

1                                   A bill to be entitled  
2           An act relating to child welfare; amending s. 39.01,  
3           F.S.; revising and providing definitions; amending s.  
4           39.521, F.S.; authorizing the court to make certain  
5           determinations regarding placement of a child with a  
6           guardian; conforming a cross-reference; amending s.  
7           39.5085, F.S.; authorizing the department to recover  
8           financial assistance provided to nonrelative  
9           caregivers under certain circumstances; terminating  
10          the Relative Caregiver Program on a specified date and  
11          transferring certain responsibilities to the  
12          Guardianship Assistance Program; providing for  
13          continuance of benefits to current participants;  
14          amending s. 39.6221, F.S.; providing an additional  
15          condition for court placement of a child in permanent  
16          guardianship; creating s. 39.6225, F.S.; requiring the  
17          department to establish and operate a Guardianship  
18          Assistance Program to provide guardianship assistance  
19          payments to certain guardians beginning on a specified  
20          date; providing eligibility requirements; authorizing  
21          guardians to receive such payments for certain  
22          siblings; requiring the department to annually  
23          redetermine eligibility; providing conditions for  
24          termination of benefits; requiring the department to  
25          provide guardianship nonrecurring payments for certain

26 | expenses; authorizing the use of certain state and  
 27 | federal funds to operate the program; providing that  
 28 | children receiving assistance under the program are  
 29 | eligible for Medicaid coverage until they reach a  
 30 | certain age; providing definitions; requiring case  
 31 | plans to include certain information; requiring the  
 32 | department to adopt rules; amending s. 39.6251, F.S.;  
 33 | requiring the case manager for a young adult in foster  
 34 | care to consult the young adult when updating case or  
 35 | the transition plans and arrangements; deleting a  
 36 | provision authorizing case management reviews to be  
 37 | conducted by telephone under certain circumstances;  
 38 | amending s. 409.145, F.S.; revising rates for room and  
 39 | board reimbursement of certain family foster homes;  
 40 | revising provisions relating to supplemental payments  
 41 | by community-based care lead agencies; amending s.  
 42 | 409.166, F.S.; providing definitions; providing  
 43 | conditions for the department to provide adoption  
 44 | assistance payments to adoptive parents of certain  
 45 | children; providing that children and young adults  
 46 | receiving benefits through the adoption assistance  
 47 | program are ineligible for specified other benefits  
 48 | and services; providing additional conditions for  
 49 | eligibility for adoption assistance; amending s.  
 50 | 409.175, F.S.; revising and providing definitions;

51 requiring a guardian to apply for a license with the  
 52 department to be eligible for the program; classifying  
 53 family foster homes by licensure type; exempting  
 54 certain household members from specified  
 55 fingerprinting requirements; authorizing the  
 56 department to adopt rules relating to certain summer  
 57 camps; deleting references to preservice training  
 58 requirements for emergency shelter parents; providing  
 59 inservice training requirements for certain foster  
 60 parents; amending ss. 39.302, 39.6012, 394.495, and  
 61 960.065, F.S.; conforming cross-references; providing  
 62 an effective date.

63

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

65

66 Section 1. Subsection (29) of section 39.01, Florida  
 67 Statutes, is renumbered as subsection (30), subsections (30)  
 68 through (46) are renumbered as subsections (35) through (51),  
 69 respectively, subsections (47) through (81) are renumbered as  
 70 subsections (53) through (87), respectively, present subsections  
 71 (10) and (32) and paragraph (g) of present subsection (30) are  
 72 amended, and new subsections (29), (31), (32), (33), (34), and  
 73 (52) are added to that section, to read:

74 39.01 Definitions.—When used in this chapter, unless the  
 75 context otherwise requires:

76 (10) "Caregiver" means the parent, legal custodian,  
 77 permanent guardian, adult household member, or other person  
 78 responsible for a child's welfare as defined in subsection (54)  
 79 ~~(48)~~.

