

The Florida Senate  
**HOUSE MESSAGE SUMMARY**

---

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

---

[2021s00096.hms.docx]

BILL: CS/CS/SB 96

INTRODUCER: Senator Book and Senator Brodeur

SUBJECT: Child Welfare

DATE: April 28, 2021

---

**I. Amendments Contained in Message:**

House Amendment – 854919 (body with title)

**II. Summary of Amendments Contained in Message:**

The strike-all amendment consolidates all or part of SB 96, SB 92, SB 900, HB 1093, and SB 1844, with minimal amendments, as summarized below.

**CS/CS/SB 96**

The strike-all includes the following provisions from SB 96: (a) child abuse hotline under s. 39.101, F.S.; (b) child abuse reporting under s. 39.201, F.S.; (c) confidentiality of records and reports of abuse, abandonment, or neglect under s. 39.202, F.S.; (d) penalties relating to failure to report under s. 39.205, F.S.; (e) cross-reporting requirements created under s. 39.208, F.S.; (f) protective investigations in institutional abuse cases under s. 39.302, F.S.; (g) child advocacy centers under s. 39.3035, F.S.; (h) multidisciplinary legal representation model (MLRM) program created under s. 39.4092, F.S.; (j) parenting partnerships under s. 409.1415, F.S.; (i) local animal control or cruelty ordinances under s. 828.27, F.S.; and (k) education practices commission under s. 1012.795, F.S.

SB 96 is modified with respect to the provisions under s. 39.2015, F.S., relating to critical incident rapid response teams (CIRRT) to establish modified quality assurance investigations of sexual abuse allegations of certain children who are placed in out-of-home care effective October 1, 2021. SB 96 is also modified with respect to the reporting requirements related to the MLRM to impose a timeframe from October 1, 2022 through October 1, 2025.

The strike-all adds a provision that directs the Division of Law to add s. 39.101, F.S., to part II of ch. 39, F.S. It also removes the following provisions from SB 96: (a) animal cruelty; (b) sexual performance of a child under s. 827.071, F.S.; (c) sexual activities involving animals under s. 828.126, F.S.; and (d) offense severity ranking chart under s. 921.022, F.S.

**SB 92**

The following provisions from SB 92 are included in the strike-all: (a) the family finding program under s. 39.4015, F.S.; (b) kinship navigator under s. 39.5086, F.S.; (c) conflicts of interest on the board of managing entities (ME) created under s. 394.90825, F.S., and lead agencies under s. 409.987, F.S.; and (d) information the DCF is required to post on its website under s. 409.996, F.S.

The strike-all includes modified language from SB 92 requiring MEs and lead agencies to post information on its website to include certain salary information and copies of the last three years of their Form 990 tax returns. It also modifies the provisions related to development of an alternative approach when a lead agency is unable to competitively procure services.

Further, the following provisions in SB 92 are not in the strike-all: (a) the provision that changes current law from aspiring to requiring the DCF to provide certain information to caregivers; (b) the modifications relating to community alliances under s. 20.19, F.S.; and (c) the creation of a child and well-being system.

### **SB 900**

The strike-all adopts the following provisions in SB 900, including: (a) confidential reports and records of abuse, abandonment, or neglect under s. 39.202, F.S.; and (b) parenting partnerships under s. 409.1415, F.S. It modifies SB 900 with respect to the provision related to increasing the capacity for the number of children placed in family foster homes, and authorizes the DCF to adopt rules to establish criteria for requesting a waiver and criteria to approve such waivers.

The strike-all does not include the following provisions: (a) defines “voluntary services” under s. 39.01, F.S.; (b) modification to the supervised living arrangement types for continuing care for youth adults under s. 39.6251, F.S.; and (c) safe houses and safe foster homes under s. 409.1678, F.S.

### **HB 7039**

The strike-all incorporates the following provisions from HB 7039: (a) requires the protective investigator to assess and take appropriate actions to protect children who are not the subject of the alleged sexual abuse allegations and who are accessible to the alleged perpetrator; (b) requires lead agencies to publish on its website information regarding case managers who are assigned 25 or more cases, and include a statement regarding being contracted with the DCF in certain publications; (c) requires the DCF to conduct an annual review of specified financial information of lead agencies, including developing a plan to achieve financial viability and requiring a report to be submitted to the President of the Senate, the Speaker of the House of Representative, and the Governor; (d) requires lead agencies to fund increased costs of services in certain circumstances; and (e) eliminates an obsolete provision under current law that requires the Florida Institute for Child Welfare to evaluate the Guardianship Assistance Program.

### **HB 1093**

The amendment adopts all of the provisions in HB 1093 to amend s. 39.4085, F.S., as follows: (a) clarifies the goals to be achieved with respect to dependent children; (b) specifies the DCF's requirements regarding children's rights, including obligations to educate children of their rights and documents specified efforts; and (c) district school boards' authority to establish education on child abuse, abandonment, or neglect.

### **HB 1447**

The amendment adopts the provisions of HB 1447 which creates a Commission on Mental Health and Substance Abuse (Commission) adjunct to the DCF. The purpose of the Commission is to examine the methods of services provided in the State and improve the effectiveness of the programs. The amendment provides for the composition of the Commission, its duties and other requirements, such as report that must be submitted within a specified time. The creation of this Commission was a recommendation of the 3<sup>rd</sup> Report of the 20<sup>th</sup> Statewide Grand Jury.