#### The Florida Senate

#### COMMITTEE MEETING EXPANDED AGENDA

#### CHILDREN, FAMILIES, AND ELDER AFFAIRS Senator Book, Chair Senator Albritton, Vice Chair

| MEETING DATE: | Tuesday, January 12, 2021                         |
|---------------|---|
| TIME:         | 9:00—11:30 a.m.                                   |
| PLACE:        | Toni Jennings Committee Room, 110 Senate Building |

**MEMBERS:** Senator Book, Chair; Senator Albritton, Vice Chair; Senators Brodeur, Garcia, Harrell, Rouson, Torres, and Wright

|     |                         | BILL DESCRIPTION and     |                  |
|-----|-------------------------|--------------------------|------------------|
| TAB | BILL NO. and INTRODUCER | SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |

PUBLIC TESTIMONY WILL BE RECEIVED FROM ROOM A1 AT THE DONALD L. TUCKER CIVIC CENTER, 505 W PENSACOLA STREET, TALLAHASSEE, FL 32306

1 Presentation by Chad Poppell, Secretary, the Department of Children and Families on the: -Agency's investigation of the issues raised in the USA Today Investigative Series and the specific response to address all identified breakdowns. -Status on the implementation of:

-CS/SB 1482 (2020) and other issues related to the former Florida Coalition Against Domestic Violence.

-The Family First Prevention Services Act.

-Agency's response for handling child welfare cases during the COVID-19 pandemic.

2 Presentation by Barbara Palmer, Director, the Agency for Persons with Disabilities on the: -Status on the implementation of CS/SB 82 (2020). -Agency's response to:

-Outbreaks in facilities and delivery of services during the COVID-19 pandemic.

-Staffing issues at various APD facilities.

-Status on the waitlist for iBudget.

3 Presentation by Richard Prudom, Secretary, the Department of Elder Affairs on the: -Status on any staffing issues within the Office of Public and Professional Guardians and an update on any backlog of disciplinary cases. -Agency's response for providing services during the COVID-19 pandemic.

4 Presentation by Jim Zingale, Exeuctive Director of the Department of Revenue on the: -Status of child support enforcement and any relevant information on trends and case law changes.

Other Related Meeting Documents

## Senate Committee on Children, Families, and Elder Affairs

January 12, 2021

#### **Florida Department of Revenue**

Child Support Program

Jim Zingale, Executive Director

Ann Coffin, Program Director

#### The Department of Revenue's mission is to be:

An agency that is accessible and responsive to citizens, provides fair and efficient tax and child support administration,

and achieves the highest levels of voluntary compliance.



# Florida Department

- Fifth largest state agency with approximately 5,000 employees
- Three operational program areas:
  - Child Support Program
  - General Tax Administration
  - Property Tax Oversight
- Effects of the COVID-19 pandemic on the Child Support Program
  - Economic (including CARES Act stimulus)
  - Unemployment
  - Delivery of services





## Working with families and partners to help children receive child support

#### **Primary Services:**

- Paternity establishment
- Support order establishment and modification
- Receipt and disbursement of payments
- Enforcement actions

Parents apply for services and parents who receive public assistance are referred by Department of Children and Families



\$1.07 billion collected through income withholding from the parent's paycheck have a **support order** 

Providing services to over

80%

1.6 million cases involving over 1.1 million minor children

of families

with a case

...the child support program collects **\$6.53** 



#### **Pandemic Impacts – Service Delivery**

#### Services rely heavily on parents

- Completing and returning forms
- Attending office visits and court/administrative hearings
- Providing information about themselves, their children and the other parent

#### To protect customers and employees

- A high percent of workforce began to telework
- State office buildings were closed to the public

#### To ensure services continued, the Program reengineered its' service delivery options

#### Parents are no longer required to visit an office

- Form Return and Completion
  - Statewide fax
  - Upload photo or PDF in eServices portal
  - Complete online in eServices portal
  - Drop boxes
  - Detailed instructions sent with complex forms
  - Automatic resending of forms to resolve noncooperation
- Attending Office Visits
  - Private labs for genetic sample collections
  - Telephonic written agreement negotiations
- Providing Information
  - Email online contact form
  - eService portal fast links
  - Fax, upload and drop boxes
  - Increased resources for phone and chat



