

Tab 2	SB 106 by Martin ; Identical to H 00097 Exploitation of Vulnerable Adults
Tab 3	SB 398 by Burgess (CO-INTRODUCERS) Smith, Berman ; Similar to H 01065 Awareness Program for Alzheimer's Disease and Dementia-related Disorders
Tab 4	SPB 7012 by CF ; Child Welfare

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

CHILDREN, FAMILIES, AND ELDER AFFAIRS

Senator Grall, Chair
Senator Garcia, Vice Chair

MEETING DATE: Tuesday, March 4, 2025

TIME: 4:00—6:00 p.m.

PLACE: 301 Senate Building

MEMBERS: Senator Grall, Chair; Senator Garcia, Vice Chair; Senators Brodeur, Harrell, Rouson, Sharief, and Simon

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Presentation and Update by the Department of Children and Families on the Adoption Benefits for Qualifying Adoptive Employees Program.		Presented
2	SB 106 Martin (Identical H 97)	Exploitation of Vulnerable Adults; Authorizing the use of substitute service on unascertainable respondents; requiring the court to enter an order providing for specified service when a petitioner files the sworn affidavit; requiring that any proposed transfer of funds or property in dispute be held for a specified time period, etc. CF 03/04/2025 Favorable JU RC	Favorable Yeas 7 Nays 0
3	SB 398 Burgess (Similar H 1065)	Awareness Program for Alzheimer's Disease and Dementia-related Disorders; Requiring the Department of Elderly Affairs to contract for the development and implementation of the Alzheimer's Disease Awareness Program; requiring the Alzheimer's Disease Advisory Committee to evaluate the program and make certain recommendations, etc. CF 03/04/2025 Favorable AHS FP	Favorable Yeas 7 Nays 0
Consideration of proposed bill:			
4	SPB 7012	Child Welfare; Requiring the Department of Children and Families to provide specified assessment data to the Legislature as part of a certain annual report relating to the commercial sexual exploitation of children; requiring the department to develop a child protective investigator and case manager recruitment program for a specified purpose; subject to an appropriation and beginning on a specified date, requiring the department to develop a 4-year pilot program for treatment foster care, etc.	Submitted and Reported Favorably as Committee Bill Yeas 7 Nays 0

Other Related Meeting Documents

COMMITTEE MEETING EXPANDED AGENDA

Children, Families, and Elder Affairs

Tuesday, March 4, 2025, 4:00—6:00 p.m.



QUALIFIED INDIVIDUAL ADOPTION BENEFIT PROGRAM

FLORIDA SENATE
CHILDREN, FAMILIES, & ELDER AFFAIRS COMMITTEE

KATE WILLIAMS
DEPUTY SECRETARY
DEPARTMENT OF CHILDREN AND FAMILIES

MARCH 4, 2025

QUALIFIED INDIVIDUAL ADOPTION BENEFITS PROGRAM OVERVIEW

Section 409.1664, F.S., establishes the qualified individual adoption benefits program, which awards a one-time, lump sum payment to adoptive parents who adopt a child from the Florida child welfare system and meet eligibility criteria.

The goal of the program is to improve permanency, stability, and long-term well-being of adoptive families.



The program helps support the adoption of youth who are deemed difficult to place by providing a benefit payment of \$25,000 to cover expenses.



Since its inception in 2015 this program has helped connect children with stable and loving forever families.



PROGRAM TIMELINE

Since 2015 the Qualified Individual Adoption Benefits Program has expanded to allow more adoptive parents access to this supportive funding. Expanding eligibility and funding amounts have helped serve more families annually.

2015

Program established offering a payment of up to \$10,000 to state employees* who adopt a child from the child welfare system.

2017

Eligibility expanded to include employees of charter schools and Florida Virtual School.

2020

OPS staff, military service members, and veterans are included in program eligibility.

2022

Expanded eligibility to include law enforcement officers.

2024

Award amounts increased to \$25,000. Health care practitioners with annual income below \$150,000 and tax collector employees became eligible.

*State employees include those employed by state agencies, state universities and colleges, and school districts.



ELIGIBILITY CRITERIA

To be eligible for this benefit under Section. 409.1664, F.S., adoptive parents must meet one of the following employment requirements:

Full-time or Part-time State Agency

Other-Personnel Service employed with the state for 1 year

Health Care Practitioner making less than \$150,000 annually

Active Law Enforcement Officer

Public, Charter and Florida Virtual School

Public State Universities and State Colleges

Water Management District

Instructional Staff with Florida School for Deaf and the Blind

Active Military Servicemember or Veteran

County Tax Collector



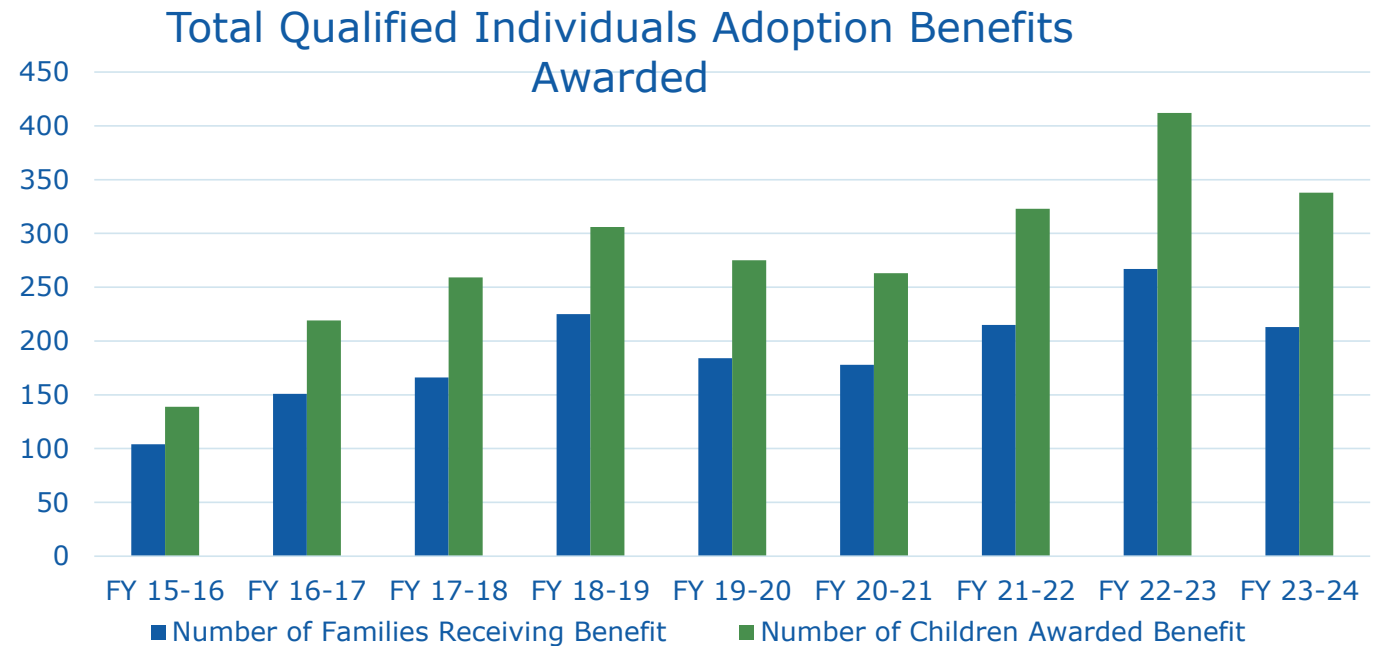
APPLICATION PROCESS

- 1 Applicant submits application during open enrollment
- 2 Employing agency certifies employment eligibility
- 3 Department & Lead Agency certifies child(ren) eligibility
- 4 Applicant is notified of benefit and payment is issued



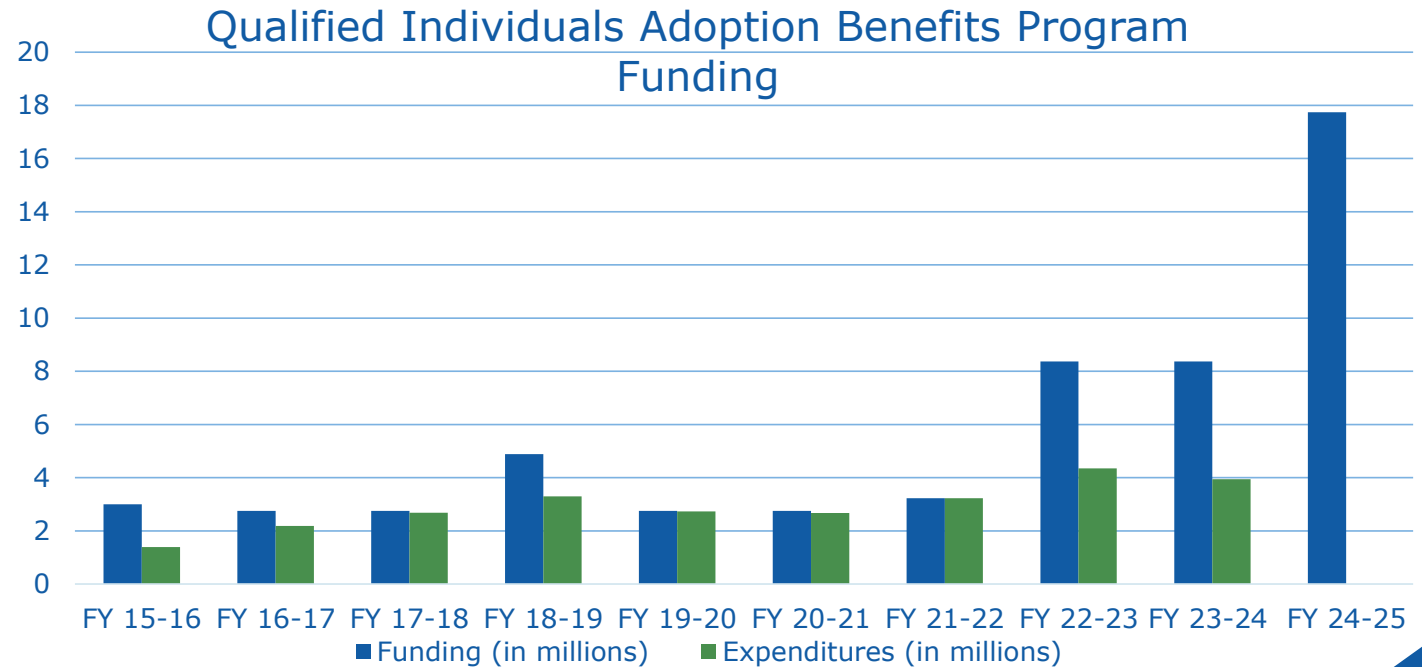
QUALIFIED INDIVIDUAL ADOPTION BENEFIT AWARDS ISSUED

- **2,534** awards have been issued since the program began
- Families can receive multiple awards, since eligibility is per child.



