

Committee on Children, Families, and Elder Affairs

CS/HB 43 — Child Welfare

by Health and Human Services Committee and Reps. Latvala, Valdes, and others (CS/CS/SB 122 by Appropriations Committee; Children, Families, and Elder Affairs Committee; and Senators Rouson, Berman, Hooper, Book, and Rader)

The bill is titled “Jordan’s Law” and makes a number of changes to the laws related to the child welfare system in an attempt to address issues that were identified in the case of Jordan Belliveau, a two-year old boy who was killed by his mother in Pinellas County in 2018.

The bill requires specified child welfare professionals, circuit and county judges who have responsibility for dependency cases, Guardian ad Litem program staff, and law enforcement officers to receive training developed on the recognition of and response to head trauma and brain injury in children under six years old. Such training for child welfare professionals must be developed by the Child Protection Teams within the Department of Health.

The bill creates a communication process between the Department of Children and Families and law enforcement by requiring the systems used by both agencies to allow the Florida Department of Law Enforcement to make available to law enforcement agencies information that a person is a parent or caregiver involved in the child welfare system. The communication process must be operational by March 1, 2021. The bill further requires that if a law enforcement officer interacts with such a person and has concerns for a child’s health, safety, or well-being, the officer shall contact the Florida central abuse hotline. The hotline must then provide relevant information to individuals involved in the child’s case. Quarterly progress reports are required until all systems enhancements and integrations required to implement these provisions are complete and in production.

The bill also requires third-party credentialing entities that certify child welfare personnel to review the findings and all relevant records involving the death of a child or other critical incident following completion of any reviews by the department, the inspector general, or the Office of the Attorney General if a complaint is filed by an outside party involving certified personnel. This review must assess the certified personnel's compliance with the third-party credentialing entity's published code of ethical and professional conduct and disciplinary procedures. The bill allows credentialing and provides additional duties for the department and third-party credentialing entities.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 40-0; House 113-0

Committee on Children, Families, and Elder Affairs

CS/CS/HB 61 — Adoption Benefits

by Health and Human Services Committee; Children, Families and Seniors Subcommittee; and Reps. Roth, and others (CS/SB 136 by Appropriations Committee and Senators Bean, Harrell, Perry, and Farmer)

The bill allows certain military veterans and service members who adopt a child through the state's child welfare system to receive a monetary benefit of \$10,000 per child if the child has special needs, or \$5,000 per child if the child does not, through the State Employee Adoption Benefit Program. Currently, such monetary benefits are available to employees of state agencies, public schools, charter schools and the Florida Virtual School. The bill also clarifies, for purposes of qualifying for the benefit, that an employee of a state agency may include other-personal-services employees who have been employed full-time or part-time by a state agency for at least one year.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 40-0; House 118-0

Committee on Children, Families, and Elder Affairs

CS/SB 82 — Individuals with Disabilities

by Appropriations Committee and Senator Bean

The bill makes operational changes to the Medicaid Home and Community-Based Services Waiver operated by the Agency for Persons with Disabilities (APD) to improve the quality of services provided and to standardize agency processes. The bill requires waiver support coordinators who act as case managers for individuals on the waiver to be employees of qualified waiver support coordination organizations. A qualified organization must:

- Employ four more support coordinators;
- Maintain a professional code of ethics and a disciplinary process that applies to all support coordinators within the organization;
- Report violations of ethical and professional conduct to APD;
- Comply with APD cost containment initiatives;
- Ensure client budgets are linked to levels of need;
- Prohibit dual employment of a support coordinator that adversely impacts the support coordinators availability to clients;
- Educate clients and families regarding identification and prevention of abuse, neglect, and exploitation;
- Instruct clients and families on mandatory reporting requirements for abuse, neglect, and exploitation;
- Timely submit documentation for requests to increase an individual's iBudget to address significant additional needs requests;
- Require support coordinators to successfully complete training and professional development approved by APD;
- Require support coordinators to pass a competency-based assessment; and
- Implement a mentoring program for support coordinators who have worked as support coordinators for less than 12 months.