| FLORIDA  | FLORIDA DEPARTMENT OF REVEN  |  |
|--|--|--|
| EASY WAYS<br>CHILD S   | 5 TO HANDLE YOUR<br>SUPPORT CASE   |  |
| <ul> <li>Get Case :</li> <li>Update Int</li> <li>Return For</li> <li>Resolve an</li> </ul> | formation  |  |
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| ChildSupport.Fl  | oridaRevenue.com   |  |
| @ EMAIL  | antevenue.com  |  |
| FloridaRevenue   | .com/AskChildSupport   |  |
| Q WEB CHAT   |  |  |
| FloridaRevenue.com/ChildSupport  |  |  |
|  |  |  |
| 🗃 FAX  |  |  |
| 850-921-0792   | Continue<br>Cearn more on our Contact page<br>Scan this code to visit<br>FloridaRevenue.com/ChildSupport/Contact |  |



**Caseload and Order Establishment** 

#### Collections

- \$100 million increase in disbursed collections
- Increase driven by federal pandemic stimulus and reemployment assistance
  - Reemployment Assistance \$26 million
  - \$1200 stimulus \$218 million
  - \$600 stimulus is exempt from offset for pastdue child support



- Wage withholding decreased \$56 million
- Over 27,500 fewer cases with wage withholding payments
- Payments made by parents decreased \$18 million





- Enhance new service options
- Align resources to high demand customer service
- Deploy video tutorials on web
- Law changes
- Expand cash payment locations



## Questions



SERVE CUSTOMERS WITH RESPECT, CONCERN AND PROFESSIONALISM

MAKE IT EASIER FOR PARENTS TO PROVIDE SUPPORT TO THEIR CHILDREN

WORK WITH PARENTS, PARTNERS AND THE COMMUNITY TO CONTINUALLY IMPROVE THE CHILD SUPPORT PROGRAM



## Senate Committee on Children, Families, and Elder Affairs

**Richard Prudom, Secretary** 

### **About Florida's Elders**



- 5.5 million Floridians are over 60 years old. The state ranks first in the nation for 65+ population.
- By 2030, this will increase to 7.6 million – a 38% increase.
- Before the pandemic, more than 800 people were coming to Florida every day. Many were over 60 years old.



#### Mission

To promote the well-being, safety, and independence of Florida's seniors, their families, and caregivers.

#### Vision

For all Floridians to live well and age well.

#### **Major Focus**

Provide home and community-based services to seniors who are at risk of being placed into a long-term care facility because of their degree of frailty.



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#### ORGANIZATION OF THE AGING NETWORK





# DOEA During COVID-19

DOEA met COVID-19 with hallmark innovations, ingenuity, and new programs to help older adults stay independent, reduce social isolation, and bring new attention to behavioral health for the aging population.



# At-A-Glance Initiatives

- Restaurant Meal Initiative
- Project: VITAL
- Therapeutic Robotic Pets
- Scent Evidence Kits
- Mental Health Campaigns
- Telephone Reassurance Calls
- Florida SAFE Survey



#### **Restaurant Meal Initiative**



- 3.4 million home-delivered meals
- Increased overall meal delivery by 200% for over 16 weeks
- Total meals over 15.4 million



## **Project: VITAL**



- Tablets in 300 facilities
- 15,000+ video chats
- 25,000+ interactions
- Pre-loaded software designed for older adults by It's Never Too Late (iN2L)



#### **Therapeutic Robotic Pets**



- Over 5,000 animatronic pets delivered
- From Pensacola and Jacksonville to Orlando and Miami
- Benefits dementia recipients, caregivers, and older adults



## **Scent Preservation Kits®**

- Distributing 5,000 Scent Preservation Kits<sup>®</sup> to caregivers of those living with ADRD.
- The kits are distributed through 17 Memory Disorder Clinics throughout the state.





#### **Florida Safe Survey**



## **Talk It Out Mental Health Campaign**



## **Talk It Out Mental Health Campaign**



- 11,000 print flyers delivered with meals
- 32 statewide billboards
- Averaged 50,000
   telephone reassurance
   calls a month



## **Aging and Ageism**







## Creating A Livable Florida







# What is Guardianship?

A legal relationship created by a court between an individual whom it has determined is not capable of making decisions regarding his or her life or property and the person or organization appointed by that court to make such decisions.



