

1 A bill to be entitled
 2 An act relating to child protection; amending s.
 3 39.303, F.S.; revising the entities responsible for
 4 screening, employing, and terminating child protection
 5 team medical directors to include the Statewide
 6 Medical Director for Child Protection; requiring
 7 Children's Medical Services to convene a task force to
 8 develop a protocol for forensic interviewing of
 9 children suspected of having been abused; deleting
 10 provisions requiring certain entities to collaborate
 11 to ensure referrals and responses to certain child
 12 reports are appropriate; amending ss. 458.3175,
 13 459.0066, and 827.03, F.S.; revising provisions
 14 regarding expert testimony provided by certain
 15 entities to include neglect, abandonment, dependency,
 16 and sexual abuse cases; providing an effective date.

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

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 20 Section 1. Subsections (1) and (8) of section 39.303,
 21 Florida Statutes, are amended to read:

22 39.303 Child protection teams; services; eligible cases.—

23 (1) The Children's Medical Services Program in the
 24 Department of Health shall develop, maintain, and coordinate the
 25 services of one or more multidisciplinary child protection teams

26 | in each of the service districts of the Department of Children
27 | and Families. Such teams may be composed of appropriate
28 | representatives of school districts and appropriate health,
29 | mental health, social service, legal service, and law
30 | enforcement agencies. The Department of Health and the
31 | Department of Children and Families shall maintain an
32 | interagency agreement that establishes protocols for oversight
33 | and operations of child protection teams and sexual abuse
34 | treatment programs. The State Surgeon General and the Deputy
35 | Secretary for Children's Medical Services, in consultation with
36 | the Statewide Medical Director for Child Protection and the
37 | Secretary of Children and Families, shall maintain the
38 | responsibility for the screening, employment, and, if necessary,
39 | the termination of child protection team medical directors, at
40 | headquarters and in the 15 districts.

41 | (8) (a) Children's Medical Services shall convene a task
42 | force to develop a standardized protocol for forensic
43 | interviewing of children suspected of having been abused. The
44 | Department of Health shall provide staff to the task force as
45 | necessary. The task force shall include:

46 | 1. A representative from the Florida Prosecuting Attorneys
47 | Association.

48 | 2. A representative from the Florida Psychological
49 | Association.

50 | 3. The Statewide Medical Director for Child Protection.

51 4. A representative from the Florida Public Defender
 52 Association.

53 5. The executive director of the Statewide Guardian Ad
 54 Litem Office.

55 6. A representative from a community-based care lead
 56 agency.

57 7. A representative from Children's Medical Services.

58 8. Others designated by Children's Medical Services.

59 (b) Children's Medical Services shall provide the
 60 standardized protocol to the President of the Senate and the
 61 Speaker of the House of Representatives by January 1, 2018.

62 (c) Members of the task force are not entitled to per diem
 63 or other payment for service on the task force ~~The Department of~~
 64 ~~Health child protection team quality assurance program and the~~
 65 ~~Family Safety Program Office of the Department of Children and~~
 66 ~~Families shall collaborate to ensure referrals and responses to~~
 67 ~~child abuse, abandonment, and neglect reports are appropriate.~~
 68 ~~Each quality assurance program shall include a review of records~~
 69 ~~in which there are no findings of abuse, abandonment, or~~
 70 ~~neglect, and the findings of these reviews shall be included in~~
 71 ~~each department's quality assurance reports.~~

72 Section 2. Paragraph (c) of subsection (2) of section
 73 458.3175, Florida Statutes, is amended to read:

74 458.3175 Expert witness certificate.—

75 (2) An expert witness certificate authorizes the physician

76 | to whom the certificate is issued to do only the following:

77 | (c) Provide expert testimony in criminal child abuse, and
 78 | neglect, abandonment, dependency, and sexual abuse cases in this
 79 | state.

80 | Section 3. Paragraph (c) of subsection (2) of section
 81 | 459.0066, Florida Statutes, is amended to read:

82 | 459.0066 Expert witness certificate.—

83 | (2) An expert witness certificate authorizes the physician
 84 | to whom the certificate is issued to do only the following:

85 | (c) Provide expert testimony in criminal child abuse, and
 86 | neglect, abandonment, dependency, and sexual abuse cases in this
 87 | state.

88 | Section 4. Paragraph (d) of subsection (3) of section
 89 | 827.03, Florida Statutes, is amended to read:

90 | 827.03 Abuse, aggravated abuse, and neglect of a child;
 91 | penalties.—

92 | (3) EXPERT TESTIMONY.—

93 | (d) The expert testimony requirements of this subsection
 94 | apply only to criminal child abuse, neglect, abandonment,
 95 | dependency, and sexual abuse cases in this state and not to
 96 | family court ~~or dependency court~~ cases.

97 | Section 5. This act shall take effect July 1, 2017.