ADOPTION BENEFIT FUNDING

- Program utilization has increased as eligibility criteria was expanded
- Increase in Fiscal year 2024-25 budget reflects expected payments to health care practitioners and tax collector employees





QUESTIONS?

Sam Kerce
Sam.Kerce@myflfamilies.com



By Senator Martin

33-00201-25

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A bill to be entitled
An act relating to exploitation of vulnerable adults;
amending s. 825.1035, F.S.; authorizing the use of
substitute service on unascertainable respondents;
defining the term "unascertainable respondent";
requiring a petitioner to file with the court a sworn
affidavit to effectuate substitute service; providing
requirements for the affidavit; requiring the court to
enter an order providing for specified service when a
petitioner files the sworn affidavit; requiring the
petitioner to file with the court proof that the
petitioner attempted to serve the unascertainable
respondent; requiring that any proposed transfer of
funds or property in dispute be held for a specified
time period; providing construction; providing an
effective date.

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

Section 1. Present subsections (8) through (14) of section
825.1035, Florida Statutes, are redesignated as subsections (9)
through (15), respectively, a new subsection (8) is added to
that section, and subsection (7) of that section is amended, to
read:

825.1035 Injunction for protection against exploitation of
a vulnerable adult.—

(7) NOTICE OF PETITION AND INJUNCTION.—

(a) Except as provided in subsection (8), the respondent
must ~~shall~~ be personally served, pursuant to chapter 48, with a

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copy of the petition, notice of hearing, and temporary injunction, if any, before the final hearing.

(b) If the petitioner is acting in a representative capacity, the vulnerable adult must ~~shall~~ also be served with a copy of the petition, notice of hearing, and temporary injunction, if any, before the final hearing.

(c) If any assets or lines of credit are ordered to be frozen, the depository or financial institution must be served as provided in s. 655.0201.

(8) SUBSTITUTE SERVICE ON UNASCERTAINABLE RESPONDENT.—

(a) In lieu of service pursuant to chapter 48 as required pursuant to subsection (7), substitute service in accordance with this subsection may be made on an unascertainable respondent. As used in this subsection, the term "unascertainable respondent" means a person whose identity cannot be ascertained or whose identity is unknown, and who has communicated with the vulnerable adult through any means that make tracing the person's identity impractical.

(b) To effectuate substitute service pursuant to this subsection, a petitioner must file with the court a sworn affidavit based on the petitioner's information and belief. The affidavit must include:

1. The facts leading the petitioner to believe that the respondent is an unascertainable respondent;

2. Information regarding how the unascertainable respondent and the vulnerable adult have been in contact;

3. All identifying information for the unascertainable respondent which is known to the petitioner or the vulnerable adult, including, but not limited to, pseudonyms, tax

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59 identification numbers, e-mail addresses, telephone or cellular
60 numbers, software application programs used, social media
61 usernames and handles, or other similar information;

62 4. The facts leading the petitioner to believe that a
63 proposed or initiated transfer of funds or property by the
64 vulnerable adult is a response to a fraudulent request by the
65 unascertainable respondent; and

66 5. A description of the petitioner's attempts to identify
67 the unascertainable respondent, including, but not limited to,
68 using the same method of communication that the unascertainable
69 respondent used to communicate with the vulnerable adult.

70 (c) When a petitioner files the sworn affidavit required
71 under paragraph (b), the court must enter an order requiring the
72 petitioner to serve the unascertainable respondent, through the
73 same means of communication that the unascertainable respondent
74 used to communicate with the vulnerable adult, within 2 business
75 days after the date the court issues the temporary injunction
76 order.

77 (d) The petitioner must file with the court proof,
78 including, but not limited to, a sworn affidavit with
79 screenshots, that the petitioner has attempted to serve the
80 unascertainable respondent in accordance with paragraph (c).
81 This constitutes substitute service on the unascertainable
82 respondent.

83 (e) When substitute service is made upon an unascertainable
84 respondent in accordance with this subsection, any proposed
85 transfer of funds or property in dispute must be held for 30
86 days before such funds or property may be distributed in
87 accordance with a written court order.

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88 (f) This subsection shall be construed for the benefit and
89 protection of a vulnerable adult.

90 Section 2. This act shall take effect July 1, 2025.

March 4, 2025

Meeting Date

Children Families

Committee

Name **Barney Bishop III**

Address **1454 Vieux Carre Drive**

Street

Tallahassee

City

FL

State

32308

Zip

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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106

Bill Number or Topic

Amendment Barcode (if applicable)

Phone **850-510-9922**

Email **Barney@BarneyBishop.com**

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Fla. Smart Justice Alliance

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

03/04/2025

Meeting Date

Children, Families & Elder

Committee

The Florida Senate
APPEARANCE RECORD

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106 - Exploitation

Bill Number or Topic

Amendment Barcode (if applicable)

Name **AARP - Karen Murillo**

Phone **850-567-0414**

Address **215 S. Monroe St., Ste. 603**

Email **kmurillo@aarp.org**

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

AARP

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

March 4, 2025

Meeting Date

Senate Children, Families, and Elder Affairs

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB 106

Bill Number or Topic

Amendment Barcode (if applicable)

Name Shannon Miller, Chair Elder Law Section/Florida Bar

Phone (352) 379-1900

Address 2830 NW 41st Street, Suite M

Email shannon@millerelderlawfirm.com

Street

Gainesville

FL

32606

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

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106
Bill Number or Topic

Amendment Barcode (if applicable)

3/4/25
Meeting Date

Judiciary
Committee

Name

Anthony DiMarco

Phone

~~Fallahian~~ 850-247-2245

Address

1007 Thomasville Rd
Street

Email

adiomarcop@floridabankers.com

City

Fallahian

State

FL

Zip

32302

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Florida Bankers Assoc.

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

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.)

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

BILL: SB 106

INTRODUCER: Senator Martin

SUBJECT: Exploitation of Vulnerable Adults

DATE: March 3, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Tuszyński	Tuszyński	CF	Favorable
2.			JU	
3.			RC	

I. Summary:

According to the 2024 U.S. Census, persons over 65 years of age represent approximately 21 percent of Florida’s population. Financial exploitation of the elderly and vulnerable adults is a growing problem, up 11% from 2022. According to the Federal Bureau of Investigation, in 2023 total losses reported by those over the age of 60 who were financially exploited topped \$3.4 billion, with an average loss per victim of \$33,915.

SB 106 strengthens the protections against exploitation of vulnerable adults. The bill creates a statutory process to allow substitute service against an unascertainable person, usually someone in a social media application or electronic mail program, seeking an injunction for protection against exploitation of vulnerable adults.

The bill defines “unascertainable respondent” and details the process to effectuate substitute service on said respondent, to include the filing of detailed affidavits with the court showing why the respondent is unascertainable and proof of attempted service through the same means of communication that the unascertainable respondent used to communicate with the vulnerable adult.

Once substitute services is made, the bill requires that any proposed transfer of funds or property in dispute be held for 30 days before those funds or property may be distributed.

The bill provides an effective date of July 1, 2025.

II. Present Situation:

Trends Regarding Elder Exploitation

“The National Council on Aging estimates that 1 in 10 Americans over the age of 60 have experienced elder abuse,” which can include financial exploitation.¹ According to the most recent report by the Federal Bureau of Investigation (FBI), “[i]n 2023, total losses reported . . . by those over the age of 60 topped \$3.4 billion, an almost 11% increase in reported losses from 2022. There was also a 14% increase in complaints . . . by elderly victims. However, these numbers do not fully capture the frauds and scams targeting this vulnerable cross-section of our population, as only about half of the more than 880,000 complaints received by IC3 in 2023 included age data.”² Average loss per victim was \$33,915, an 11% increase from 2022.³

According to the FBI’s report, Florida ranked second in the nation in fraud victims over age 60 (8,138) with losses from that fraud reported to be \$293,817,911.⁴

The elderly are particularly vulnerable to financial exploitation. The problem of elder financial exploitation is likely to get worse because of “three interrelated sets of factors”: “health-related effects of aging; financial and retirement trends; and demographic trends.”⁵

“Cognitive decline is a key factor . . . , even without the presence of disease,” and “[p]hysical decline and dependency are also risk factors for elder financial exploitation.” “[T]he wealth of older generations” also “makes them targets for financial exploitation.”⁶ “Paradoxically, though, the elderly poor are at even greater risk of financial exploitation.”⁷

“Financial and pension trends further compound the problem.” “The shift from defined benefit to defined contribution plans has placed responsibility onto the elderly themselves to manage their retirement savings—ironically, just at a time in their lives when their ability to do so may

¹ *Elder Justice*, National Association of Attorneys General, available at <https://www.naag.org/issues/elder-justice/> (last visited on Feb. 25, 2025). See *Get the Facts on Elder Abuse* (July 8, 2024), available at <https://www.ncoa.org/article/get-the-facts-on-elder-abuse> (last visited on Feb. 25, 2025).

² *2023 Elder Fraud Report*, Federal Bureau of Investigation, at p. 3, available at <https://www.justice.gov/file/1523276/download> (last visited on Feb. 28, 2023). This report is further referenced as “2023 Elder Fraud Report.”

³ *2023 Elder Fraud Report*, *supra* note 2, at p. 5.

⁴ *2023 Elder Fraud Report*, *supra* note 2, at pp. 11 and 12. The FBI states: “This information is based on the total number of complaints from each state, American Territory, and the District of Columbia when the complainant provided state information.”