## What types of Guardians are there?

#### • Family Guardians

- serve less than 3 wards

#### Professionally Certified Guardians

- professional guardians are paid from the assets of the ward
- public guardians serve indigent wards and are paid by the state



## **DOEA Role in Guardianship Before 2016**

- Operated Statewide Public Guardian Program (SPGO)
- Maintained contracts with 17 public guardian offices statewide
- Maintained registration files and administered competency exam for all professionally certified guardians





## **2016 Legislative Session**

- SB 232 expanded authority of DOEA guardianship office and renamed it Office of Public and Professional Guardians (OPPG)
- Additional responsibilities:
  - regulating over 550 professional guardians
  - investigating complaints against professional guardians and enacting appropriate administrative discipline



#### **Complaint Process**

OPPG reviews findings and enacts administrative discipline, if appropriate, as defined in Ch. 744.20041(2), F.S.

- Issuance of reprimand or letter of concern
- Requirement to undergo remedial education
- Pay restitution as appropriate
- Suspension or permanent revocation





#### **OPPG Operational Improvements**

- Resolved the backlog of complaints
- Revised investigation referral process
- Implemented new processes to improve transparency and responsiveness
- Focused on improving complaint intake and referral procedures.



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## **OPPG Accomplishments/Focus for 2021**

- Building relationships with various stakeholders across the state:
  - Sounding board for guardianship advocates, interested parties, citizens
  - Partnering with guardians to ensure compliance with statutes and rules
  - Open line of communication with judiciary
- Re-write Professional Guardian Training and enhance Continuing Education Courses



## **OPPG Accomplishments/Focus for 2021**

- Continue improvements in complaint intake and investigations
- Implementing efficiencies in guardian registration compliance, oversight of public guardian programs
- Ensuring public guardian offices efficiently provide services to indigent citizens in need of guardianship services, especially in current pandemic environment.



## **Questions?**





## **DCF Update:**

#### COVID-19 Impact, Media Articles, Domestic Violence Update, and FFPSA Update

Senate Committee on Children, Families, and Elder Affairs 01/12/2021

> Presented by: Secretary Chad Poppell
# **COVID-19 Impact: Highlights**

- Office of Adult Protective Services (APS)
  - APS maintained victims seen within 24 -hour rates significantly above target, averaging 97% across as the pandemic surged.
- Office of Economic Self-Sufficiency (ESS)
  - 1.3 million new public benefit recipients
    - 400% increase in applications.
    - 284,100 utilizing the online grocery purchasing pilot.
    - 2.2 million Florida children received P-EBT benefits, totaling over \$687 million.
- Office of Substance Abuse and Mental Health (SAMH)
  - Over 30% of services transitioned to telehealth by April 2020.
  - Expanded capacity at 2-1-1 community helplines and established a crisis counseling program through a nearly \$5 million grant from FEMA and SAMHSA.
- Office of Child Welfare (OCW)
  - Shifted 200+ Hotline and IT staff members to teleworking.
  - Helped provide foster youth with over 300 laptops to aid with virtual learning.
  - Provided more than 3.7 million units of PPE to CPIs, CBCs, and providers.



# **COVID-19 Impact: APS**

- Investigators integrated technologies and saw victims using virtual means as hospitals and licensed facilities denied access as the pandemic surged.
- Service delivery never lapsed, with in-home programs maintaining continuity across the span of the pandemic.
- With an absence of institutional placement options, APS staff successfully leveraged relative placements to ensure victim safety.
- Maintained its successful re-abuse reduction strategy during the pandemic. Holding at 6.5% through present.



### **COVID-19 Impact: ESS**

• Temporarily repurposed staff to assist with call volumes and application processing.

4

 Suspended work requirements and increased benefit amounts, to allow families to focus on what is important—health and safety.



### **COVID-19 Impact: SAMH**



5 Note: Calls for MRTs primarily originate from schools

for public comment.

### **COVID-19 Impact: SAMH**





Source: University of South Florida, Baker Act Reporting Center











• Re-abuse numbers decreased, and placement moves decreased.





### **Addressing Recent Media Articles**



### Media Articles: Overview

- A series of articles centered around Florida's Child Welfare System and the abuse of children in out-of-home care.
- DCF's Office of Child Welfare and Quality Office conducted reviews of:
  - Current policy and practice regarding foster parent/group home licensing.
  - 26 recommendations from the joint FDLE-DCF task force that launched earlier in 2019 (in response to the Rios case).



