s care and maintenance or has made no significant contribution to the child’s care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both. “Establish or maintain a substantial and positive relationship” means, in part, frequent and regular contact with the child, and the exercise of parental rights and responsibilities.

<sup>19</sup> Section 39.01(53), F.S. states “neglect” occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child’s physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired, except when such circumstances are caused primarily by financial inability unless services have been offered and rejected by such person.

<sup>20</sup> Section 39.201(1), F.S.

<sup>21</sup> Section 39.101(1), F.S.

<sup>22</sup> Prior to July 1, 2023, seven counties allowed the local sheriff’s office to perform child protective investigations. The 2023 legislative session transitioned this responsibility fully back to the Department after changes in Florida’s child welfare system aimed to integrate child protective investigations within existing crisis-oriented systems the DCF maintains. *See generally*: Laws of Fla. 2023-77.

<sup>23</sup> Section 39.301, F.S.

***Case Management***

CBCs provide case managers<sup>24</sup> or subcontract case managers from case management organizations to oversee the provision of services. Case managers are required to complete pre-service training during their certification as a Child Welfare Professional and may complete field activities and practical applications of concepts learned in pre-service training.<sup>25</sup>

Once a case manager assumes the responsibility of a child’s case, they are required to make regular face-to-face contact visits with the child to determine the progress of the child’s health and well-being.<sup>26</sup> The frequency of these visits depends on the child’s safety plan and placement.<sup>27</sup> Case managers maintain communication with service providers and the family throughout the provision of services to determine the sufficiency of services and the effectiveness of the safety plan.<sup>28</sup>

The CBC lead agencies and their subcontractors provide both in-home and out-of-home services to children and families in the child welfare system.<sup>29</sup>

**Child Welfare Workforce**

***Turnover and Vacancies***

The high-stress nature of child protective investigations often contributes to high turnover rates of child welfare professionals. The following table shows the turnover rate of DCF child protective investigation positions in recent years.<sup>30</sup>

<b>Turnover Rates of DCF Child Protective Investigation Positions</b>			
<b>Position</b>	<b>SFY 21-22</b>	<b>SFY 22-23</b>	<b>SFY 23-24</b>
CPI	71.18%	64.00%	64.30%
Senior CPI	46.38%	14.47%	16.16%
Field Support Consultant	12.42%	16.37%	12.50%
Supervisor	20.21%	11.23%	8.40%
Total	55.40%	45.84%	45.98%

<sup>24</sup> Rule 65C-30.001, F.S.C. defines “case manager” as a child welfare professional who is responsible for ongoing safety management and service provision of children who, through assessment of a CPI, have been determined to be unsafe.

<sup>25</sup> 65C-33.003, F.A.C.

<sup>26</sup> 65C-30.007, F.A.C.

<sup>27</sup> 65C-30.007, F.A.C.

<sup>28</sup> *Id.*

<sup>29</sup> *See generally*, Section 409.988, F.S.

<sup>30</sup> DCF, *Child Protective Investigator and Child Protective Investigator Supervisor Annual Report 2023*, available at: [https://www.myflfamilies.com/sites/default/files/2023-10/CPI\\_Workforce\\_2022-23.pdf](https://www.myflfamilies.com/sites/default/files/2023-10/CPI_Workforce_2022-23.pdf) (last visited 2/25/24).; and Florida Department of Children and Families, *Child Protective Investigator and Child Protective Investigator Supervisor Annual Report*, October 1, 2024, available at: [https://www.myflfamilies.com/sites/default/files/2024-09/CPI\\_Workforce\\_2023-24.pdf](https://www.myflfamilies.com/sites/default/files/2024-09/CPI_Workforce_2023-24.pdf) (last visited 2/25/25).

The following chart shows the vacancy rates for child protective investigations staff from SFY 2022-2024.<sup>31</sup>

<b>Vacancy Rates for Child Protective Investigations Staff</b>			
<b>Position</b>	<b>SFY 2022-2023</b>	<b>SFY 2023-2024</b>	<b>Difference in Vacancy Rates</b>
CPI	13.66%	11.31%	-2.35%
Senior CPI	42.11%	16.33%	-25.78%
Field Support Consultant	30.7%	14.63%	-16.07%
Supervisor	18.3%	14.71%	-3.59%

These trends are similar in the case management workforce. In recent years, there has been a demonstrated challenge to retaining case managers. The following chart displays the percentages of case managers that have continued in their role, and the percentage of case workers that left their role.<sup>32</sup>

<b>Turnover Percentages of Case Managers Statewide</b>	
<b>Time Period</b>	<b>Case Manager Turnover Percentage</b>
2023 - 2024	48.15%
2024 - 2025	45.13%

The vacancy rate for case managers is difficult to calculate as those positions are not set as Full-time Equivalents (FTE) in the annual budget or lead agency contracts with the DCF. The CBCs have the ability to contract for or hire case managers as needed to maintain a sufficient case manager to child ratio.<sup>33</sup>

<b>Caseload Average for Case Carrying Case Managers by CBC</b>			
<b>CBC</b>	<b>Number of Case Manager (CM)</b>	<b>Number of Primary<sup>34</sup> Children (PC)</b>	<b>Average PC per CM</b>
Family Integrity Program	16	89	5.56
Communities Connected for Kids	59	579	9.81
ChildNet Broward	124	1229	9.91
ChildNet Palm Beach	94	954	10.15
Children's Network of SW Florida	117	1365	11.67

<sup>31</sup> *Id.*

<sup>32</sup> E-mail from Brittany Lyons, Legislative Specialist with the Florida Department of Children and Families, February 21, 2025 (on file with the Senate Committee on Children, Families, and Elder Affairs).