⁵ Deane, Stephen. *Elder Financial Exploitation* (white paper) (June 2018), at p. i, U.S. Securities and Exchange Commission (SEC), Office of the Investor Advocate, available at <https://www.sec.gov/files/elder-financial-exploitation.pdf> (last visited on 2/25/25). Views expressed in the white paper are those of the author and do not necessarily reflect the views of the SEC. This white paper is further referenced as “Elder Financial Exploitation.”

⁶ *Elder Financial Exploitation*, *supra* note 5. According to the American Bankers Association, “people over 50 years old control over 70 percent of the nation’s wealth.” *Protect the Elderly from Financial Exploitation*, American Bankers Association, available at <https://www.aba.com/advocacy/community-programs/consumer-resources/protect-your-money/elderly-financial-abuse> (last visited on 2/25/25).

⁷ *Elder Financial Exploitation*, *supra* note 5.

become impaired.”⁸ Finally, “dramatic increases in the elderly population threaten ... to spur parallel growth in elderly financial exploitation.”⁹

According to the 2024 U.S. Census, persons over 65 years of age represent approximately 21 percent of Florida’s population (just over 5 million Floridians).¹⁰ Nationally, in 2022, there were 57.8 million people age 65 and older (up from 43.1 million in 2012). This population is projected to reach 78.8 million by 2040 and 88.8 million by 2060.¹¹

Florida Laws Relating to Elder Exploitation

Exploitation of an Elderly Person or Disabled Adult under s. 825.103, F.S.

Section 825.103, F.S., punishes exploitation of an elderly person or disabled adult.

For purposes of ch. 825, F.S., an “elderly person” is a person 60 years of age or older who is suffering from the infirmities of aging as manifested by advanced age or organic brain damage, or other physical, mental, or emotional dysfunctioning, to the extent that the ability of the person to provide adequately for the person’s own care or protection is impaired.¹²

For purposes of ch. 825, F.S., a “disabled adult” is a person 18 years of age or older who suffers from a condition of physical or mental incapacitation due to a developmental disability, organic brain damage, or mental illness, or who has one or more physical or mental limitations that restrict the person’s ability to perform the normal activities of daily living.¹³

Under s. 825.103, F.S., exploitation of an elderly person or disabled adult includes:

- Knowingly obtaining or using, or endeavoring to obtain or use, an elderly person’s or disabled adult’s funds, assets, or property with the intent to temporarily or permanently deprive the elderly person or disabled adult of the use, benefit, or possession of the funds, assets, or property, or to benefit someone other than the elderly person or disabled adult, by a person who:
 - Stands in a position of trust and confidence with the elderly person or disabled adult; or
 - Has a business relationship with the elderly person or disabled adult.
- Obtaining or using, endeavoring to obtain or use, or conspiring with another to obtain or use an elderly person’s or disabled adult’s funds, assets, or property with the intent to temporarily or permanently deprive the elderly person or disabled adult of the use, benefit, or possession of the funds, assets, or property, or to benefit someone other than the elderly person or disabled adult, by a person who knows or reasonably should know that the elderly person or disabled adult lacks the capacity to consent.

⁸ *Id.*

⁹ *Id.*

¹⁰ *QuickFacts Florida*, U.S. Census Bureau, available at <https://www.census.gov/quickfacts/fact/table/FL/PST045222#PST045222> (last visited on 2/25/25).

¹¹ *2023 Profile of Older Americans*, May 2024, p. 5, U.S. Department of Health and Human Services, Administration for Community Living, available at https://acl.gov/sites/default/files/Profile%20of%20OA/ACL_ProfileOlderAmericans2023_508.pdf (last visited on 3/1/25).

¹² Section 825.101(4), F.S.

¹³ Section 825.101(3), F.S.

- Misappropriating, misusing, or transferring without authorization money belonging to an elderly person or disabled adult from an account in which the elderly person or disabled adult placed the funds, owned the funds, and was the sole contributor or payee of the funds before the misappropriation, misuse, or unauthorized transfer.
- Knowingly obtaining or using, endeavoring to obtain or use, or conspiring with another to obtain or use an elderly person's or a disabled adult's funds, assets, property, or estate through intentional modification, alteration, or fraudulent creation of a plan of distribution or disbursement expressed in a will, trust agreement, or other testamentary devise of the elderly person or disabled adult without:
 - A court order, from a court having jurisdiction over the elderly person or disabled adult, which authorizes the modification or alteration;
 - A written instrument executed by the elderly person or disabled adult, sworn to and witnessed by two persons who would be competent as witnesses to a will, which authorizes the modification or alteration; or
 - Action of an agent under a valid power of attorney executed by the elderly person or disabled adult which authorizes the modification or alteration.¹⁴

Punishment for exploitation of a vulnerable adult is based on the value of the funds, assets, or property involved:

- Level 8¹⁵ first degree felony¹⁶ (value is \$50,000 or more);
- Level 7 second degree felony¹⁷ (value is 10,000 or more, but less than \$50,000); and
- Level 6 third degree felony¹⁸ (value is less than \$10,000).¹⁹

Injunction for Protection Against Exploitation of a Vulnerable Adult

Section 825.1035, F.S., creates a cause of action for an injunction for protection against exploitation²⁰ of a vulnerable adult.²¹ This injunction may be sought by a vulnerable adult in imminent danger of being exploited; the guardian of a vulnerable adult in imminent danger of

¹⁴ See s. 825.103(1), F.S.

¹⁵ The Criminal Punishment Code (Code) (ss. 921.002-921.0027, F.S.) is Florida's primary sentencing policy. Noncapital felonies sentenced under the Code receive an offense severity level ranking (Levels 1-10). Section 921.0022(2), F.S. Points are assigned and accrue based upon the offense severity level ranking assigned to the primary offense, additional offenses, and prior offenses. Section 921.0024, F.S. Sentence points escalate as the severity level escalates. These points are relevant to determining whether the offender scores a prison sentence as the minimum sentence, and if so scored, the length of that sentence. The offense severity ranking is either assigned by specifically ranking the offense in the Code offense severity level ranking chart (s. 921.0022(3), F.S.) or ranking the offense by "default" based on its felony degree (s. 921.0023, F.S.).

¹⁶ A first degree felony is generally punishable by not more than 30 years in state prison and a fine not exceeding \$10,000. Sections 775.082 and 775.083, F.S.

¹⁷ A second degree felony is punishable by not more than 15 years in state prison and a fine not exceeding \$10,000. Sections 775.082 and 775.083, F.S.

¹⁸ A third degree felony is generally punishable by not more than five years in state prison and a fine not exceeding \$5,000. Sections 775.082 and 775.083, F.S. *But see* ss. 775.082(10) and 921.00241, F.S. (prison diversion).

¹⁹ Sections 825.103(3)(a)-(c) and 921.0022(3)(f)-(h), F.S. Chapter 825, F.S., is not intended to impose criminal liability on a person who makes a good faith effort to assist an elderly person or disabled adult in the management of the funds, assets, or property of the elderly person or disabled adult, which effort fails through no fault of the person. Section 825.105, F.S.

²⁰ Exploitation means exploitation of an elderly person or disabled adult under s. 825.103(1), F.S. Section 825.101(6), F.S.

²¹ "Vulnerable Adult" is defined in s. 415.102(28), F.S., to mean a person 18 years of age or older whose ability to perform the normal activities of daily living or to provide for his or her own care or protection is impaired due to a mental, emotional, sensory, long-term physical, or developmental disability or dysfunction, or brain damage, or the infirmities of aging.

being exploited; a person or organization acting on behalf of the vulnerable adult with the consent of the vulnerable adult or his or her guardian; an agent under a valid durable power of attorney with the authority specifically granted in the power of attorney; or a person who simultaneously files a petition for determination of incapacity and appointment of an emergency temporary guardian with respect to the vulnerable adult.²²

Legal Standard for a Protective Injunction

The procedures for the issuance of a protective injunction issued under ss. 741.30, 784.046, 784.0485 and s. 825.1035, F.S., are similar. As to domestic violence, a person who is the victim of domestic violence or has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence has standing to file a sworn petition for an injunction.²³ Based on this initial petition, a court may issue a *temporary* injunction ex-parte.²⁴ During an ex-parte proceeding, a court is generally not required to review a response from the accused and may base a temporary injunction on hearsay evidence.²⁵ Additional evidence may be considered, however, if an accused appears at the ex-parte proceeding or has received reasonable notice of the hearing.²⁶ This ex-parte proceeding is often necessary because “the existence of a true emergency . . . may sometimes require immediate action that will not permit the movant to verify each allegation made.”²⁷

Parties to an injunction are entitled to a full hearing and a temporary injunction is effective for a maximum of 15 days.²⁸ A full hearing is required prior to the expiration of the temporary injunction. At the full hearing, the accused must have a reasonable opportunity to prove or disprove the allegations made in the complaint and is entitled to introduce evidence and cross-examine witnesses.²⁹ Based upon the full hearing, a court “must consider the current allegations, the parties’ behavior within the relationship, and the history of the relationship as a whole” to determine if a permanent injunction is warranted based on the petitioner’s belief that he or she is in imminent danger of becoming a victim of domestic violence.³⁰

²² Section 825.1035(2), F.S.

²³ Section 741.30(1)(a), F.S.

²⁴ Section 741.30(5)(c), F.S.

²⁵ *Parrish v. Price*, 71 So. 3d 132, 134 (Fla. 2d DCA 2011) (holding that a temporary injunction may be based solely on the petition filed, even if it is almost entirely based on hearsay statements); Additionally, when a “parent files a sworn petition and has reasonable cause to believe the minor child is a victim of sexual violence by a nonparent, the sworn petition is a *presumptively sufficient* basis for an injunction.” (emphasis added) *Berthiaume v. B.S. ex rel. A.K.*, 85 So. 3d 1117, 1119 (Fla. 1st DCA 2012).

²⁶ Section 741.30(5)(b), F.S.

²⁷ *Smith v. Crider*, 932 So. 2d 393, 399 n. 4 (Fla. 2d DCA 2006).

²⁸ A court may, however, grant a continuance for good cause as requested by either party. The temporary injunction may be extended to include the continuance. Section 741.30(5)(c), F.S.