The bill requires APD to maintain a publicly accessible registry of all waiver support coordinators that includes any history of ethical or disciplinary actions taken against a WSC. The bill also authorizes APD to impose an immediate moratorium on new client assignments, impose administrative fines, require plans of remediation, and terminate the Medicaid Waiver Services Agreement of any qualified organization that is noncompliant with applicable laws or rules. A qualified organization that receives disciplinary action from APD can appeal through an internal agency review process, and upon receiving an adverse determination can request an administrative hearing pursuant to ss. 120.569 and 120.57(1), F.S.

The bill requires APD to centralize medical necessity determinations related to significant additional needs (SANs) requests at APD headquarters. Previously, requests to increase a client's iBudget for SANs were approved by regional APD staff.

The bill revises the criteria that APD must consider when authorizing supplemental funding for a SANs request by creating a standard definition of a ‘significant additional need.’ The bill requires qualified waiver support organizations to document that a waiver client has used all available resources prior to a SANs request.

The bill requires all APD service providers to bill for services and submit all required documentation through the agency’s electronic client data management system.

The bill eliminates obsolete language from chapter 393, Florida Statutes. The bill also allows the Agency for Health Care Administration to seek federal approval to implement an increased rate for Medicaid intermediate care facilities that serve individuals with developmental disabilities (ICF/DD) who have severe behavioral or mental health needs. The bill establishes a certificate of need (CON) exemption for such ICF/DDs. The bill specifies requirements that an ICF/DD must meet in order to obtain the CON exemption and establishes additional licensure criteria for an ICF/DD that has been granted the exemption.

The bill is expected to reduce the cost of the waiver program which experienced budget deficits over the last several years.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 37-2; House 78-37

Committee on Children, Families, and Elder Affairs

CS/HB 89 — Adoption Records

by Health and Human Services Committee and Rep. Stark and others (CS/SB 302 by Children, Families, and Elder Affairs Committee and Senator Rader)

The bill clarifies current law by providing that the Bureau of Vital Statistics within the Department of Health may disclose the name and identity of the birth parent, if the birth parent provides written consent for the release of his or her name and the adoptee is 18 years of age or older. Accordingly, the adoptive parent's signature is no longer required when the adoptee is an adult. If the adoptee is younger than 18 years of age, the adoptive parent's consent is still required.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 37-2; House 119-0

Committee on Children, Families, and Elder Affairs

CS/CS/SB 124 — Custody of Minor Children by Extended Family

by Judiciary Committee; Children, Families, and Elder Affairs Committee; and Senator Bean

The bill authorizes a court to include in its order granting “temporary” or “concurrent” custody to a child’s extended family member any provision requested by the petitioner which is in the best interest of the child. As under current law, an award of custody of a child for an indefinite period is considered “temporary” if the award excludes the parents, but “concurrent” if custody is shared with the parents.

The bill expands the definition of “extended family member” to include “fictive kin”—nonrelatives who have a familial relationship to the child—thus allowing them to petition for concurrent or temporary custody. The bill requires the petition to include “[a]ny other provisions that are related to the best interests of the child.” The bill also authorizes the court to include these provisions, as well as a transition plan, in its order granting temporary or concurrent custody.

Under the bill, as under current law, a court may order concurrent custody only if the parents do not object, and the court may order temporary custody only if the parents do not object or are unfit. Additionally, under current law a court *must* terminate a concurrent custody order if a parent objects to the order, and the court *must* terminate a temporary custody order if the parent becomes a fit parent. However, the bill authorizes a court to maintain a concurrent custody order after a parent objects, or to maintain a temporary custody order after the parents become fit, under certain circumstances. Particularly, a court may maintain these orders beyond objection or fitness to ensure compliance with a transition plan or other provision of the order which is related to the best interest of the child.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 34-0; House 115-1

THE FLORIDA SENATE
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Committee on Children, Families, and Elder Affairs

HB 163 — Homelessness

by Rep. Altman and others (CS/SB 68 by Appropriations Committee and Senator Book)

The bill makes a number of changes to s. 420, F. S., relating to homelessness, to bring state laws in line with corresponding federal statutes. The bill eliminates outdated provisions and allows sources of federal funding to be accessed on an expedited basis. The bill adds two members to the Council on Homelessness; one representative of the Florida Housing Coalition and the Secretary of the Department of Elder Affairs or his or her designee. Additionally, the bill makes several changes to challenge grants provided by the State Office on Homelessness within the Department of Children and Families to the local homeless continuums of care (CoC), which are dedicated to preventing and ending homelessness throughout the state. The bill increases the amount of challenge grant funds each CoC lead agency may receive annually from \$500,000 to \$750,000, and requires each CoC lead agency to document the commitment of local government or private organizations to provide matching funds or in-kind support in an amount equal to 25 percent of the grant requested.