<sup>33</sup> A case manager to child ratio is not set or defined in law. It is a dynamic number that takes many things into account such as the experience of the case manager; acuity of children on the caseload; administrative and non case-management support services provided by the employing agency; and other relevant factors.

<sup>34</sup> A “primary” child is the child subject to the child welfare proceedings or services.

<b>Caseload Average for Case Carrying Case Managers by CBC</b>			
<b>CBC</b>	<b>Number of Case Manager (CM)</b>	<b>Number of Primary<sup>34</sup> Children (PC)</b>	<b>Average PC per CM</b>
Safe Children Coalition	64	781	12.20
Community Partnership for Children	86	1069	12.43
NWF Health Network-East	86	1101	12.80
Kids Central, Inc.	138	1861	13.49
Citrus Health Network	105	1550	14.76
Partnership for Strong Families	67	1022	15.25
Family Support Services of Suncoast	141	2167	15.37
Children’s Network Hillsborough	133	2132	16.03
NWF Health Network-West	107	1803	16.85
Family Partnerships Central FL	155	2628	16.95
Kids First of Florida Inc	15	259	17.27
Family Support Services of North FL	114	2032	17.82
Heartland for Children	88	1595	18.13
<b>Statewide Average</b>	<b>1709</b>	<b>24216</b>	<b>14.17</b>

**Recruitment Efforts**

In recent years, the DCF has implemented several strategies to increase recruitment for child protection investigations staff to mitigate the high caseloads of staff.

Hiring Fairs

The DCF has increased the number of hiring fairs conducted, with some “on the spot” fairs allowing potential candidates to complete applications and employment screenings onsite.<sup>35</sup> Additionally, the DCF has utilized the digital platform Indeed to target the advertisement of hiring events to the appropriate populations. As of February 2024, 35% of attendees of one of the DCF’s virtual hiring events were recommended for interviews.<sup>36</sup>

Continue the Mission

First Lady Casey DeSantis launched the DCF’s Continue the Mission program in 2022.<sup>37</sup> In collaboration with Florida’s Department of Veteran’s Affairs, the program recruits veterans, military spouses, and former law enforcement officers to further utilize their skills and

<sup>35</sup> Florida Department of Children and Families, *Child Protective Investigator and Child Protective Investigator Supervisor Annual Report*, October 1, 2024, available at: [https://www.myflfamilies.com/sites/default/files/2024-09/CPI\\_Workforce\\_2023-24.pdf](https://www.myflfamilies.com/sites/default/files/2024-09/CPI_Workforce_2023-24.pdf) (last visited 2/25/25).

<sup>36</sup> *Id.*

<sup>37</sup> DCF, *Continue the Mission*, available at: <https://www.myflfamilies.com/continue-the-mission> (last visited 2/25/25).

experiences to become child protective investigators.<sup>38</sup> As of January 2025, 324 Continue the Mission applicants were hired to become child protective investigators.<sup>39</sup>

Increased Base Rate of Pay

To increase recruitment efforts, the DCF has increased the base rate of pay for CPIs to remain competitive in the workforce.<sup>40</sup> The following chart shows the increase in base rates for CPIs, Senior CPIs, and CPI Supervisors.

Base Rate Increase for Child Protective Investigations Staff			
Position Title	Base Rate Prior to July 2022	Current Base Rate of Pay as of October 2024	% Increase
Child Protective Investigator (CPI)	\$39,600.08	\$50,000.08	26.26%
Senior CPI	\$41,500.16	\$54,500.16	31.33%
CPI Supervisor	\$49,200.06	\$57,200.00	16.26%

**Retention Efforts**

Career Advancement

In 2017, the DCF implemented a Child Protection Glide Path to increase the recruitment and retention of CPIs.<sup>41</sup> The Glide Path had three salary levels for CPIs based on skills and core competencies achieved.<sup>42</sup> CPIs that demonstrated specific skills and core competencies had the opportunity to achieve a competency-based salary increase.<sup>43</sup> However, the Glide Path model did not provide the expected career advancement outcomes, and the DCF ended the program in June 2019.<sup>44</sup>

During the 2020 legislative session, the Legislature directed the DCF to collaborate with the Florida Institute of Child Welfare to develop a career ladder for CPIs and CPI Supervisors that included multiple levels of child protective investigator classifications; corresponding milestones

<sup>38</sup> *Id.*

<sup>39</sup> The Department of Children and Families, Presentation to The Committee on Children, Families, and Elder Affairs, February 11, 2025, *Continue The Mission: An Update on Recruitment and Retention*, slide 6, available at: [https://www.flsenate.gov/Committees/Show/CF/MeetingPacket/6308/11018\\_MeetingPacket\\_6308\\_2.pdf](https://www.flsenate.gov/Committees/Show/CF/MeetingPacket/6308/11018_MeetingPacket_6308_2.pdf) (last visited 3/1/25).