²⁹ *Furry v. Rickles*, 68 So. 3d 389, 390 (Fla. 1st DCA 2011) (citing *Ohrn v. Wright*, 963 So. 2d 298 (Fla. 5th DCA 2007)).

³⁰ *Giallanza v. Giallanza*, 787 So.2d 162, 164 (Fla. 2d DCA 2001) (citing *Gustafson v. Mauck*, 743 So. 2d 614, 616 (Fla. 1st DCA 1999)).

Enforcement of a Protective Injunction

Just as filing and issuance of protective injunctions are similar, so is enforcement. A person who willfully violates an injunction for protection commits a misdemeanor of the first degree.³¹ A third offense related to the same protected person is a third degree felony.³² Similarly, a warrantless arrest can be made for violation of an injunction if a law enforcement officer has probable cause to believe that the person has violated an injunction.³³ The general rule requiring a law enforcement officer to witness the offense before making a misdemeanor arrest does not apply to arrests for violation of an injunction.

Service of Process

A fundamental concept of due process is that a person must be given fair notice of the initiation of an action against them. Delivery of that notice is referred to as “service of process.” Adequate service of process is also required to summon a witness for testimony or for production of evidence. Modern concepts of due process required for adequate service of process recognize that there are numerous means by which a person or entity may be fairly appraised of a lawsuit or a requirement to produce evidence.

The traditional and best form of service of process is by personal delivery to that individual, but that is not always possible. Individuals may be difficult to find, whether intentionally or not. Individuals may be incompetent, whether medically or by youth. Procedures need to be established for determining how to serve process on an entity in a timely manner. A large body of law has been devoted to the allowable methods for service of process.³⁴

Service of Process Generally

Generally, service of process is made by:

- Delivering a copy of the process to the person to be served; or
- By leaving the process at his or her usual place of abode³⁵ with any person residing there who is fifteen years of age or older and informing the person of the contents of the process.³⁶

Additional requirements exist for service of minors,³⁷ incompetent persons,³⁸ and state prisoners,³⁹ and may exist for service of other specified persons and entities located within the state.⁴⁰

³¹ Section 741.31(4)(a), F.S. (domestic violence); s. 784.047(1), F.S. (repeat violence, sexual violence, or dating violence), and s. 825.1036(4)(a), F.S. (exploitation of vulnerable adult).

³² Sections 741.31(4)(c), 784.047(2), and 825.1036(4)(b), F.S.

³³ Section 901.15(6)-(7), F.S.

³⁴ See generally ch. 48, F.S.

³⁵ “Usual place of abode” means the place where the party actually lives at the time of service of process. *Shurman v. Atlantic Mortg. & Inv. Corp.*, 795 So. 2d 952 (Fla. 2001).

³⁶ S. 48.031(1)(a), F.S.

³⁷ S. 48.041, F.S.

³⁸ S. 48.042, F.S.

³⁹ S. 48.051, F.S.

⁴⁰ Ch. 48, F.S.

Substituted Service

Substituted service⁴¹ can replace personal service in situations where personal service is not required by law. For example, substituted service may be made on the spouse of a person to be served at any place in the county if:

- The cause of action is not an adversarial proceeding⁴² between the spouses;
- The spouse of the person to be served requests such service; and
- The spouses reside together in the same dwelling within the county where the service occurs.⁴³

Substituted service may also be made on a person by leaving a copy of the process with a person in charge of a private mailbox, virtual office,⁴⁴ or an executive office or mini suite⁴⁵ if:

- These are the only discoverable addresses for the person to be served; and
- The process server determines that the person to be served maintains a mailbox, a virtual office, or an executive office or mini suite at that location.⁴⁶

III. Effect of Proposed Changes:

Section 1 of the bill amends s. 825.1035, F.S., to create a process for substituted service on an unascertainable respondent when a petitioner is seeking an injunction for protection against exploitation of a vulnerable adult.

The bill defines “unascertainable respondent” as a person whose identity cannot be ascertained or whose identity is unknown, and who has communicated with the vulnerable adult through any means that make tracing the person’s identity impractical.

The bill details a process to effectuate substitute service:

- The petitioner must file a sworn affidavit with the court based on the petitioner’s information and belief that includes:
 - The facts leading the petitioner to believe the respondent is unascertainable;
 - Information detailing how the petitioner and unascertainable respondent have been in contact;
 - All identifying information of the unascertainable respondent known to the petitioner, to include pseudonyms, tax identification numbers, e-mail addresses, telephone numbers, software application programs used, usernames and handles, or other similar information;

⁴¹ Substituted service is service of process upon a party in any manner authorized by statute or rule other than personal service within the jurisdiction. Black’s Law Dictionary 998 (5th ed. 1995).

⁴² An adversarial proceeding involves opposing parties. Examples include divorce and a civil lawsuit. Black’s Law Dictionary 34 (5th ed. 1995).

⁴³ S. 48.031(2)(a), F.S.

⁴⁴ “Virtual office” means an office that provides communications services, such as telephone service, and address services without providing dedicated office space, where all communications route through a common receptionist. S. 48.031(6)(b), F.S.

⁴⁵ “Executive office or mini suite” means an office that provides communications services without providing dedicated office space, and where all communications are routed through a common receptionist. S. 48.031(6)(b), F.S.

⁴⁶ S. 48.031(6)(a), F.S.

- The facts leading the petitioner to believe that a proposed or initiated transfer of funds or property of the vulnerable adult is a response to a fraudulent request by the unascertainable respondent; and
 - A description of the petitioner's attempts to identify the unascertainable respondent, to include using the same method of communication that the unascertainable respondent used to communicate with the vulnerable adult.
- Upon filing of the affidavit, the court must order the substitute service through the same means of communication that the unascertainable respondent used to communicate with the vulnerable adult within two business days after the court issues the temporary injunction order.
- After substitute service, the petitioner must file proof with the court that the petitioner has attempted to serve the unascertainable respondent, this must be a sworn affidavit with screenshots of the attempted service. The bill deems this court filing as the substitute service on the unascertainable respondent.

Once substitute services is made, the bill requires that any proposed transfer of funds or property in dispute be held for 30 days before those funds or property may be distributed.

Finally, the bill requires that the substitute service language be construed for the benefit and protection of a vulnerable adult.

Section 2 of the bill provides an effective date of July 1, 2025

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:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends s. 825.1035 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.

By Senator Burgess

23-00520-25

2025398__

A bill to be entitled
An act relating to an awareness program for
Alzheimer's disease and dementia-related disorders;
creating s. 430.5016, F.S.; requiring the Department
of Elderly Affairs to contract for the development and
implementation of the Alzheimer's Disease Awareness
Program; providing requirements for the program;
providing requirements for the entity with which the
department contracts for the development and
implementation of the program; requiring the
Alzheimer's Disease Advisory Committee to evaluate the
program and make certain recommendations; providing an
appropriation; providing an effective date.

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

Section 1. Section 430.5016, Florida Statutes, is created
to read:

430.5016 Alzheimer's Disease Awareness Program.—

(1) The Department of Elderly Affairs shall contract for
the development and implementation of the Alzheimer's Disease
Awareness Program. The program shall assist the residents of
this state affected by Alzheimer's disease and dementia-related
disorders in obtaining information that is validated by
reputable national research.

(2) The program must, at a minimum:

(a) Include a website and other related electronic
resources that address:

1. The advantages of early detection and diagnosis;

23-00520-25

2025398__

30 2. Methods for reducing risk factors;

31 3. The importance of brain health;

32 4. Scheduling screenings and assessments for Alzheimer's
33 disease and dementia-related disorders with a licensed health
34 care provider;

35 5. Healthy aging;

36 6. Recent developments in Alzheimer's research and
37 dementia-related disorders and the availability of clinical
38 trials;

39 7. Community resources available for those affected by
40 Alzheimer's disease and dementia-related disorders; and

41 8. Any related topics as deemed appropriate by the
42 department.

43 (b) Use the department's Alzheimer's Disease and Related
44 Dementias Resource Guide as a part of the program materials.

45 (c) Promote health care provider education in partnership
46 with the Department of Health to help improve care and services
47 for patients with Alzheimer's disease and dementia-related
48 disorders in accordance with s. 381.825.

49 (d) Include print and digital advertising.

50 (e) Include a statewide, mobile, in-person outreach program
51 that prioritizes those in underserved communities and provides
52 information on issues relating to Alzheimer's disease and
53 dementia-related disorders, including, but not limited to, brain
54 health, risk education, and early detection and diagnosis. The
55 program may also provide referrals to the Department of Elderly
56 Affairs and provide information regarding any available
57 community resources relating to Alzheimer's disease or dementia-
58 related disorders.

23-00520-25

2025398__

59 (3) (a) The entity with which the department contracts for
60 the development and implementation of the program must be a
61 statewide nonprofit organization that meets all of the following
62 requirements:

63 1. Has a history of focusing on those affected by
64 Alzheimer's disease and dementia-related disorders and their
65 care and support, including providing online resources to
66 caregivers and people living with the disease and through
67 community-based events.

68 2. Has the organizational capacity to manage a statewide
69 program and successfully carry out the requirements of this
70 section.

71 (b) The entity shall collaborate with other relevant state
72 agencies and private organizations to develop and implement the
73 program.

74 (4) The Alzheimer's Disease Advisory Committee shall
75 annually evaluate and make recommendations to the Department of
76 Elderly Affairs and the Legislature concerning the need for
77 future funding for the Alzheimer's Disease Awareness Program as
78 a part of its annual report.

79 Section 2. For the 2025-2026 fiscal year, the sum of \$1.5
80 million in nonrecurring funds is appropriated from the General
81 Revenue Fund to the Department of Elderly Affairs for the
82 purpose of administering the Alzheimer's Disease Awareness
83 Program pursuant to s. 430.5016, Florida Statutes.