If approved by the Governor, these provisions take effect July 1, 2020

Vote: Senate 38-0; House 118-0

Committee on Children, Families, and Elder Affairs

CS/HB 197 — Servicemembers Civil Relief Act

by Local, Federal and Veterans Affairs Subcommittee and Rep. Payne and others (CS/SB 604 by Judiciary Committee and Senator Bean)

The bill amends current child welfare laws to address the federal Servicemembers Civil Relief Act (SCRA) to protect the rights of a parent, legal custodian or caregiver responsible for a child's welfare who, because of his or her military service, must be absent from his or her child or from child welfare related court proceedings.

The bill amends the definition of the term "abandoned" or "abandonment" in ch. 39, F.S., to prohibit the absence of a parent, legal custodian, or caregiver responsible for a child's welfare who is a servicemember and who is deployed or anticipates being deployed from being used as a factor in determining abandonment of a child.

The bill also amends current provisions to include the SCRA as one of the specific federal laws which ch. 39, F.S., does not supersede. The bill requires the Department of Children and Families to ensure that the SCRA is observed in cases where a parent, legal custodian or caregiver responsible for a child's welfare is unable to take custody of his or her child or appear at a court proceeding in person because of his or her military service.

If approved by the Governor, these provisions take effect July 1, 2020.
Vote: Senate 40-0; House 118-0

THE FLORIDA SENATE
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Committee on Children, Families, and Elder Affairs

SB 400 — Elder Abuse Fatality Review Teams

by Senator Gibson

The bill authorizes a state attorney in each judicial circuit to initiate an elder abuse fatality review team, composed of volunteer members. The members are experts in elder care and represent entities that provide local health and human services or legal services to elders. The purpose of the team is to review closed cases of elder fatalities caused by abuse or neglect. Based on the reviews, the teams are to make policy recommendations to help prevent future elder abuse-related fatalities. The teams must submit information to the Department of Elder Affairs. The department must submit a report each November 1, that summarizes the findings and recommendations of the review teams to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Department of Children and Families.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 39-0; House 116-0

Committee on Children, Families, and Elder Affairs

CS/CS/HB 573 — First Responders and Correctional Officers

by Judiciary Committee; Civil Justice Subcommittee; and Reps. Casello, McClain, and others
(CS/CS/SB 160 by Rules Committee; Judiciary Committee; and Senators Perry and Hooper)

The bill defines a peer support communication as oral, electronic, or written communications between a first responder and a first responder peer. The communication must be made with a mutual expectation of confidentiality and for the purpose of discussing physical or emotional issues associated with the first responder's employment.

Under the bill, a first responder peer is a first responder who is not a health care practitioner, who has experience providing physical or emotional support to first responders, and who has been designated by the first responder's employing agency to provide peer support and has received training to do so. The bill generally prohibits the disclosure of a first responder's peer support communication with a first responder.

The bill protects the confidentiality of the communications by prohibiting the first responder peer from divulging the communications or from testifying in civil, criminal, administrative, and disciplinary proceedings regarding the communications, subject to the following exceptions:

- The first responder peer is a defendant in a civil, criminal, administrative, or disciplinary proceeding arising from a complaint filed by the first responder who was a party to the peer support communication;
- The first responder provides written consent;
- The person providing peer support suspects that the first responder has committed, or intends to commit, a criminal act or has reason to believe that the first responder is a threat to himself or herself or others; or
- There is a reasonable basis to fear for the safety of the first responder, another person, or society, and the first responder peer communicates relevant information only to a potential victim and law enforcement or other appropriate authorities.