<sup>40</sup> DCF, *Child Protective Investigator and Child Protective Investigator Supervisor Annual Report*, October 1, 2024, available at: [https://www.myflfamilies.com/sites/default/files/2024-09/CPI\\_Workforce\\_2023-24.pdf](https://www.myflfamilies.com/sites/default/files/2024-09/CPI_Workforce_2023-24.pdf) (last visited 2/24/25).

<sup>41</sup> DCF, *Child Protective Investigator and Child Protective Investigator Supervisor Educational Qualifications, Turnover, and Working Conditions Status Report October 2019*, available at: <https://www.myflfamilies.com/sites/default/files/2023-06/CPI%20SuperCPI%20and%20CPI%20Supervisor%20%20Workforce%202019.docx.pdf> (last visited 2/25/25).

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> DCF, *Child Protective Investigations Career Ladder Report*, 2020, available at: [https://www.myflfamilies.com/sites/default/files/2023-02/CPI\\_Career\\_Ladder\\_Report\\_2020.pdf](https://www.myflfamilies.com/sites/default/files/2023-02/CPI_Career_Ladder_Report_2020.pdf) (last visited 2/25/25).



and professional development opportunities for advancement; and compensation ranges.<sup>45</sup> The Career Ladder provides employees with access to targeted training based on their specific career desires, monetary incentives for moving through the pathways, and supervisory training through mentoring and coaching, if desired.<sup>46</sup>

### ***Workforce Wellness Unit (WWU)***

The DCF established the Workforce Wellness Unit (WWU) initiative to enhance the overall well-being of DCF staff and prevent secondary traumatic stress and burnout among CPI staff. Initiatives in the program include the Critical Incident Stress Management (CISM) Team, wellness offerings aimed at promoting holistic wellness, and specialized training programs that address trauma and resilience.<sup>47</sup>

The DCF reports that the recruitment and retention strategies implemented over the past 3 years have reduced the CPI vacancy rate from 13% to 11%, and the CPI Supervisor vacancy rate from 18% to 14%.<sup>48</sup>

### **Licensed Placement Array**

When a CPI determines that in-home services are not enough to ensure a child's safety, the CPI must remove the child from the home and place him or her in a safe and appropriate temporary out-of-home placement.<sup>49</sup> These placements are aimed to be the least restrictive, most family-like placements available.<sup>50</sup> The DCF is required to consider a child's placement in the following priority order:<sup>51</sup>

- Nonoffending parent.
- Relative caregiver.
- Adoptive parent of the child's sibling, when the DCF or CBC lead agency is aware of such sibling.
- Fictive kin with a close existing relationship to the child.
- Nonrelative caregiver that does not have an existing relationship with the child.
- Licensed foster care.
- Group or congregate care.

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<sup>45</sup> Ch. 2020-152, Laws of Fla.

<sup>46</sup> DCF, Child Protective Investigator and Child Protective Investigator Supervisor Annual Report, October 1, 2024, available at: [https://www.myflfamilies.com/sites/default/files/2024-09/CPI\\_Workforce\\_2023-24.pdf](https://www.myflfamilies.com/sites/default/files/2024-09/CPI_Workforce_2023-24.pdf) (last visited 1/14/25).

<sup>47</sup> Florida Department of Children and Families, Child Protective Investigator and Child Protective Investigator Supervisor Annual Report, October 1, 2024, available at: [https://www.myflfamilies.com/sites/default/files/2024-09/CPI\\_Workforce\\_2023-24.pdf](https://www.myflfamilies.com/sites/default/files/2024-09/CPI_Workforce_2023-24.pdf) (last visited 2/24/25).

<sup>48</sup> *Supra* note 39, slide 8

<sup>49</sup> Section 39.4021, F.S.