84 Section 3. This act shall take effect July 1, 2025.

03/04/2025

Meeting Date

Children, Families & Elder

Committee

Name **AARP - Karen Murillo**

Address **215 S. Monroe St., Ste. 603**
Street

Tallahassee

City

FL

State

32301

Zip

The Florida Senate
APPEARANCE RECORD

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398- Alzheimer's Awareness

Bill Number or Topic

Amendment Barcode (if applicable)

Phone **850-567-0414**

Email **kmurillo@aarp.org**

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

AARP

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/4/2024

Meeting Date

Children, Families, and Elder
Committee

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SB 398

Bill Number or Topic

Amendment Barcode (if applicable)

Name Priscilla Jean-Louis

Phone 850-459-5397

Address 4902 Heritage Park Blvd
Street

Email myfavoritegirl0904@gmail.com

Tallahassee, FL 32311
City State Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/4 /25

Meeting Date

The Florida Senate
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SB 398

Bill Number or Topic

Children, Family, Elder

Committee

Amendment Barcode (if applicable)

Name Alex Anderson

Phone 904 502 2506

Address 2170 W State Rd 434 #300

Email AJAnderson@Alz.org

Street

Longwood

City

FL

State

32779

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Alzheimer's
Association

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

March 4, 2025

Meeting Date

Children Families

Committee

Name **Barney Bishop III**

Address **1454 Vieux Carre Drive**

Street

Tallahassee

City

FL

State

32308

Zip

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

398

Bill Number or Topic

Amendment Barcode (if applicable)

Phone **850-510-9922**

Email **Barney@BarneyBishop.com**

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Fla. Smart Justice Alliance

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

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.)

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

BILL: SB 398

INTRODUCER: Senator Burgess

SUBJECT: Awareness Program for Alzheimer's Disease and Dementia-related Disorders

DATE: March 3, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rao	Tuszynski	CF	Favorable
2.			AHS	
3.			FP	

I. Summary:

Alzheimer's disease is a type of dementia that causes an individual to lose cognitive and bodily function. It is estimated that the prevalence of Alzheimer's disease in Florida has increased significantly, with over 580,000 individuals over the age of 65 having Alzheimer's disease.

The Department of Elder Affairs (DOEA) oversees the Alzheimer's Disease Initiative (ADI) that provides services for individuals with Alzheimer's disease and their family members. Services include memory disorder clinics, respite, and support services for caregivers.

SB 398 requires the DOEA to contract for the development and implementation of the Alzheimer's Disease Awareness Program. The bill specifies requirements for the program and conditions for the DOEA-contracted entity.

The bill requires the Alzheimer's Disease Advisory Committee to annually evaluate the program and determine if future funding is needed.

The bill has a significant, negative impact on state expenditures and provides an appropriation to implement the bill. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2025.

II. Present Situation:

Alzheimer's Disease and Dementia-Related Disorders

Dementia is a general term for an individuals' decline in memory, language, and problem-solving capabilities.¹ Common causes of dementia include:²

- Alzheimer's disease;
- Cerebrovascular disease;
- Frontotemporal degeneration;
- Hippocampal sclerosis;
- Lewy body disease;
- Mixed pathologies; and
- Parkinson's Disease.

Alzheimer's disease is the most common type of dementia and is considered a progressive disease, which means symptoms worsen with time.³ Alzheimer's disease causes damage to the brain's neurons, which can lead to decreased cognitive functioning and an increased need for assistance in performing daily tasks.⁴ Individuals with Alzheimer's disease may develop changes in their mood or engage in behaviors that could be dangerous, such as wandering from a safe location and being unable to retrace their steps back to safety.⁵ Due to the damage to the brain's neurons, individuals lose the ability to engage in bodily functions such as walking or swallowing and require continual care.⁶ On average, individuals live with Alzheimer's disease four to eight years after a diagnosis.⁷ However, the lifespan of an individual with Alzheimer's disease is contingent on factors such as age and co-occurring health conditions. Some individuals have lived over twenty years after receiving an Alzheimer's disease diagnosis.⁸ It is estimated that there are more than six million Americans that currently live with Alzheimer's disease.⁹ Research predicts that by 2060, there will be an expected 13 million individuals living with Alzheimer's disease nationwide.¹⁰

¹ Alzheimer's Association, *2024 Alzheimer's Disease Facts and Figures*, available at: <https://www.alz.org/getmedia/76e51bb6-c003-4d84-8019-e0779d8c4e8d/alzheimers-facts-and-figures.pdf> (last visited 2/17/25).

² Alzheimer's Association, *2024 Alzheimer's Disease Facts and Figures*, available at: <https://www.alz.org/getmedia/76e51bb6-c003-4d84-8019-e0779d8c4e8d/alzheimers-facts-and-figures.pdf> (last visited 2/17/25).

³ U.S. Department of Health and Human Services National Health Statistics Reports, *Diagnosed Dementia in Adults Age 65 and Older: United States, 2022*, available at: <https://www.cdc.gov/nchs/fastats/alzheimers.htm> (last visited 2/17/25) and Alzheimer's Association, *2024 Alzheimer's Disease Facts and Figures*, available at: <https://www.alz.org/getmedia/76e51bb6-c003-4d84-8019-e0779d8c4e8d/alzheimers-facts-and-figures.pdf> (last visited 2/17/25).

⁴ Alzheimer's Association, *2024 Alzheimer's Disease Facts and Figures*, available at: <https://www.alz.org/getmedia/76e51bb6-c003-4d84-8019-e0779d8c4e8d/alzheimers-facts-and-figures.pdf> (last visited 2/17/25).

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

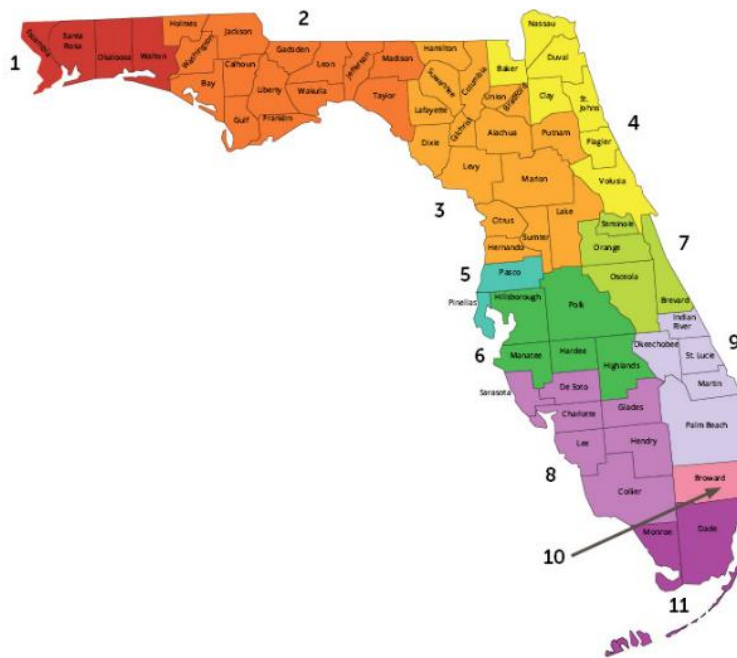
⁹ U.S. Department of Health and Human Services, *National Plan to Address Alzheimer's Disease: 2024 Update*, available at: <https://aspe.hhs.gov/collaborations-committees-advisory-groups/napa/napa-documents/napa-national-plan> (last visited 2/17/25).

¹⁰ *Id.*

There are an estimated 580,000 Floridians over the age of 65 that are living with Alzheimer's disease.¹¹ Due to Florida's high population of individuals over the age of 65 (21% of Florida's population), this number is expected to grow in the coming years.¹²

The Department of Elder Affairs

The Department of Elder Affairs (DOEA) is charged with administering programs and services for elders across the state of Florida, including services for those affected by Alzheimer's disease.¹³ The DOEA contracts with Area Agencies on Aging¹⁴ that are required to ensure prevention, early intervention, and long-term care services to the elderly population in Florida.¹⁵ There are currently 11 Area Agencies on Aging across the state, which operate as Aging and Disability Resource Centers (ADRCs).¹⁶ The ADRCs provide residents with information about state, federal, and local programs and benefits.¹⁷ The picture below displays the Area Agencies on Aging throughout Florida.¹⁸



¹¹ Florida Department of Elder Affairs, *Alzheimer's Disease Advisory Committee Annual Report (2023)*, available at: <https://elderaffairs.org/programs-services/bureau-of-elder-rights/alzheimers-disease-initiative/> (last visited 2/17/25).

¹² *Id.*

¹³ Chapter 430, F.S.; Florida Department of Elder Affairs, *About Us*, available at: <https://elderaffairs.org/> (last visited 2/14/25).

¹⁴ Florida law defines an "area agency on aging" as a public or nonprivate agency or office designated by the DOEA to coordinate and administer the DOEA's programs and to provide, through contracting agencies, services within a planning and service area. Area Agencies on Aging serve as both the advocate and the visible focal point in its planning and service area to foster the development of comprehensive and coordinated service systems to serve older individuals.

¹⁵ Section 20.41, F.S.

¹⁶ Florida Department of Elder Affairs, *About Us*, available at: <https://elderaffairs.org/> (last visited 2/14/25).

¹⁷ *Id.*

¹⁸ *Id.*

Alzheimer's Disease Initiative

In 1985, the Legislature established the Alzheimer's Disease Initiative (ADI), intended to provide services for individuals and families that have been affected by Alzheimer's disease.¹⁹ The Dementia Director, appointed by the Secretary of Elder Affairs, is responsible for providing support to memory disorder clinics throughout the state, facilitating coordination for services between a variety of providers, and monitoring data on the impact of Alzheimer's disease in Florida.²⁰

Services for Individuals and Families affected by Alzheimer's Disease

Memory disorder clinics throughout the state provide diagnostic and therapeutic settings for individuals with Alzheimer's disease. These settings allow for the research of Alzheimer's disease and training of professionals that care for individuals with Alzheimer's disease.²¹

Respite care provides temporary relief for caregivers and may be provided in conjunction with a memory disorder clinic.²² Respite options for caregivers of individuals with Alzheimer's disease may include:²³

- In-home care.
- Facility-based care.
- Specialized adult day care.
- Emergency respite care.
- Extended care up to 30 days.

Other supportive services for caregivers may include:²⁴

- Case management.
- Specialized medical equipment and supplies.
- Caregiver counseling and support groups.
- Caregiver training and relief.