The bill does not limit the disclosure of information obtained by a first responder peer from a source other than a peer. The bill also modifies the process for conducting law enforcement officer internal affairs investigations. Specifically, an agency head may request a sworn or certified investigator from a different agency to conduct the investigation when the employing agency identifies a conflict; the agency does not have an investigator trained to conduct such investigations; or the agency's investigator is the subject of or witness to an investigation and the agency is comprised of 35 or fewer officers. The employing agency must document the identified conflict and upon completion of the investigation must present the findings to the employing agency without any disciplinary recommendations.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 39-0; House 115-0

THE FLORIDA SENATE
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SB 828 — Florida ABLE Program

by Senator Benacquisto

The bill saves from repeal the Florida ABLE program and Florida ABLE, Inc., a direct-support organization. Florida ABLE Inc., established within the Florida Prepaid College Board, administers the Florida ABLE Program. The program allows individuals to make tax exempt contributions to meet certain expenses associated with a disabled individual. Such expenses are specified in the Internal Revenue Code and include: education, housing, transportation, employment training and support, assistive technology and personal support services, health, prevention and wellness services.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 112-0

Committee on Children, Families, and Elder Affairs

CS/HB 835 — Alzheimer's Disease

by Children, Families and Seniors Subcommittee and Reps. Willhite, Plakon, and others (SB 1542 by Senators Stargel and Gibson)

The bill creates the position of Dementia Director within the Department of Elder Affairs to coordinate the state's policies and programs for addressing Alzheimer's disease. The director is to assist the Alzheimer's Disease Advisory Committee with the development of the Alzheimer's disease state plan, support the state's memory disorder clinics, facilitate public education on Alzheimer's disease, coordinate dementia research programs, and collect data on the impact of Alzheimer's disease on the state. The bill updates the name of the memory disorder clinic in Orlando to AdventHealth. The bill also makes a minor change to the funding formula for respite care. Under the bill, the department must consider the number of persons 70 or older, rather than 75 or older, in each county when distributing funding for respite care.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 39-0; House 118-0

Committee on Children, Families, and Elder Affairs

CS/CS/HB 945 — Children's Mental Health

by Health and Human Services Committee; Children, Families and Seniors Subcommittee; and Reps. Silvers, Webb, and others (CS/CS/SB 1440 by Appropriations Committee; Children, Families; and Elder Affairs Committee; and Senators Powell and Rouson)

The bill requires the Department of Children and Families (DCF) and the Agency for Health Care Administration (AHCA) to identify children, adolescents, and young adults age 25 and under who are the highest users of crisis stabilization services. The bill also requires DCF to collaboratively take action to meet the behavioral health needs of such children. The bill directs these agencies to jointly submit a quarterly report to the Legislature during Fiscal Years 2020-2021 and 2021-2022 on the actions taken by both agencies to better serve these individuals.

The bill requires the behavioral health managing entities (MEs) to create plans that promote the development and implementation of a coordinated system of care for children, adolescents, and young adults to integrate behavioral health services provided through state-funded child serving systems and to facilitate access to mental health and substance abuse treatment and services. The bill requires DCF to contract with the MEs for crisis response services provided through mobile response teams (MRTs) to provide immediate, onsite behavioral health services 24 hours per day, seven days per week within available resources.

When contracting for an MRT, MEs must collaborate with local sheriff's offices and public schools in the selection process. The bill also requires that the MRT establish response protocols with local law enforcement agencies, community-based care lead agencies, the child welfare system, and the Department of Juvenile Justice, and requires that the MRT provide access to psychiatrists or psychiatric nurse practitioners. The bill requires MRTs to refer children, adolescents, or young adults and their families to an array of crisis response services that address their individual needs.

The bill requires MEs to promote the use of available crisis intervention services. The bill requires contracted providers to give parents and caregivers of children who receive behavioral health services information on how to contact an MRT.

The bill amends foster parent preservice training requirements to include local MRT contact information and requires community-based care lead agencies to provide MRT contact information to all individuals that provide care for dependent children.

The bill requires principals of public and charter schools to verify de-escalation procedures have been followed and an MRT has been contacted prior to initiating a Baker Act of a student unless the principal or their designee reasonably believes a delay will increase the likelihood of harm to the student or others.