<sup>50</sup> *Id.*

<sup>51</sup> *Id.*

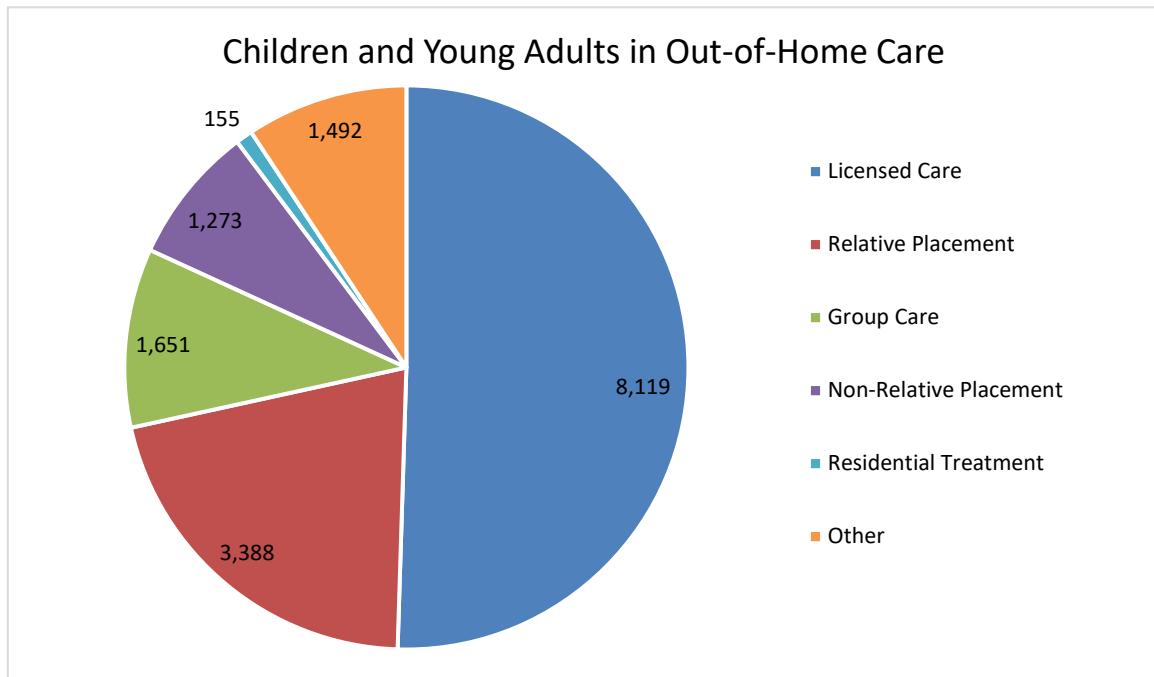
Licensed foster care provides a range of placements for children in out-of-home care that vary in service level. The following chart displays the levels of licensed care.<sup>52</sup>

Licensed Care Placements	
Placement Type	Description
Level I: Child-Specific Foster Home	Places a child with relatives or non-relatives who have an existing relationship with the child and is willing and able to provide care for the child.
Level II: Non-Child Specific Foster Home	Places a child with a foster parent without having a prior relationship between the child and foster parent.
Level III: Safe Foster Home for Victims of Human Trafficking	Places a victim of human trafficking in a safe and stable environment.
Level IV: Therapeutic Foster Home	Places a child with a foster parent that has received specialized training to care for children and adolescents that have significant emotional, behavioral, or social needs.
Group Homes	Places a child in a single family or multi-family community with no greater than 14 children to meet the physical, emotional, and social needs of the child.

The following chart demonstrates the number of children in out-of-home placement types as of January 31, 2025.<sup>53</sup>

<sup>52</sup> See generally The Department of Children and Families, *Foster Home Licensing*, available at: <https://www.myflfamilies.com/services/licensing/foster-care-licensing> (last visited 2/24/25); and Section 409.175, F.S.

<sup>53</sup> The Department of Children and Families, *Office of Child and Family Well-Being Dashboard*, available at: <https://www.myflfamilies.com/ocfw-dashboard> (last visited 2/24/25).



**Treatment Foster Care / Professional Foster Care Model**

Overview

Several state legislatures have implemented treatment or professionalized foster care programs as part of their child welfare systems in recent years. Often referred to as treatment foster care, professional foster care, therapeutic foster care, specialized foster care, or foster family-based treatment, these programs aim to place children with high acuity behavioral needs in settings that are less restrictive than placements such as residential treatment centers, psychiatric hospitals, or group care settings.<sup>54</sup>

Treatment foster parents often receive full-time compensation due to the higher pre-service training requirements and the expectation that treatment foster parents are a vital part of the child’s treatment team.<sup>55</sup> The requirements to become treatment foster parents vary by state, with some requiring one member of the household to stay home full-time,<sup>56</sup> whereas others require employed foster parents to have flexible work hours.<sup>57</sup>

<sup>54</sup> Bustillos, Sheila; et.al, Treatment Foster Care in Texas: A Mixed Methods Descriptive Analysis, Texas Alliance of Child and Family Services and the Texas Center for Child and Family Studies, available at: <https://tacfs.org/wp-content/uploads/2021/03/TFC-Research-Report.pdf> (last accessed 11/18/24) and The Florida Institute for Child Welfare, *The Professionalization of Foster Caregiving: Empirical Evidence and Evidence Based Models* (on file with the Senate Committee on Children, Families, and Elder Affairs).

<sup>55</sup> Bishop-Fitzpatrick, Lauren; et.al. *Outcomes of an Agency-Developed Treatment Foster Care Model for Adolescents*, (2015), Journal of Emotional and Behavioral Disorders, DOI:10.1177/1063426614530470 (last visited 1/17/25).

<sup>56</sup> The Florida Institute for Child Welfare, *The Professionalization of Foster Caregiving: Empirical Evidence and Evidence Based Models* (on file with the Senate Committee on Children, Families, and Elder Affairs).

<sup>57</sup> DFPS, Treatment Foster Family Care, available at: [https://www.dfps.texas.gov/Child\\_Protection/Foster\\_Care/TFFC.asp](https://www.dfps.texas.gov/Child_Protection/Foster_Care/TFFC.asp) (last visited 11/18/24).