Alzheimer's Disease Advisory Committee

The Alzheimer's Disease Advisory Committee (committee) is composed of stakeholders, including Ph.D. researchers, caregivers of persons with Alzheimer's disease, medical professionals, and legislative representatives.²⁵ Each year, the committee submits a report that details the current state-funded efforts in Alzheimer's disease research and provides recommendations for improving Alzheimer's disease policy.²⁶

¹⁹ Florida Department of Elder Affairs, *Alzheimer's Disease Initiative (ADI)*, available at: <https://elderaffairs.org/programs-services/bureau-of-elder-rights/alzheimers-disease-initiative/> (last visited 2/17/25); Ch. 85-145, L.O.F.

²⁰ Section 430.5015, F.S.

²¹ Section 430.502, F.S.

²² Section 430.502, F.S.

²³ Florida Department of Elder Affairs, *Alzheimer's Disease Initiative (ADI)*, available at: <https://elderaffairs.org/programs-services/bureau-of-elder-rights/alzheimers-disease-initiative/> (last visited 2/17/25).

²⁴ *Id.*

²⁵ Section 430.501, F.S.

²⁶ *Id.*

The committee makes various recommendations surrounding policy, research, clinical care, institutional care, and home and community-based services for Alzheimer's disease policy.²⁷ In 2023, one of the committee's recommendations identified a need for improving the distribution of information on Alzheimer's disease research findings.²⁸

Alzheimer's Disease and Related Dementias Resource Guide

The DOEA is required to provide public education on Alzheimer's disease and related forms of dementia.²⁹ The DOEA compiles information for the public and publishes the Alzheimer's Disease and Related Dementias Resource Guide.³⁰ Information provided in the resource guide includes information such as:³¹

- Warning signs of Alzheimer's;
- Protecting and improving brain health;
- Next steps after an Alzheimer's diagnosis; and
- Service providers in each area throughout the state.

This information is published online and is available to the public.³²

III. Effect of Proposed Changes:

Section 1 of the bill creates s. 430.5016, F.S., to require the Department of Elder Affairs to contract for the development and implementation of the Alzheimer's Disease Awareness Program. The program is intended to assist Florida residents that are affected by Alzheimer's disease and dementia-related disorders with obtaining reputable national research.

At a minimum, the program is required to:

- Include a website and other related electronic resources that address:
 - The advantages of early detection and diagnosis;
 - Methods for reducing risk factors;
 - The importance of brain health;
 - Scheduling screenings and assessments for Alzheimer's disease and dementia-related disorders with a licensed health care provider;
 - Healthy aging;
 - Recent developments in Alzheimer's research and dementia-related disorders and the availability of clinical trials;
 - Community resources available for those affected by Alzheimer's disease and dementia-related disorders; and
 - Any related topics as deemed appropriate by the DOEA.

²⁷ Florida Department of Elder Affairs, *Alzheimer's Disease Advisory Committee Annual Report (2023)*, available at: <https://elderaffairs.org/programs-services/bureau-of-elder-rights/alzheimers-disease-initiative/> (last visited 2/17/25).

²⁸ *Id.*

²⁹ Section 430.5025, F.S.

³⁰ Department of Elder Affairs State Health Improvement Plan, *Alzheimer's Disease and Related Dementias Resource Guide*, available at: https://www.floridahealth.gov/provider-and-partner-resources/research/florida-health-grand-rounds/SHIPPA9ADRDResourceGuide_final.pdf (last visited 2/17/25).

³¹ *Id.*

³² *Id.*

- Use the DOEA's Alzheimer's Disease and Related Dementias Resource Guide as part of the program materials.
- Promote health care provider education in partnership with the Department of Health to help improve care for patients with Alzheimer's disease and dementia-related disorders.
- Include print and digital advertising.
- Include a statewide, mobile, in-person outreach program that prioritizes those in underserved communities and provides information on issues relating to Alzheimer's disease and dementia-related disorders.

The bill allows the program to provide referrals to the DOEA and provide information regarding available community resources for Alzheimer's disease or dementia-related disorders.

The bill sets requirements for the entities that the DOEA can contract with for the development and implementation of the program. The statewide nonprofit organization must have a history of focusing on those affected by Alzheimer's disease and dementia-related disorders and have the organizational capacity to successfully manage a statewide program. The entity is required to collaborate with other relevant state agencies and private organizations to develop and implement the program.

The bill requires the Alzheimer's Disease Advisory Committee to annually evaluate the program and make recommendations to the DOEA and the Legislature concerning the need for future funding for the program.

Section 2 of the bill appropriates \$1.5 million in nonrecurring General Revenue funds to the DOEA to administer the Alzheimer's Disease Awareness Program for the 2025-2026 fiscal year.

Section 3 of the bill provides an effective date of July 1, 2025.

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:

The bill appropriates \$1.5 million in nonrecurring General Revenue funds to the DOEA to administer the Alzheimer's Disease Awareness Program for the 2025-2026 fiscal year.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates s. 430.5016, 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.

FOR CONSIDERATION By the Committee on Children, Families, and Elder Affairs

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A bill to be entitled

An act relating to child welfare; amending s. 39.524, F.S.; requiring the Department of Children and Families to provide specified assessment data to the Legislature as part of a certain annual report relating to the commercial sexual exploitation of children; requiring the department to maintain certain related data in a specified format; amending s. 402.402, F.S.; requiring the department to develop a child protective investigator and case manager recruitment program for a specified purpose; specifying requirements for the program; specifying duties of the department under the program, to be completed in collaboration with community-based care lead agencies; authorizing the department to adopt rules to implement the program; amending s. 409.996, F.S.; subject to an appropriation and beginning on a specified date, requiring the department to develop a 4-year pilot program for treatment foster care; requiring the department to implement the pilot program by a specified date; requiring the department to implement and operate the pilot program and coordinate with community-based care lead agencies for specified purposes; requiring community-based care lead agencies to work with the department in recruiting licensed providers and identifying eligible participants in the program; limiting participation in the pilot program to children meeting specified criteria; requiring the department to identify two

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judicial circuits determined to have the greatest need for implementation of such a program; requiring the department to arrange for an independent evaluation of the pilot program to make specified determinations; requiring the department to establish certain minimum standards for the pilot program; requiring the department, by a specified date, to submit a final report to the Governor and the Legislature which includes specified evaluations, findings, and recommendations; requiring the department to convene a case management workforce workgroup by a specified date; providing for membership of the workgroup; specifying duties of the workgroup, to be completed in collaboration with the Florida Institute for Child Welfare; providing for meetings of the workgroup; providing for the operation of the workgroup until a specified date; requiring the workgroup to draft and submit a report to the Governor and the Legislature by a specified date; providing requirements for the report; requiring the department to contract for a detailed study of certain services for child victims of commercial sexual exploitation; requiring that the study be completed by a specified date; providing requirements for the study; providing effective dates.

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

Section 1. Subsection (3) of section 39.524, Florida Statutes, is amended to read:

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39.524 Safe-harbor placement.—

(3)(a) By October 1 of each year, the department, with information from community-based care agencies, shall report to the Legislature on the prevalence of ~~child~~ commercial sexual exploitation of children; the specialized services provided and placement of such children; the local service capacity assessed pursuant to s. 409.1754; 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 based upon the evaluation; the number of children who were not placed; and the department's response to the findings and recommendations made by the Office of Program Policy Analysis and Government Accountability in its annual study on commercial sexual exploitation of children, as required by s. 409.16791; and shall also provide to the Legislature the redacted assessments for children who are assessed for such placement.

(b) The department shall maintain individual-level data of all children assessed for placement in a safe house or safe foster home and use this data to produce information that specifies ~~specifying~~ the number of children who were verified as victims of commercial sexual exploitation, who were referred to nonresidential services in the community, who were placed in a safe house or safe foster home, and who were referred to a safe house or safe foster home for whom placement was unavailable, and shall identify the counties in which such placement was unavailable. The department shall include this data in its report under this subsection so that the Legislature may

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88 consider this information in developing the General
89 Appropriations Act. The department shall maintain collected
90 individual-level data in a format that allows for extraction and
91 analysis of anonymized individual-level and aggregate data upon
92 request by the Legislature.

93 Section 2. Present subsections (4) and (5) of section
94 402.402, Florida Statutes, are redesignated as subsections (5)
95 and (6), respectively, and a new subsection (4) is added to that
96 section, to read:

97 402.402 Child protection and child welfare personnel;
98 attorneys employed by the department.—

99 (4) RECRUITMENT PROGRAM.—The department shall develop and
100 implement a child protective investigator and case manager
101 recruitment program for the purpose of recruiting individuals
102 who have previously held public safety and service positions,
103 such as former law enforcement officers, first responders,
104 military servicemembers, teachers, health care practitioners,
105 and emergency management professionals. This recruitment program
106 must focus on the education and recruitment of individuals who
107 have held positions of public trust and who wish to further
108 serve their communities as child welfare personnel.

109 (a) The department, in collaboration with community-based
110 care lead agencies, shall:

111 1. Develop information pertaining to employment
112 opportunities, application procedures, and training requirements
113 for employment within the child welfare system and distribute
114 that information to individuals who have previously held public
115 safety and service positions.

116 2. Develop and implement an employment referral system with

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117 lead agencies for the case management population.

118 3. Collect the following information quarterly:

119 a. The total number of individuals who sought information
120 from the program; were hired by the department as child
121 protective investigators; were referred by the program to a lead
122 agency for case management positions; and, based upon a referral
123 by the program, were hired by the lead agency as a case manager;
124 and

125 b. The overall turnover rate for child protective
126 investigators and case managers compared to the turnover rate
127 for child protective investigators and case managers hired based
128 upon this program.

129 (b) The department may adopt rules to implement this
130 subsection.

131 Section 3. Subsection (27) is added to section 409.996,
132 Florida Statutes, to read:

133 409.996 Duties of the Department of Children and Families.—
134 The department shall contract for the delivery, administration,
135 or management of care for children in the child protection and
136 child welfare system. In doing so, the department retains
137 responsibility for the quality of contracted services and
138 programs and shall ensure that, at a minimum, services are
139 delivered in accordance with applicable federal and state
140 statutes and regulations and the performance standards and
141 metrics specified in the strategic plan created under s.
142 20.19(1).

143 (27)(a) Subject to appropriation, beginning July 1, 2025,
144 the department shall develop a 4-year pilot program of treatment
145 foster care, or a substantially similar evidence-based program

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146 of professional foster care. The department shall implement the
147 pilot program by January 1, 2026.