### Background on the Child Welfare System

- There was a change in the practice model FY 14-15.
- Increase in out-of-home care reflected national trends.
  - While the practice model did have impact on removals and how DCF serves families, it was not the only driving force behind the increase.
- Removals of children from their homes have generally declined since 2016.
- Children are safer:
  - Verified serious maltreatments have steadily dropped.
  - Rate of child deaths per 100,000 children has steadily dropped.



#### Children in Out-of-Home Care as of the Last Day of the Month





#### Out-of-Home Care, Removals and Discharges Nationally

#### # of Removals by Month





#### Children Entering Foster Care per 1,000 Children in General Population





### Media Articles: Case Reviews

- Quality Office Review
  - The DCF Quality Office reviewed the cases associated with the placements and collaborated with the Office of Child Welfare to review licensing histories and actions.
  - Reviews were conducted to determine policy compliance and correct decision making.



### Media Articles: Case Reviews

- Quality Office Review
  - -Policies Reviewed
    - Foster Home Investigations
    - Foster Care Referrals
    - Foster Care Licensing
    - Exit Interviews
    - Case Management
    - Incident Management



# **Quality Office Findings**

- Looked at 48 critical policy decisions for the placement outlined in the article.
  - 44% of the time DCF did not follow policy.
  - 60% of those decisions, DCF was not compliant.



## **DCF-FDLE** Taskforce

- Direct result of the Rios case (2018)
  - Original allegations were brought forward in 2016, there were no disqualifying factors until 2018 that would have prevented additional foster placements within the home.
- Established to review sexual abuse cases within foster homes and developed recommendations for areas in need of improvement.
- First met in June 2019 and presented findings in October 2019.



### Florida Facts on Sexual Abuse Involving Foster Parents 2019-2020



- Requires immediate notification to law enforcement when the alleged harm is suspected to have been caused by FP.
- Requires all reports of sexual abuse to be referred to the Child Protection Team for
- Requires ongoing communication and collaboration between DCF and local FP licensing agency (CBC), and notifications to law enforcement/state attorney.
- Allows for restriction of FP's access to child pending outcome of investigation for up to 90 days without a judicial finding. See s. 39.302, F.S.; 65C-29.004, F.A.C.; CFOP 175-12.



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### No Indicators 🔴 767 🔾 72

When there is no credible

#### Not Substantiated

- 290  $\bigcirc 14$ When there is credible evidence, but not enough to support that the harm suffered was the result of

#### Verified Maltreatment 90 96



When there is a preponderance of credible evidence that the specific harm was the result of abuse.

- 65 of the 92 alleged victims of sexual abuse were reported by a professional reporter.
- 73% of alleged victims of sexual abuse were
- 83% of verified victims were female.

| Age Group | No Indicators | Not<br>Substantiated | Verified |
|-----------|---------------|----------------------|----------|
| 0-5       | 35            | 1                    | 0        |
| 6-12      | 19            | 5                    | 5        |
| 13-17     | 18            | 8                    | 1        |



### Sexual Abuse Allegations Involving Foster Parents

### **Allegations**

| Calls to the Hotline* with Foster Parents as the Alleged Perpetrator |             |         |         |         |  |  |
|--|-------------|---------|---------|---------|--|--|
| Maltreatments  | Intake Date |         |         |         |  |  |
| Matreatments   | FY 2017     | FY 2018 | FY 2019 | FY 2020 |  |  |
| Sexual Abuse - Sexual Battery  | 21          | 22      | 17      | 15      |  |  |
| Sexual Abuse - Sexual Molestation                                    | 55          | 48      | 54      | 62      |  |  |

### **Verified Allegations**

| Verified Allegations with Foster Parents as the Alleged Perpetrator* |             |         |         |         |  |  |  |
|--|-------------|---------|---------|---------|--|--|--|
| Maltreatments  | Intake Date |         |         |         |  |  |  |
| Matteatments   | FY 2017     | FY 2018 | FY 2019 | FY 2020 |  |  |  |
| Sexual Abuse - Sexual Battery  | 2           | 4       | 1       | 3       |  |  |  |
| Sexual Abuse - Sexual Molestation                                    | 9           | 3       | 4       | 4       |  |  |  |

\* Hotline intakes that included at least one allegation of sexual abuse. Multiple children could be included on a single intake. Each intake could include multiple calls to the Hotline.