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 Program Outcomes

States that have implemented treatment or professionalized foster care programs have reported positive outcomes from these programs. Many children that spend a short period of time in a treatment or professional foster care program require less intense services in their next placement. This is often seen as “stepping down” into a placement level such as a traditional foster care that has less restrictions than professional foster care, or achieving reunification, adoption, or kinship.<sup>58</sup>

Treatment and professional foster care has also been associated with higher rates of placement stability and positive discharges than other types of foster care, such as residential treatment.<sup>59</sup> Placement stability is important for children in foster care and has been shown to positively impact their safety, permanency, and well-being.<sup>60</sup> Experiencing multiple placements as a child has been associated with academic difficulties, social challenges, and may delay permanency.<sup>61</sup>

### ***Funding Professional Foster Care***

Due to increased training requirements and higher reimbursement amounts for professional foster parents, professional foster care can equal higher costs to the state than other types of foster care, including residential treatment.<sup>62</sup> However, professional foster care has been associated with increased placement stability and an increase in likelihood of a positive discharge from placement.<sup>63</sup>

States that have implemented professionalized foster care programs use a blend of matched federal funding from Title IV-E and Medicaid.<sup>64</sup>

## Title IV-E Funding

Title IV-E of the Social Security Act provides matching federal funding to states to reimburse certain out-of-home services for eligible children and youth in the child welfare system.<sup>65</sup> To receive these federal dollars, states are subject to Title IV-E reviews to determine the states’

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<sup>58</sup> DFPS, Treatment Foster Family Care Model and Overview, available at: <https://texaschildrenscommission.gov/media/waler5zp/tffc-powerpoint-legal-final-combined.pdf> (last visited 2/18/25).

<sup>59</sup> DFPS, Treatment Foster Family Care DFPS Model and Overview, available at: <https://texaschildrenscommission.gov/media/waler5zp/tffc-powerpoint-legal-final-combined.pdf> (last visited 2/18/25).

<sup>60</sup> Casey Family Programs, *Placement Stability Impacts*, available at: <https://www.casey.org/placement-stability-impacts/> (last visited 2/24/25).

<sup>61</sup> *Id.*

<sup>62</sup> DFPS, Treatment Foster Family Care DFPS Model and Overview, available at: <https://texaschildrenscommission.gov/media/waler5zp/tffc-powerpoint-legal-final-combined.pdf> (last visited 2/23/25).

<sup>63</sup> DFPS, Treatment Foster Family Care DFPS Model and Overview, available at: <https://texaschildrenscommission.gov/media/waler5zp/tffc-powerpoint-legal-final-combined.pdf> (last visited 2/23/25).

<sup>64</sup> U.S. Department of Health and Human Services, Siebert, et. al, *State Practices in Treatment/Therapeutic Foster Care April 2018*, available at: <https://ncrapidresource.org/wp-content/uploads/2019/12/State-Practices-in-Treatment-Foster-Care.pdf> (last visited 1/21/25).

<sup>65</sup> Administration for Children and Families, *Title IV-E Foster Care*, available at: <https://www.acf.hhs.gov/cb/grant-funding/title-iv-e-foster-care> (last visited 1/21/25).

eligibility compliance and validate its reimbursement claims.<sup>66</sup> States can use these funds for room and board costs, administration costs, and recruiting and training treatment foster parents.<sup>67</sup>

#### Medicaid Funding

Since states have varying Medicaid programs, each state utilizes Medicaid funds differently. States may utilize Medicaid funding to cover treatment services, pay foster parents a paraprofessional caregiver rate, or define treatment foster care as a rehabilitative service.<sup>68</sup>

### Commercial Sexual Exploitation of Children

The Legislature recognizes the need for specialized care and services for children who are victims of commercial sexual exploitation.<sup>69</sup> Commercial sexual exploitation of children (CSEC) is defined as the use of any person under the age of 18 years for sexual purposes in exchange for, or, in the promise of, money, goods, or services.<sup>70</sup>

When the DCF receives a report of human trafficking, the DCF investigates this report to determine if CSEC is suspected or verified. For each child who is a suspected or verified CSEC victim, the DCF conducts a multidisciplinary staffing.<sup>71</sup> The staffing typically involves an array of professionals<sup>72</sup> and is aimed at assessing what the child's needs are, including determining if the child needs placement in a "safe house" or "safe foster home" and what local services are available to the child.<sup>73</sup>

Obtaining an accurate count of CSEC victims can be challenging since victims are not readily identifiable.<sup>74</sup> CSEC victims do not have immediately recognizable characteristics, many do not have identification, and they are often physically or psychologically controlled by adult traffickers; as such, they rarely disclose or provide information on exploitation.<sup>75</sup>

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<sup>66</sup> Administration for Children and Families, *Title IV-E Foster Care Eligibility Reviews Fact Sheet*, available at: <https://www.acf.hhs.gov/cb/fact-sheet/title-iv-e-foster-care-eligibility-reviews-fact-sheet> (last visited 1/21/25).

<sup>67</sup> U.S. Department of Health and Human Services, Siebert, et. al, *State Practices in Treatment/Therapeutic Foster Care April 2018*, available at: <https://ncrapidresource.org/wp-content/uploads/2019/12/State-Practices-in-Treatment-Foster-Care.pdf> (last visited 1/21/25).

<sup>68</sup> *Id.*

<sup>69</sup> Section 39.001(5), F.S.

<sup>70</sup> Section 409.016, F.S.

<sup>71</sup> Section 409.1754, F.S.