The bill requires DCF and AHCA to assess the quality of care provided in crisis stabilization units to children and adolescents who are high utilizers of such services and submit a joint report

on their findings to the Governor and Legislature by November 15, 2020. The bill also requires AHCA to regularly test Medicaid managed care plan provider network databases to ensure that behavioral health providers are accepting enrollees and confirm sufficient access to behavioral health systems.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 40-0; House 110-0

Committee on Children, Families, and Elder Affairs

CS/CS/SB 994 — Guardianship

by Rules Committee; Judiciary Committee; and Senators Passidomo, Stewart, Thurston and Cruz

The bill revises the guardianship statutes to ensure that a ward’s personal and property interests are carefully protected by and from a guardian. The bill requires a court, when appointing a guardian, to inquire into and consider potential disqualifications and conflicts of interest.

The bill specifies that a plenary or limited guardian must obtain court approval before consenting to or obtaining an order not to resuscitate a ward. When such request is made pursuant to an emergency, the bill requires a court to hold a hearing on a petition for the request within 72 hours. The court must then rule on the requested relief immediately after the preliminary hearing or conduct an evidentiary hearing no later than 4 days after the preliminary hearing and rule on the relief requested immediately after the evidentiary hearing.

The bill mandates that a petition for appointment of a guardian or professional guardian disclose certain background information about the guardian seeking appointment. The petition must consider whether a less restrictive arrangement, other than a guardianship, could meet the needs of the ward.

The bill defines the term “alternatives to guardianship” as an advance directive, a durable power of attorney, a representative payee, or a trust instrument.

The bill prohibits a professional guardian from petitioning for appointment unless the petitioner is a relative of the alleged incapacitated person or minor or the petitioner is a public guardian who seeks appointment for a person of limited financial means and the public guardian will be paid by the Office of Public and Professional Guardians or a local government.

The bill specifies that the initial guardianship plan and each annual plan must include a list of preexisting orders not to resuscitate or preexisting advance directives and certain information about those documents.

The bill requires that, in the annual guardianship report, a guardian report any payments or remuneration received from any source for services rendered for the ward.

The bill prohibits a guardian from offering, paying, soliciting, or receiving a commission, benefit, or split-fee arrangement in return for engaging in a transaction for goods or services on behalf of an alleged incapacitated person or minor or a ward.

The bill prohibits a guardian from having an interest in a business transaction or activity with certain individuals unless the court grants prior approval or the relationship existed before the guardian was appointed.

If approved by the Governor, these provisions take effect July 1, 2020.

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
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Vote: Senate 39-0; House 117-0

Committee on Children, Families, and Elder Affairs

CS/HB 1087 — Domestic Violence Services

by Children, Families and Seniors Subcommittee and Rep. Fernandez-Barquin and others
(CS/SB 1482 by Children, Families, and Elder Affairs Committee and Senators Bean, Cruz,
Broxson, Perry and Wright)

The bill (Chapter 2020-6, L.O.F.) makes a number of changes to Florida law relating to the domestic violence program and the provision of domestic violence services statewide. Specifically, the law removes the requirement for the Department of Children and Families (department) to contract with the Florida Coalition Against Domestic Violence (coalition) for the delivery and management of domestic violence services statewide.

The bill also retains the ability of the department to contract with the coalition or another entity in the future, shifts certain duties previously performed by the coalition to the department including, but not limited to, certifying domestic violence centers and implementing, administering, and evaluating all domestic violence services provided by domestic violence centers.

These provisions were approved by the Governor and take effect on February 27, 2020.

Vote: Senate 40-0; House 117-0

Committee on Children, Families, and Elder Affairs

CS/CS/HB 1105 — Child Welfare

by Health and Human Services Committee; Children, Families and Seniors Subcommittee; and Rep. Tomkow and others (CS/CS/SB 1324 by Appropriations Committee; Children, Families, and Elder Affairs Committee; and Senators Simpson and Harrell)

The bill makes a number of changes to the laws relating to child welfare designed to increase the accountability of parents with children in out-of-home care, encourage better communication between caregivers and birth parents, and shorten the length of time children spend in out-of-home care. Specifically, the bill:

- Specifies timelines and steps in both foster parent licensing and approval of adoptive parents.
- Requires the Department of Children and Families (department) to notify the court of any report to the central abuse hotline that involves a child under court jurisdiction.
- Allows the department to file a shelter or dependency petition without the need for a new child protective investigation or the concurrence of the child protective investigator if the department determines that the safety plan is no longer sufficient to keep the child safe or that the parent or caregiver has not sufficiently increased his or her level of protective capacities to ensure the child's safety.
- Provides factors for the court to consider when determining whether a change of legal custody or placement is in the child's best interest.
- Provides circumstances under which a court may remove a child and place him or her in out-of-home care if a child was placed in his or her own home with an in-home safety plan or was reunited with a parent with an in-home safety plan.
- Requires circuit and county court judges for dependency cases to receive education relating to early childhood development, which includes the value of strong parent-child relationships, secure attachments, stable placements and the impact of trauma on children in out-of-home care.