### **Sexual Abuse Investigations**

- Expansion of CIRRT (Critical Incident Rapid Response) Team and Process
  - Include a Coordinator specifically dedicated to sexual abuse in foster care, and specialists that would assist with the operational response to Regional staff during investigations.
  - Provide specific expertise in sexual abuse victimization, assessment, and trauma-informed care to improve outcomes, accuracy in decision-making, and adherence to policy and practice.
- Establishment of Special Investigation Unit (SIU)
  - Conduct all investigations involving allegations of child maltreatment in:
    - Licensed Foster Homes and Group Homes.
    - Employees of DCF, CBCs, and contracted case management agencies.
  - Unit would consist of a "core" team to be utilized for multidisciplinary staffings (CPT, FDLE, State Attorney's offices, CBCs, licensing, child placing, behavioral health, etc.).



- Children should not be placed in homes where abuse has been suspected or alleged.
  - Zero Tolerance Policy
  - Placement holds already occur in practice
    - DCF is drafting language for policy



- Following the finding of verified abuse in a foster home, there should be immediate follow up with children previously placed in the home.
  - Currently, CPIs and Law Enforcement coordinate to identify all potential child victims the alleged perpetrator has had access to in their role as a foster parent. Additionally, they determine who else may need to participate in a child protective assessment and/or forensic interview.
  - DCF-FDLE Task Force recommended codifying this in policy.



- Adults who have been accused of or charged with violent behavior should not be granted foster licenses.
  - Statute currently addresses violent behavior and egregious criminal behavior as disqualifiers.
  - Despite recent success with recruiting foster parents, the need for more quality foster parents is still present.



- Falsification of information on case files
  - -This is unacceptable, results in termination.
  - The premise is that case loads are too high, forcing workers to cut corners.



### **Domestic Violence Update**

- Before Passage of HB 1087 (2020)
  - DCF was statutorily required to contract with and provide federal/state funding to the Florida Coalition Against Domestic Violence (FCADV).
  - In 2018, Florida media outlets published reports alleging exorbitant FCADV executive salaries while domestic violence shelters went understaffed and under-resourced.
  - In February 2020, Governor DeSantis directed the Chief Inspector General to conduct a review of FCADV's spending practices.



### **Domestic Violence Update**

- After Passage of HB 1087 (2020)
  - Terminated FCADV's contract and assumed operational and oversight responsibilities.
  - Filed civil lawsuit against FCADV's officers and board of directors (currently in mediation).
  - Offered employment to all but two FCADV staff.
  - Amended contracts with all shelter providers to streamline funding and reporting requirements.
  - Established Executive Advisory Committee.
  - Transitioned 30+ employees and 140+ contracts to DCF.
  - Provided \$1.1m in non-recurring funds to shelters for COVID-related issues.
  - Began distributing regular shipments of PPE to shelters in early May.
  - Completed fiscal administration on FCADV side).
  - Preparing for re-procurement



### **Domestic Violence Update**

- How did we get here?
  - Over time, DCF's Domestic Violence (DV) program office positions were nearly eliminated, impairing its ability to appropriately oversee the DV Program.
  - FCADV became increasingly resistant to providing detailed financial records.
  - FCADV's accounting practices were convoluted and in some instances, transactions were mischaracterized.
  - FCADV received funds for budgeted positions that remained vacant
    - Up to 40 percent at one point
    - Reports provided to DCF reflected expenditure of all budgeted funds in the salary category.



### Family First Prevention Services Act Update

- Background
  - FFPSA was enacted on February 9, 2018, as part of the federal Bipartisan Budget Act.
  - It expanded use of federal Title IV-E child welfare funding to prevent entry into foster care and
    restrict funds for out-of-home care placements that are not a foster family home.
    - Prevention Services
      - Front end services provided to children at imminent risk of entering foster care; must be related to substance abuse, mental health, or parenting skills and approved by the federal government.
    - Group Home Limitation
      - Currently, reimbursement for group home services have no duration limit. Under new requirements, Title IV-E reimbursements will be limited to two weeks, unless the group home meets one of the specified settings:
        - » Supervised Independent Living
        - » Prenatal Postpartum or Parenting Supports
        - » Victims of or At-Risk of Sex Trafficking
        - » Qualified Residential Treatment Program (QRTP)



### Family First Prevention Services Act Update



**Placement Alignment** 

# **Questions?**