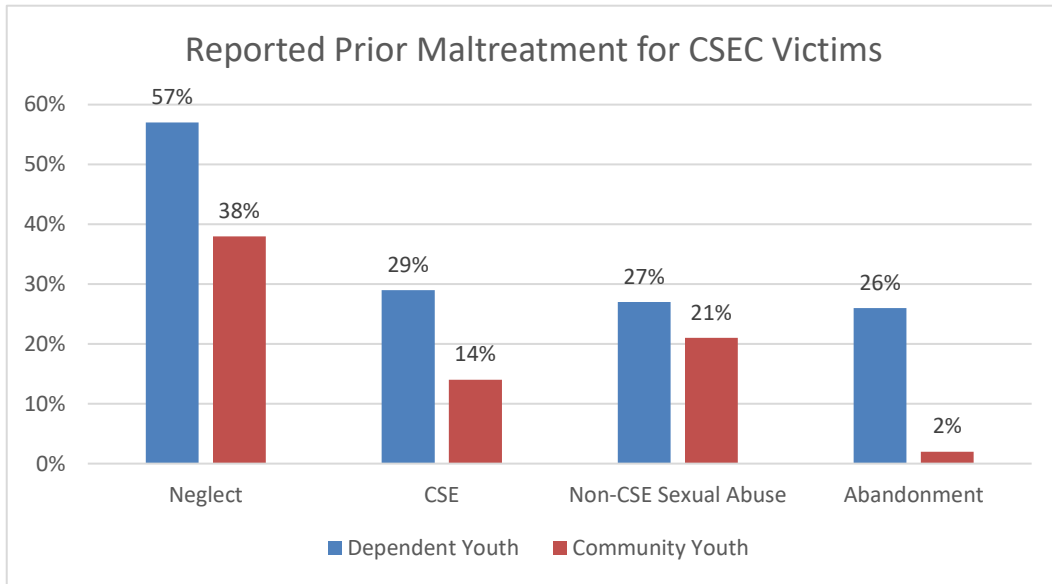
<sup>72</sup> Multidisciplinary staffings may include, but are not limited to, the child, if appropriate; the child's family or legal guardian; the child's guardian ad litem; Department of Juvenile Justice staff; school district staff; local health and human services providers; victim advocates; and any other persons who may be able to assist the child. See Section 409.1754, F.S.

<sup>73</sup> Section 409.1754, F.S.

<sup>74</sup> The Office of Program Policy Analysis and Government Accountability, *Annual Report on the Commercial Sexual Exploitation of Children in Florida, 2016*, p. 2, available at: <https://oppaga.fl.gov/Products/ReportDetail?rn=16-04> (last visited 2/23/25).

<sup>75</sup> U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, *Commercial Sexual Exploitation of Children and Sex Trafficking*, available at: <https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/commercial-sexual-exploitation-of-children-and-sex-trafficking.pdf> (last visited 2/23/25).

In 2023, the DCF verified 339 youth as victims of commercial sexual exploitation from 3,358 reports alleging commercial sexual exploitation to the hotline.<sup>76</sup> Of the reports referred for investigation, most came from law enforcement and criminal justice personnel.<sup>77</sup> Many of the youth verified as a victim of CSEC were considered “dependent,” meaning they were under the care of the child welfare system within six months prior to their CSE investigation.<sup>78</sup> Generally, dependent youth had higher incidences of maltreatment before their verification of CSEC than children who had no prior child welfare involvement. The following graph shows the percentages of dependent and community youth<sup>79</sup> that had prior maltreatments.<sup>80</sup>



***Safe Houses and Safe Foster Homes***

Current law defines and provides for the certification of specialized residential options for CSEC victims.<sup>81</sup> A “safe foster home” refers to a foster home certified by the DCF to care for sexually exploited children and a “safe house” refers to a group residential placement certified by the DCF to care for sexually exploited children.<sup>82</sup> To be certified, a safe house must be licensed as a residential child-caring agency, and a safe foster home must be licensed as a family foster home.

Additionally, safe houses and safe foster homes must:

<sup>76</sup> The Office of Program Policy Analysis and Government Accountability, *Annual Report on the Commercial Sexual Exploitation of Minors 2024*, available at: <https://oppaga.fl.gov/Products/ReportDetail?rn=24-04> (last visited 2/23/25).

<sup>77</sup> *Id.*

<sup>78</sup> *Id.*

<sup>79</sup> Community youth are referred to as youth who did not enter the child welfare system within six months of their CSEC investigation. See The Office of Program Policy Analysis and Government Accountability, *Annual Report on the Commercial Sexual Exploitation of Children in Florida, 2016, Report 16-04, p. 2*, available at: <https://oppaga.fl.gov/Products/ReportDetail?rn=16-04> (last visited 2/23/25).

<sup>80</sup> *Id.*

<sup>81</sup> See generally Section 409.1678, F.S.

<sup>82</sup> Section 409.1678(1), F.S.