The bill also provides legislative findings and intent and codifies responsibilities for working partnerships between foster parents and birth parents in order to ensure that children in out-of-home care achieve permanency as soon as possible, to reduce the likelihood they will re-enter care, and to ensure that families are prepared to resume care of their children.

The bill further provides a process for a community-based care lead agency to demonstrate the need to directly provide more than 35 percent of all child welfare services in the lead agency's service area.

Additionally, the bill codifies the creation and establishment of early childhood court (ECC) programs that serve the needs of children (typically under the age of three) in dependency court by using specialized dockets, multidisciplinary teams, community coordinators, and evidence-based treatment that supports the needs of the parent and child in a nonadversarial manner.

- The Office of the State Courts Administrator (OSCA) may coordinate with each participating circuit court to hire a community coordinator for the circuit's early

childhood court program to manage programs and data collection between ECC court team participants.

- Directs OSCA to contract for an evaluation of the ECC's evidence-based treatment services and authorizes the OSCA to provide ECC court teams with training, consultation, and guidance.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 38-0; House 118-0

Committee on Children, Families, and Elder Affairs

CS/CS/SB 1120 — Substance Abuse Services

by Appropriations Committee; Children, Families, and Elder Affairs Committee; and Senator Harrell

The bill addresses individuals who have experienced substance abuse treatment, as well as recovery residence service providers, who have been disqualified from employment following a failed background screening by requiring the Department of Children and Families to provide exemptions from employment disqualification for certain offenses. The bill condenses several background screening sections of ch. 397, F.S., into a single set of requirements. Additionally, the bill modifies patient-brokering laws to exempt discounts, waivers of payment, or payments not prohibited by the federal anti-kickback statute or regulations. The bill also applies such exemptions to all payment methods used by federal health care programs, and provides that patient-brokering constitutes a first-degree misdemeanor.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 38-0; House 117-0

Committee on Children, Families, and Elder Affairs

CS/SB 1326 — Child Welfare

by Appropriations Committee and Senators Simpson and Rouson

The bill makes several changes to the child welfare programs administered by the Department of Children and Families (DCF) to promote accountability and improve program performance. The bill also seeks to increase the use of faith-based organizations in the delivery of services.

To improve accountability, the bill establishes the Office of Quality within DCF to measure and monitor the performance of agency programs whether provided directly by DCF or through contracts with local service providers. The office must set performance metrics and standards, improve the ability of DCF to analyze program performance data, and recommend initiatives to correct deficiencies. Such initiatives could include enhanced monitoring, corrective action plans, required technical assistance, and financial penalties.

The bill requires certain Sheriffs' Offices that conduct child protective investigations to follow the DCF child welfare practice model. DCF is to collaborate with all Sheriffs' Offices that conduct child protective investigations to develop a monitoring program to assess such services. The monitoring program must include case reviews based on a random selection of child welfare cases.

The bill revises the authority of DCF to contract for children's legal services in the child welfare system and requires increased oversight of contracted attorneys.

The bill directs DCF to develop a statewide accountability system for child welfare. The new accountability system must use a grading scheme to monitor performance in each region.

The bill establishes two 2-year pilot projects to improve child welfare services in the sixth and thirteenth judicial circuits. DCF must set performance metrics and standards for the pilot projects, monitor performance, and based on performance, award incentive funding to the community based care lead agency.

The bill expands the functions of the Florida Institute for Child Welfare (Institute) to inform, train, and engage social work students for a successful career in child welfare. The bill directs the Institute to work with the FSU College of Social Work to redesign the social work curriculum to enable postsecondary students to learn from real-world child welfare cases. Under the bill, the Institute must design and implement a professional development curriculum for the current child welfare workforce by July 1, 2021. The bill requires DCF, in collaboration with the Institute, to develop an expanded career ladder for child protective investigators.