148 (b) The department shall implement and operate the pilot
149 program and coordinate with community-based care lead agencies
150 to develop a process for the placement of children in treatment
151 foster care homes and deliver payment to the licensed providers
152 operating the pilot treatment foster care homes.

153 (c) Community-based care lead agencies shall work with the
154 department to recruit individuals and families as licensed
155 providers and identify potential eligible children for placement
156 in the pilot treatment foster care homes.

157 (d) Participation in the pilot program is limited to
158 children who:

159 1. Are entering or continuing in foster care with high
160 resource indicators, as determined by the department. These high
161 resource indicators may include, but not be limited to, the
162 potential for frequent placement change due to current or past
163 behavior or Department of Juvenile Justice involvement; or

164 2. Are dependent and will require continued placement in
165 foster care after discharge from inpatient residential
166 treatment.

167 (e) The department shall identify two judicial circuits
168 within which the pilot program will be implemented. The
169 department shall use relevant removal and placement data to
170 identify areas with the greatest need for such a program.

171 (f) The department shall arrange for an independent
172 evaluation of the pilot program to determine whether:

173 1. The pilot program is maintaining children in the least
174 restrictive and most appropriate family-like setting near the

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175 child's home while they are in department care; and

176 2. There is a long-term cost benefit associated with
177 continuation and expansion of a treatment or professional foster
178 care program.

179 (g) The department shall establish standards for the pilot
180 program. Those standards must, at a minimum, ensure:

181 1. That placement of a child in a pilot treatment foster
182 care home is a temporary holistic treatment option and may not
183 exceed 9 months. A one-time 3-month extension may be granted if
184 the department determines that the child is not ready for
185 discharge from treatment foster care at 9 months;

186 2. Development and implementation of specialized training
187 for treatment foster parents in care coordination, de-
188 escalation, crisis management, and other identified relevant
189 skills needed to care for children with high behavioral health
190 needs that cannot be or have not been met in traditional foster
191 care placements;

192 3. No more than two eligible children are placed at any
193 time in a pilot treatment foster care home;

194 4. At least one foster parent with specialized training is
195 available and dedicated to the care and treatment of placed
196 children; and

197 5. A 24 hour on-call crisis person is available to provide
198 in-home crisis intervention and placement stabilization services
199 to the child and family.

200 (h) The department shall submit a final report by January
201 1, 2030, to the Governor, the President of the Senate, and the
202 Speaker of the House of Representatives, including the
203 independent evaluation, the department's findings and

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204 evaluation, recommendations as to whether the pilot program
205 should be continued and expanded statewide, and, if so, fiscal
206 and policy recommendations to ensure effective expansion and
207 continued operation of the program.

208 Section 4. Effective upon this act becoming a law, the
209 Department of Children and Families shall convene a case
210 management workforce workgroup by July 1, 2025. The workgroup
211 shall be composed of persons with subject-matter expertise in
212 case management and child welfare policy.

213 (1) The department shall ensure the workgroup has at least
214 two representatives with subject matter expertise in case
215 management from each of the following:

216 (a) The Department of Children and Families.

217 (b) Community-based care lead agencies.

218 (c) Contracted case management organizations.

219 (2) In collaboration with the Florida Institute for Child
220 Welfare, the workgroup shall do all of the following:

221 (a) Review and analyze existing statutes, rules, operating
222 procedures, and federal requirements related to the provision of
223 case management.

224 (b) Review and analyze legislative changes related to case
225 management processes during the preceding 10 years and the
226 impact that those changes have had on workload and workforce.

227 (c) Gather statewide data to assess all of the following:

228 1. Compliance with statutory requirements.

229 2. Variations in case management practice.

230 3. Current workforce capacity.

231 4. Barriers to successful implementation of any statutes,
232 rules, and operating procedures.

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(d) Solicit insight from stakeholders, including frontline workers, supervisors, and administrators, regarding challenges and potential solutions.

(e) Analyze findings of the work conducted under paragraphs (a)-(d) to:

1. Identify any needed statutory changes;
2. Evaluate whether the current structure, processes, and requirements of statute, rule, and operating procedure are duplicative or unworkable; and
3. Evaluate how well case managers are implementing policy.

(f) 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.

(3) The workgroup shall meet as often as necessary to carry out these duties and responsibilities and shall operate until December 1, 2025, by which time it shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which summarizes its work, describes and details its analysis of data, and recommends clear actionable policy.

Section 5. Effective upon this act becoming a law, the Department of Children and Families shall contract for a detailed study of bed capacity for residential treatment services and a gap analysis of nonresidential treatment services for child victims of commercial sexual exploitation identified by the child welfare systems of care and those not involved in the child welfare systems of care. The study must include analyses of current capacity, current and projected future

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demand, and the state's current and projected future ability to meet that demand. The study must be completed by December 31, 2025, and must, at a minimum, include all of the following:

(1) By department 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.

(2) By department 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.

(3) By department region, an analysis of nonresidential treatment services for child victims of commercial sexual exploitation and the utilization of such services.

(4) Policy recommendations for ensuring sufficient bed capacity for residential treatment beds, ensuring 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. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2025.

3/4/2025

Meeting Date

The Florida Senate
APPEARANCE RECORD

SPB 7012

Committee on Children, Families, and Elder Affairs

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Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name **Natasha Dobkowski**

Phone **352-653-0115**

Address **317 East Park Ave**

Email **natasha@flchildren.org**

Street

Tallahassee

FL

32301

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against



I am appearing without
compensation or sponsorship.

PLEASE CHECK ONE OF THE FOLLOWING:



I am a registered lobbyist,
representing:

Florida Coalition for Children



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/4/25

Meeting Date

7012

Bill Number or Topic

Chicago Family

Committee

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Amendment Barcode (if applicable)

Name

Ray Miller

Phone

727-224-7276

Address

4210 Burning Tree

Email

RMILLER@IMPORKORAL.COM

Street

Jax

City

FL

State

32223

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:

AMERICAN
CHICAGANS
CAMPAIGN



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

400
3015

The Florida Senate
APPEARANCE RECORD

SB 7012

Bill Number or Topic

Amendment Barcode (if applicable)

03/04/25

Meeting Date

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children, Families & Elder

Committee

Affairs

Name

Karen Mazzda

Phone

407-955-7604

Address

1747 Orlando Central Pkwy

Email

vp.leadership@floridapta.org

Street

Orlando

FL

32809

City

State

Zip

Speaking:

☐ For

☐ Against

☐ Information

OR

Waive Speaking:

☒

In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Florida PTA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

March 4, 2025

Meeting Date

Children Families Elder Affairs

Committee

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7012

Bill Number or Topic

Amendment Barcode (if applicable)

Name Jennifer Cook Pritt

Phone 850-219-3631

Address 2636 Mitcham Drive
Street

Email jpritt@fpca.com

Tallahassee

FL

32308

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:

Florida Police Chiefs Association

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

March 4, 2025

Meeting Date

Children Families

Committee

The Florida Senate
APPEARANCE RECORD

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7012

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Barney Bishop III**

Phone **850-510-9922**

Address **1454 Vieux Carre Drive**

Email **Barney@BarneyBishop.com**

Street

Tallahassee

FL

32308

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Fla. Smart Justice Alliance

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/4/25

Meeting Date

The Florida Senate
APPEARANCE RECORD

7012

Bill Number or Topic

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S. Children Families

Committee

Amendment Barcode (if applicable)

Name

Victoria Zepp

Phone

833 618.8180

Address

310 W. College Ave.

Email

VICTORIA@TEAM180.COM

Street

TLH

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against



Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:

Family Support
Services

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

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.)

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

BILL: SB 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	CF submitted as Committee Bill
2.			AHS	
3.			FP	

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.¹ 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.²

Child welfare services are directed toward the prevention of child abuse, abandonment, and neglect.³ 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.⁴ 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.⁵ Ultimately, the DCF is responsible for program oversight and the overall performance of the child welfare system.⁶

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.⁷ 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.⁸

¹ Chapter 39, F.S.

² Chapter 39, F.S.

³ Section 39.001, F.S.

⁴ *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).

⁵ 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).

⁶ *Id.*

⁷ Section 20.19(1)(a), F.S.

⁸ Section 20.19(1)(b), F.S.

The DCF is required to provide services relating to:⁹

- 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.¹⁰ These private providers include CBCs delivering child welfare services.¹¹

Community-Based Care System

The DCF, through CBCs, administer a system of care¹² 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.¹³

The CBCs must give priority to services that are evidence-based and trauma informed.¹⁴ 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.¹⁵

⁹ Section 20.19(4)(a), F.S.

¹⁰ Section 20.19(1)(c), F.S.

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

¹² Section 409.145(1), F.S.

¹³ *Id.*; Also see generally s. 409.988, F.S.

¹⁴ Section 409.988(3), F.S.

¹⁵ 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)¹⁶ to receive reports of known or suspected instances of child abuse¹⁷, abandonment¹⁸, or neglect¹⁹, or instances when a child does not have a parent, legal custodian, or adult relative available to provide supervision and care.²⁰ 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.²¹

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.²² 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.²³

¹⁶ 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.

¹⁷ 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.

¹⁸ 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.

¹⁹ 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.

²⁰ Section 39.201(1), F.S.

²¹ Section 39.101(1), F.S.

²² 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.

²³ Section 39.301, F.S.

Case Management

CBCs provide case managers²⁴ 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.²⁵

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.²⁶ The frequency of these visits depends on the child's safety plan and placement.²⁷ 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.²⁸

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.²⁹

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.³⁰

Turnover Rates of DCF Child Protective Investigation Positions			
Position	SFY 21-22	SFY 22-23	SFY 23-24
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%

²⁴ 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.

²⁵ 65C-33.003, F.A.C.

²⁶ 65C-30.007, F.A.C.

²⁷ 65C-30.007, F.A.C.

²⁸ *Id.*

²⁹ *See generally*, Section 409.988, F.S.

³⁰ 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 (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 (last visited 2/25/25).