- Use strength-based and trauma-informed approaches to care, to the extent possible and appropriate.
- Serve exclusively one sex.
- Group child victims of commercial sexual exploitation by age or maturity level.
- Care for CSEC victims in a manner that separates those children from children with other needs. Safe houses and safe foster homes may care for other populations if the children who have not experienced commercial sexual exploitation do not interact with children who have experienced commercial sexual exploitation.
- Have awake staff members on duty 24 hours a day, if a safe house.
- Provide appropriate security through facility design, hardware, technology, staffing, and siting, including, but not limited to, external video monitoring or door exit alarms, a high staff-to-client ratio, or being situated in a remote location that is isolated from major transportation centers and common trafficking areas.
- Conspicuously place signs on the premises to warn children of the dangers of human trafficking and to encourage the reporting of individuals observed attempting to engage in human trafficking activity, if a safe house.
- Meet other criteria established by department rule,<sup>83</sup> including personnel qualifications, staffing ratios, and types of services offered.<sup>84</sup>

### ***Safe Harbor Placement***

If a dependent child aged 6 years or older is suspected of being or has been found to be a victim of commercial sexual exploitation, the DCF is required to determine the child's need for services and his or her need for placement in a safe house or safe foster home.<sup>85</sup>

Current law requires the DCF to annually report to the Legislature the following information about the prevalence of CSEC:<sup>86</sup>

- The specialized services provided and placements for victims of CSEC;
- The local service capacity to meet the specialized needs of CSEC victims;
- The placement of children in safe houses and safe foster homes during the year, including the criteria used to determine the placement of children;
- The number of children who were evaluated for placement;
- The number of children who were placed in safe houses or safe foster homes based upon the evaluation;
- The number of children who were not placed in safe houses or safe foster homes; and
- The DCF's response to the findings and recommendations made by the Office of Program Policy Analysis and Government Accountability in its annual study on CSEC.

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<sup>83</sup> Rule 65C-46.020, F.A.C.

<sup>84</sup> Section 409.1678(2)(c), F.S.

<sup>85</sup> Section 39.524, F.S.

<sup>86</sup> *Id.*

The DCF is also required to maintain data specifying the number of CSEC victims placed in a safe house or safe foster home as well as the number and county locations of safe harbor settings that were unable to meet the capacity demands of CSEC victims.<sup>87</sup>

### ***Annual Commercial Sexual Exploitation of Children Report***

The Legislature has directed the Office of Program Policy Analysis and Government Accountability (OPPAGA) is directed to conduct an annual study on the commercial sexual exploitation of children in Florida.<sup>88</sup> This review reports on the number of children that the DCF identified and tracked as victims of CSE. The study also describes specialized services provided and presents short and long-term outcomes for identified children; and presents recommendations to support better processes and policy regarding CSEC.

The multiple annual reports have identified issues regarding data collection for this population. The 2023 report found that the DCF's Level of Human Trafficking Placement Tool was a manual paper process that was scanned into the child welfare information system and did not allow for the easy extraction of data.<sup>89</sup> The OPPAGA has recommended that individual-level data be collected in a format that allows for easy extraction, aggregation, and analysis.<sup>90</sup>

### **III. Effect of Proposed Changes:**

**Section 1** of the bill amends s. 39.524, F.S., to use the term “commercial sexual exploitation of children” in place of “child commercial sexual exploitation.” This change aligns terminology between chs. 39 and 409, F.S.

The bill requires the DCF to include the redacted assessments for children who are assessed for placement in safe houses and safe foster homes in its annual report to the Legislature on the commercial sexual exploitation of children.

The bill also requires the DCF to maintain individual-level data of children assessed for placement in a safe house or safe foster home. The DCF must maintain this data in an extractable format that allows for the extraction, aggregation, and analysis of anonymized individual-level data upon the Legislature's request.

**Section 2** of the bill amends s. 402.402, F.S., to require the DCF to develop and implement a child protective investigator and case manager recruitment program for the purpose of recruiting individuals who have previously held public safety and service positions. The recruitment program will aim to recruit individuals such as former law enforcement officers, first responders, military servicemembers, teachers, healthcare practitioners, and emergency management professionals that have a continued desire to serve their communities as child welfare personnel.

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<sup>87</sup> *Id.*

<sup>88</sup> Section 409.16791, F.S.

<sup>89</sup> Office of Program Policy Analysis and Government Accountability; *Annual Report on the Commercial Sexual Exploitation of Children in Florida, 2023; Report 23-08*, pg. 26, available at: <https://oppaga.fl.gov/Documents/Reports/23-08.pdf> (last visited 2/27/25).

<sup>90</sup> *Id.*



The bill requires the DCF to collaborate with CBC lead agencies to develop and distribute information regarding the child welfare system and how individuals who have previously held public safety and service positions can work within the child welfare system. The bill requires the DCF and CBC lead agencies to develop and implement an employment referral system for case managers.

The bill requires the DCF to collaborate with CBC lead agencies to collect data on the progress of the recruitment program and update this information quarterly. The DCF must collect the following data:

- The total number of individuals who sought information from the program;
- The total number of individuals who were hired by the DCF as CPIs;
- The total number of individuals who were referred by the program to a lead agency for case management positions and were hired by the lead agency as a case manager due to the referral; and
- The overall turnover rate for CPIs and case managers compared to the turnover rate for CPIs and case managers hired based upon the recruitment program.

The bill gives the DCF rulemaking authority to implement this recruitment program.