The bill encourages the involvement of community-based and faith-based organizations in the local system of care. Local community alliances that advise DCF on local human services must now include a representative of a faith-based organization. Community-based care lead agencies must assign an employee to serve as a liaison to work with faith-based organizations. The bill

also requires DCF to implement programs to prevent and mitigate the impact of secondary traumatic stress and burnout among child protective investigators. These three components of the bill have a short title of “State of Hope Act.”

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 39-0; House 117-0

Committee on Children, Families, and Elder Affairs

CS/SB 7012 — Substance Abuse and Mental Health

by Appropriations Committee; and Children, Families, and Elder Affairs Committee; and
Senator Rouson

The bill makes several changes to laws relating to suicide prevention and substance abuse and mental health services. Specifically, the bill:

- Broadens the scope and duties of the Statewide Office of Suicide Prevention (Statewide Office) in the Department of Children and Families (DCF) by requiring the Statewide Office to coordinate education and training curricula on suicide prevention efforts for law enforcement personnel, first responders to emergency calls, veterans, military service members, health care providers, and school employees.
- Creates the First Responders Suicide Deterrence Task Force within the Statewide Office to assist in the reduction of suicide rates of first responders, such as law enforcement officers and firefighters.
- Broadens the scope and duties of the Suicide Prevention Coordinating Council by requiring the Council to make recommendations on the implementation of evidence-based mental health programs and suicide risk identification training and adds five new members to the Council.
- Requires Baker Act receiving facilities to provide information regarding the availability of local mobile response services and suicide prevention resources to minors being released from a facility.
- Redefines “mental illness” related to the Baker Act and post-adjudication commitment to exclude dementia and traumatic brain injury.
- Defines “coordinated specialty care programs” as an essential element of a coordinated system of care and requires the DCF to report annually on any gaps in availability or access in the state. Makes coordinated specialty care programs eligible for Criminal Justice, Mental Health, and Substance Abuse Reinvestment grants.
- Allows licensed health care professionals and facilities to contract with the DCF and managing entities to provide mental health services without obtaining a separate license from the DCF.
- Removes the requirement for substance abuse prevention coalitions to be certified by the DCF.
- Requires county jails to administer the psychotropic medications prescribed by the DCF when a forensic client is discharged and returned to the county jail to stand trial, unless the jail physician documents the need to change or discontinue such medication.
- Requires the DCF treating physician to consult with the jail physician and consider prescribing medication included in the jail’s drug formulary.
- Requires county jails to send to the DCF all medical information on individuals in their custody who will be admitted to a state mental health treatment facility for restoration of competency. Requires the DCF to request this information immediately upon receipt of a completed commitment packet and requires the county jail to provide such information within three business days of the request.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 38-0; House 118-0

THE FLORIDA SENATE
2020 SUMMARY OF LEGISLATION PASSED
Committee on Children, Families, and Elder Affairs

HB 7023 — OGSR/Child Abuse Death Review Committees

by Oversight, Transparency and Public Management Subcommittee and Rep. Pigman (SB 7002 by Children, Families, and Elder Affairs Committee)

The bill amends s. 383.412, F.S., to save from repeal the current public records and public meetings exemptions for certain identifying information held by the State Child Abuse Death Review Committee or a local child abuse death review committee. The duties of the local child abuse death review committees are to:

- Review all deaths suspected to have been caused by child abuse and neglect.
- Collect data on applicable child abuse deaths for the State Child Abuse Death Review Committee.
- Submit written reports to the state committee as directed. The reports are to include information on individual cases, and steps taken by the local committee to implement necessary changes and improve the coordination of services and investigations.

Florida law provides that the identity of the surviving siblings, family members, or others living in the home of a deceased child who is the subject of review by the State Child Abuse Death Review Committee or a local committee is confidential and exempt from public disclosure. Portions of meetings of the State Child Abuse Death Review Committee or a local committee at which this confidential and exempt information is discussed are exempt from public meeting requirements. The bill removes the scheduled repeal date, resulting in the continuation of the public records and public meetings exemptions.

If approved by the Governor, these provisions take effect October 1, 2020.

Vote: Senate 37-0; House 114-0