The following chart shows the vacancy rates for child protective investigations staff from SFY 2022-2024.³¹

Vacancy Rates for Child Protective Investigations Staff			
Position	SFY 2022-2023	SFY 2023-2024	Difference in Vacancy Rates
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.³²

Turnover Percentages of Case Managers Statewide	
Time Period	Case Manager Turnover Percentage
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.³³

Caseload Average for Case Carrying Case Managers by CBC			
CBC	Number of Case Manager (CM)	Number of Primary³⁴ Children (PC)	Average PC per CM
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

³¹ *Id.*

³² 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).

³³ 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.

³⁴ A “primary” child is the child subject to the child welfare proceedings or services.

Caseload Average for Case Carrying Case Managers by CBC			
CBC	Number of Case Manager (CM)	Number of Primary ³⁴ Children (PC)	Average PC per CM
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
Statewide Average	1709	24216	14.17

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.³⁵ 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.³⁶

Continue the Mission

First Lady Casey DeSantis launched the DCF’s Continue the Mission program in 2022.³⁷ 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

³⁵ 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 (last visited 2/25/25).

³⁶ *Id.*

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

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

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.⁴⁰ 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.⁴¹ The Glide Path had three salary levels for CPIs based on skills and core competencies achieved.⁴² CPIs that demonstrated specific skills and core competencies had the opportunity to achieve a competency-based salary increase.⁴³ However, the Glide Path model did not provide the expected career advancement outcomes, and the DCF ended the program in June 2019.⁴⁴

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

³⁸ *Id.*

³⁹ 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 (last visited 3/1/25).

⁴⁰ 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 (last visited 2/24/25).

⁴¹ 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).

⁴² *Id.*

⁴³ *Id.*

⁴⁴ 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 (last visited 2/25/25).

and professional development opportunities for advancement; and compensation ranges.⁴⁵ 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.⁴⁶

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.⁴⁷

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%.⁴⁸

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.⁴⁹ These placements are aimed to be the least restrictive, most family-like placements available.⁵⁰ The DCF is required to consider a child's placement in the following priority order:⁵¹

- 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.

⁴⁵ Ch. 2020-152, Laws of Fla.

⁴⁶ 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 (last visited 1/14/25).

⁴⁷ 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 (last visited 2/24/25).

⁴⁸ *Supra* note 39, slide 8

⁴⁹ Section 39.4021, F.S.

⁵⁰ *Id.*

⁵¹ *Id.*

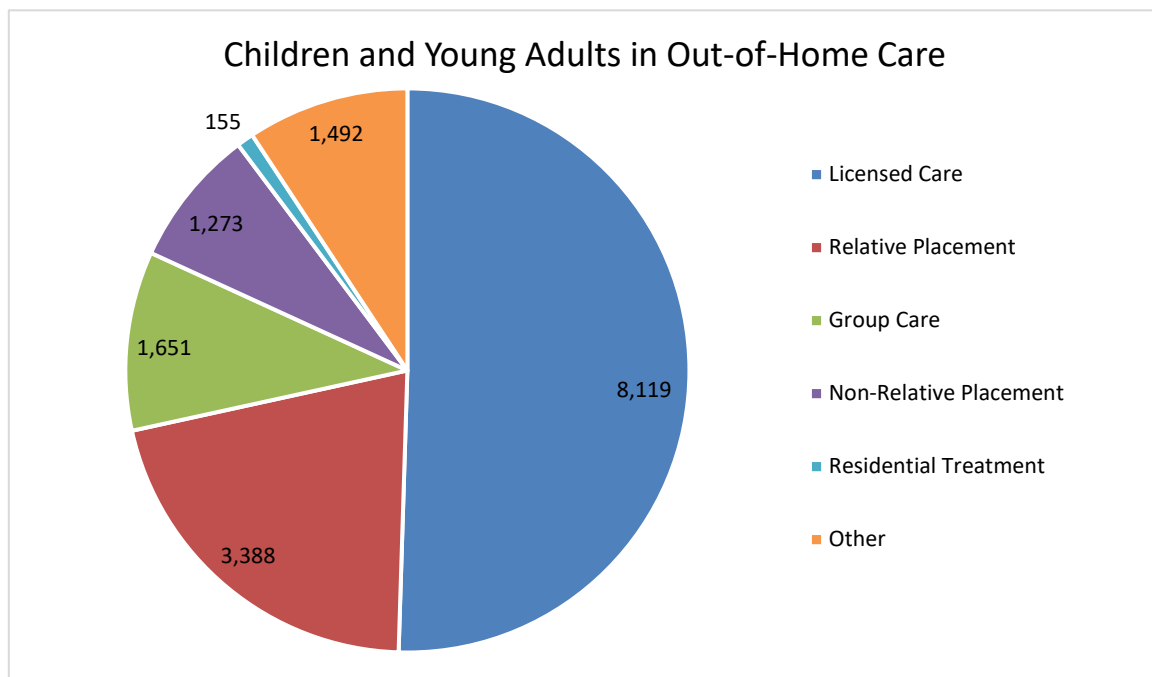
Licensed foster care provides a range of placements for children in out-of-home care that vary in service level. The following chart displays the levels of licensed care.⁵²

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, 2025.⁵³

⁵² 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.

⁵³ 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.⁵⁴

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.⁵⁵ The requirements to become treatment foster parents vary by state, with some requiring one member of the household to stay home full-time,⁵⁶ whereas others require employed foster parents to have flexible work hours.⁵⁷

⁵⁴ 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).

⁵⁵ 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).

⁵⁶ 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).

⁵⁷ DFPS, Treatment Foster Family Care, available at: https://www.dfps.texas.gov/Child_Protection/Foster_Care/TFFC.asp (last visited 11/18/24).

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.⁵⁸

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.⁵⁹ Placement stability is important for children in foster care and has been shown to positively impact their safety, permanency, and well-being.⁶⁰ Experiencing multiple placements as a child has been associated with academic difficulties, social challenges, and may delay permanency.⁶¹

Funding Professional Foster Care

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

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

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.⁶⁵ To receive these federal dollars, states are subject to Title IV-E reviews to determine the states’

⁵⁸ 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).

⁵⁹ 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).

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

⁶¹ *Id.*

⁶² 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).

⁶³ 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).

⁶⁴ 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).

⁶⁵ 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.⁶⁶ States can use these funds for room and board costs, administration costs, and recruiting and training treatment foster parents.⁶⁷

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.⁶⁸

Commercial Sexual Exploitation of Children

The Legislature recognizes the need for specialized care and services for children who are victims of commercial sexual exploitation.⁶⁹ 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.⁷⁰

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.⁷¹ The staffing typically involves an array of professionals⁷² 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.⁷³

Obtaining an accurate count of CSEC victims can be challenging since victims are not readily identifiable.⁷⁴ 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.⁷⁵

⁶⁶ 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).

⁶⁷ 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).

⁶⁸ *Id.*

⁶⁹ Section 39.001(5), F.S.

⁷⁰ Section 409.016, F.S.

⁷¹ Section 409.1754, F.S.

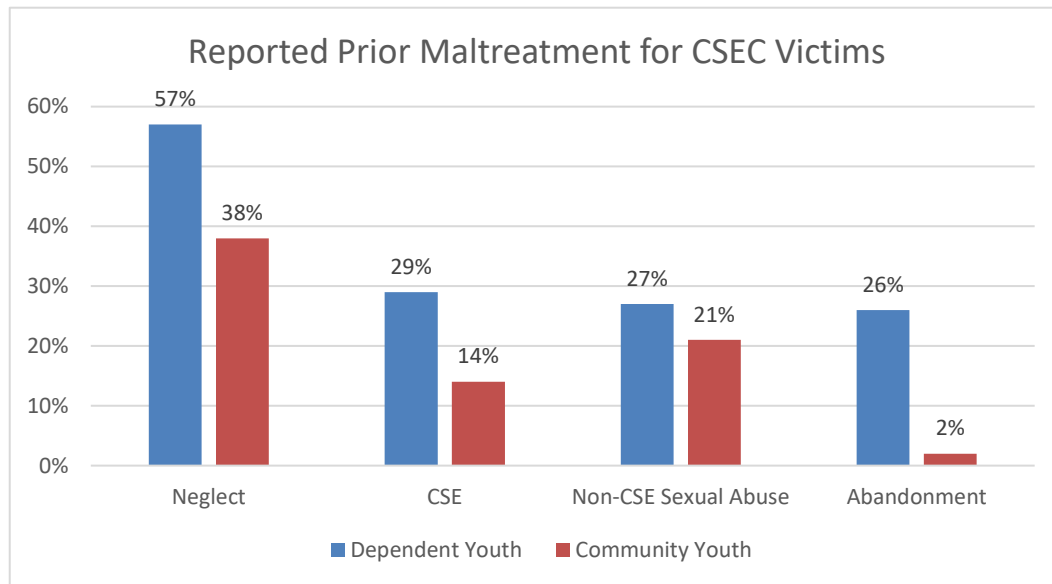
⁷² Multidisciplinary staffings may include, but are not limited to, the child, if appropriate; the child's family or legal guardian; the child's guardian ad litem; Department of Juvenile Justice staff; school district staff; local health and human services providers; victim advocates; and any other persons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

⁷³ Section 409.1754, F.S.

⁷⁴ 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).

⁷⁵ 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.⁷⁶ Of the reports referred for investigation, most came from law enforcement and criminal justice personnel.⁷⁷ 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.⁷⁸ 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 youth⁷⁹ that had prior maltreatments.⁸⁰



Safe Houses and Safe Foster Homes

Current law defines and provides for the certification of specialized residential options for CSEC victims.⁸¹ 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.⁸² 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:

⁷⁶ 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).

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ 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).

⁸⁰ *Id.*

⁸¹ See generally Section 409.1678, F.S.

⁸² 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,⁸³ including personnel qualifications, staffing ratios, and types of services offered.⁸⁴

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.⁸⁵

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

- 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.

⁸³ Rule 65C-46.020, F.A.C.

⁸⁴ Section 409.1678(2)(c), F.S.

⁸⁵ Section 39.524, F.S.

⁸⁶ *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.⁸⁷

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.⁸⁸ 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.⁸⁹ The OPPAGA has recommended that individual-level data be collected in a format that allows for easy extraction, aggregation, and analysis.⁹⁰

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.

⁸⁷ *Id.*

⁸⁸ Section 409.16791, F.S.

⁸⁹ 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).

⁹⁰ *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.

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