**Section 3** of the bill amends s. 409.996, F.S, to require the DCF to develop a 4-year pilot program of treatment foster care, or a substantially similar evidence-based program of professional foster care, subject to appropriation. The DCF is required to begin development of the pilot program by July 1, 2025, and start implementation by January 1, 2026.

The DCF is responsible for implementing and operating the treatment or professionalized foster care program. The DCF is required to develop processes for placing children in the treatment foster care homes and payment delivery to the licensed providers of pilot foster care homes. The DCF is required to collaborate with CBC lead agencies during this development process.

The bill requires the CBC lead agencies to work with the DCF to recruit individuals and families as licensed providers and identify potential eligible children for placement in pilot foster care homes.

The bill limits participation in the pilot program to children who:

- Are entering or continuing in foster care with high resource indicators, as determined by the DCF. High resource indicators may include, but are not limited to, the potential for frequent placement change due to current or past behavior or Department of Juvenile Justice involvement; or
- Are dependent and will require continued placement in foster care after discharge from inpatient residential treatment.

The bill requires the DCF to use relevant removal and placement data to implement the pilot program in the two judicial circuits with the greatest need for such a program.

The DCF is required to arrange for an independent evaluation of the pilot program to determine the appropriateness of placements and if there is a long-term cost benefit to continuing and expanding the pilot program statewide.

The DCF is required to set minimum standards for the pilot program that ensure:

- Treatment foster care homes are viewed as a temporary holistic treatment option and placement of a child in the treatment foster care home is limited to 9 months;
- Treatment foster parents receive specialized training in care coordination, de-escalation, crisis management, and other identified relevant skills to care for high acuity children;
- There are no more than two eligible children in a treatment foster care home at any time;
- There is at least one foster parent with specialized training available and dedicated to the care and treatment of placed children; and
- There is a 24 hour on-call crisis person available to provide in-home crisis intervention and placement stabilization services to the child and family.

The bill requires the DCF to submit a final report by January 1, 2030, to the Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives that includes:

- The independent evaluation;
- The DCF's findings and evaluation;
- Recommendations as to whether the pilot program should be continued and expanded statewide; and if so,
- Fiscal and policy recommendations to ensure effective expansion and continued operation.

**Section 4** of the bill requires the DCF to convene a case management workforce workgroup by July 1, 2025. The workgroup must have at least two representatives with subject matter expertise in case management from the DCF, CBC lead agencies, and contracted case management organizations.

The workgroup must collaborate with the Florida Institute for Child Welfare to do the following:

- Review and analyze existing statutes, rules, operating procedures, and federal requirements related to the provision of case management.
- Review and analyze legislative changes related to case management processes during the preceding 10 years
- Gather statewide data to assess compliance with statutory requirements, variations in case management practice, workforce capacity, and barriers to implementing statute, rule, and operating procedures to fidelity.
- Solicit insight from stakeholders, including frontline workers, supervisors, and administrators regarding challenges and potential solutions.
- Analyze findings to identify gaps in statutory requirements, determine whether the current structure, processes, and requirements of state, rule, and operating procedures are duplicative or unworkable, and evaluate how well case managers are implementing policy.
- Develop clear and actionable recommendations to streamline, clarify, standardize, and implement case management processes and practices that address workforce retention and allow for local community innovation.

The workgroup must operate through December 1, 2025, meeting as often as necessary. The bill requires the workgroup to submit a report to the Governor, the President of the Senate, and the Speaker of the House by December 1, 2025, that summarizes the work of the workgroup, the data analysis, and clear, actionable policy recommendations.

**Section 5** of the bill requires the DCF to contract for a detailed study of bed capacity for residential treatment services and a gap analysis of non-residential treatment services for child victims of commercial sexual exploitation. The gap analysis must include what services are available for all child victims of commercial sexual exploitation, both those that are involved with the child welfare system, and those that did not have an involvement with the child welfare system prior to commercial sexual exploitation.

The study must be completed by December 31, 2025, and must, at a minimum, include all of the following:

- By DCF region, the current number of residential treatment beds in safe homes for treatment of child victims of commercial sexual exploitation, the number of individuals admitted and discharged annually, the types and frequency of diagnoses, and the lengths of stays.
- By DCF region, the current number of specialized safe therapeutic foster home placements for child victims of commercial sexual exploitation, the number of placements annually, and the lengths of stays.
- By DCF region, an analysis of non-residential treatment services for child victims of commercial sexual exploitation and the utilization of such services.
- Policy recommendations for ensuring sufficient bed capacity for residential treatment beds, specialized safe therapeutic foster home placements, and enhancing services for child victims of commercial sexual exploitation which could prevent the need for residential treatment beds.

**Section 6** of the bill provides an effective date of July 1, 2025, except for Sections 4 and 5, which become effective upon the act becoming law.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None Identified.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

There is an indeterminate, significant negative fiscal impact on the Department of Children and Families to develop and implement the CPI and case manager recruitment program, treatment foster care pilot program, and the convening of the case management workforce workgroup.

There is an additional fiscal impact on the DCF to contract for a bed capacity study and gap analysis of non-residential treatment for child victims of CSEC.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends ss. 39.524, 402.402, and 409.996 of the Florida Statutes.

**IX. Additional Information:**

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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