

1 A bill to be entitled
2 An act relating to out-of-home placement providers and
3 treatment facilities; amending s. 39.523, F.S.;
4 requiring the Department of Children and Families, the
5 Department of Health, the Agency for Persons with
6 Disabilities, and the Agency for Health Care
7 Administration to provide certain data to community-
8 based care lead agencies on a specified schedule;
9 requiring the Office of Program Policy Analysis and
10 Government Accountability to conduct an analysis of
11 this state's capacity to care for high-acuity children
12 in out-of-home placements and treatment facilities;
13 providing definitions; specifying requirements for the
14 analysis; requiring the office to submit to the
15 Legislature, by specified dates, interim and final
16 reports of its findings and recommendations; providing
17 an effective date.

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

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21 **Section 1. Paragraph (g) is added to subsection (2) of**
22 **section 39.523, Florida Statutes, to read:**

23 39.523 Placement in out-of-home care.—

24 (2) ASSESSMENT AND PLACEMENT.—When any child is removed
25 from a home and placed in out-of-home care, a comprehensive

placement assessment process shall be completed in accordance with s. 39.4022 to determine the level of care needed by the child and match the child with the most appropriate placement.

(g) The department, the Department of Health, the Agency for Persons with Disabilities, and the Agency for Health Care Administration must provide to each community-based care lead agency, as defined in s. 409.986(3):

1. A detailed list of each licensed out-of-home placement provider and treatment facility within the lead agency's respective region, including, but not limited to:

a. Therapeutic and medical foster homes licensed under s. 409.175.

b. Residential treatment centers for children and adolescents as provided in s. 394.875.

c. Therapeutic group homes as defined in s. 39.407(6)(a).

d. Qualified residential treatment programs licensed by the Agency for Health Care Administration.

e. Behavioral qualified residential treatment programs licensed by the department.

f. Professional foster care programs as provided in s. 409.996.

g. Group homes and foster care facilities licensed by the Agency for Persons with Disabilities.

h. Statewide inpatient psychiatric programs licensed by the Agency for Health Care Administration.

51 2. On a weekly basis, the current number of available beds
52 in each licensed out-of-home placement provider and treatment
53 facility listed under subparagraph 1.

54 **Section 2.** Out-of-home placement provider and treatment
55 facility analysis.—

56 (1) The Office of Program Policy Analysis and Government
57 Accountability shall conduct a comprehensive analysis of this
58 state's capacity to care for high-acuity children in out-of-home
59 placements and treatment facilities.

60 (2) For purposes of this multipart analysis, the term:

61 (a) "High-acuity" means a child from birth to 18 years of
62 age who presents with intensive and complex medical,
63 developmental, behavioral health, or disability needs across
64 multiple areas of functioning.

65 (b) "Specialized placement" means licensed out-of-home
66 care settings, including, but not limited to, family foster
67 homes licensed as level IV or level V, qualified residential
68 treatment programs, behavioral qualified residential treatment
69 programs, therapeutic group homes, residential treatment centers
70 for children and adolescents, and professional foster care
71 programs, as well as foster care facilities and group homes
72 licensed by the Agency for Persons with Disabilities.

73 (c) "Treatment facility" means a medical facility that
74 treats a child and does not constitute an out-of-home placement,
75 including, but not limited to, the statewide inpatient

76 psychiatric program.

77 (3) The Office of Program Policy Analysis and Government
78 Accountability shall review the roles and responsibilities of
79 the Department of Children and Families, the Department of
80 Health, the Agency for Persons with Disabilities, the Agency for
81 Health Care Administration, and community-based care lead
82 agencies regarding recruitment and retention at all specialized
83 placements and treatment facilities.

84 (4) The Office of Program Policy Analysis and Government
85 Accountability shall conduct a comprehensive review and gap
86 analysis of the use of specialized placements and treatment
87 facilities by the Department of Children and Families, the
88 Department of Health, the Agency for Persons with Disabilities,
89 and the Agency for Health Care Administration for children in
90 out-of-home care who are identified as high acuity or diagnosed
91 with co-occurring disorders. Specifically, the office shall
92 compile data for the last 3 fiscal years and evaluate the
93 sufficiency of current bed capacity relative to the demonstrated
94 need across all community-based care lead agency regions, sorted
95 by community-based care lead agency, as follows:

96 (a) The total number of licensed beds, the average daily
97 census, and the percentage of capacity used each month for each
98 specialized placement and treatment facility that is reviewed;
99 any identified need for increased bed capacity in any of such
100 specialized placements and treatment facilities; and, for

101 specialized placements and treatment facilities that also care
102 for nonchild welfare children, data on the case mix.

103 (b) An aggregate list of referred diagnoses, ranked in
104 descending order from most common to least common, associated
105 with children referred to or placed in each specialized
106 placement or treatment facility.

107 (c) The total number of requests, orders, or referrals for
108 specialized placements and treatment facilities; the number of
109 placements made; the specific reasons placements were not made;
110 the number of alternative services provided, such as step-down
111 or in-lieu-of-services; and, for placements made in a county
112 other than the county in which the child's residence is located,
113 the distance between the placement and the child's residence.

114 (d) The number of out-of-state specialized placements, the
115 reasons for such out-of-state placements, and the community-
116 based care lead agency region of origin.

117 (e) The average number of days required for qualified
118 evaluators to complete suitability assessments and whether there
119 is a shortage of qualified evaluators.

120 (f) The average number of days from the determination of
121 clinical need until the actual admission or placement of the
122 child.

123 (g) The average length of stay per specialized placement
124 and treatment facility type, sorted by the primary behavioral or
125 medical condition treated.

126 (h) The prevalence of courts disregarding specialized
127 placement or treatment facility recommendations made by the
128 Department of Children and Families and the reasons therefor.

129 (5) The Office of Program Policy Analysis and Government
130 Accountability shall review the Department of Health's process
131 for establishing, screening, and placing children into medical
132 foster homes, including, but not limited to, the involvement of
133 a Child Protection Team.

134 (6) The Office of Program Policy Analysis and Government
135 Accountability shall review the methods the Department of
136 Children and Families, the Department of Health, the Agency for
137 Persons with Disabilities, and the Agency for Health Care
138 Administration use to communicate the availability of beds in
139 specialized placements and treatment facilities to community-
140 based care lead agencies.

141 (7) The Office of Program Policy Analysis and Government
142 Accountability shall assess the quality and uniformity of
143 training provided to case managers by community-based care lead
144 agencies to support high-acuity children, specialized
145 placements, and treatment facilities and shall identify a model
146 training if one is identified through the review of existing
147 community-based care lead agency case manager trainings.

148 (8) The Office of Program Policy Analysis and Government
149 Accountability shall submit an interim report of its findings
150 and recommendations to the President of the Senate and the

151 Speaker of the House of Representatives by October 1, 2026, and
152 a final report of its findings and recommendations by December
153 1, 2026.

154 **Section 3.** This act shall take effect July 1, 2026.