80 (29) "Fictive kin" means a person unrelated by birth,  
 81 marriage, or adoption who has an emotionally significant  
 82 relationship, which possesses the characteristics of a family  
 83 relationship, to a child.

84 (31) "Guardian" means a relative, nonrelative, next of  
 85 kin, or fictive kin who is awarded physical custody of a child  
 86 in a proceeding brought pursuant to this chapter.

87 (32) "Guardianship assistance payment" means a monthly  
 88 cash payment made by the department to a guardian on behalf of  
 89 an eligible child or young adult.

90 (33) "Guardianship Assistance Program" means a program  
 91 that provides benefits to a child's guardian on behalf of the  
 92 child. Benefits may be in the form of a guardianship assistance  
 93 payment, a guardianship nonrecurring payment, or Medicaid  
 94 coverage.

95 (34) "Guardianship nonrecurring payment" means a one-time  
 96 payment of up to \$2,000 made by the department to a guardian to  
 97 assist with the expenses associated with obtaining legal  
 98 guardianship of a child who is eligible for the Guardianship  
 99 Assistance Program.

100 (35)~~(30)~~ "Harm" to a child's health or welfare can occur

101 when any person:

102 (g) Exposes a child to a controlled substance or alcohol.  
 103 Exposure to a controlled substance or alcohol is established by:

104 1. A test, administered at birth, which indicated that the  
 105 child's blood, urine, or meconium contained any amount of  
 106 alcohol or a controlled substance or metabolites of such  
 107 substances, the presence of which was not the result of medical  
 108 treatment administered to the mother or the newborn infant; or

109 2. Evidence of extensive, abusive, and chronic use of a  
 110 controlled substance or alcohol by a parent to the extent that  
 111 the parent's ability to provide supervision and care for the  
 112 child has been or is likely to be severely compromised ~~when the~~  
 113 ~~child is demonstrably adversely affected by such usage.~~

114  
 115 As used in this paragraph, the term "controlled substance" means  
 116 prescription drugs not prescribed for the parent or not  
 117 administered as prescribed and controlled substances as outlined  
 118 in Schedule I or Schedule II of s. 893.03.

119 ~~(37)~~~~(32)~~ "Institutional child abuse or neglect" means  
 120 situations of known or suspected child abuse or neglect in which  
 121 the person allegedly perpetrating the child abuse or neglect is  
 122 an employee of a private school, public or private day care  
 123 center, residential home, institution, facility, or agency or  
 124 any other person at such institution responsible for the child's  
 125 care as defined in subsection (54) ~~(48)~~.

126           (52) "Nonrelative" means a person unrelated by blood or  
 127 marriage or a relative outside the fifth degree of  
 128 consanguinity.

129           Section 2. Subsection (1) of section 39.302, Florida  
 130 Statutes, is amended to read:

131           39.302 Protective investigations of institutional child  
 132 abuse, abandonment, or neglect.—

133           (1) The department shall conduct a child protective  
 134 investigation of each report of institutional child abuse,  
 135 abandonment, or neglect. Upon receipt of a report that alleges  
 136 that an employee or agent of the department, or any other entity  
 137 or person covered by s. 39.01(37) or (54) ~~s. 39.01(32) or (48)~~,  
 138 acting in an official capacity, has committed an act of child  
 139 abuse, abandonment, or neglect, the department shall initiate a  
 140 child protective investigation within the timeframe established  
 141 under s. 39.201(5) and notify the appropriate state attorney,  
 142 law enforcement agency, and licensing agency, which shall  
 143 immediately conduct a joint investigation, unless independent  
 144 investigations are more feasible. When conducting investigations  
 145 or having face-to-face interviews with the child, investigation  
 146 visits shall be unannounced unless it is determined by the  
 147 department or its agent that unannounced visits threaten the  
 148 safety of the child. If a facility is exempt from licensing, the  
 149 department shall inform the owner or operator of the facility of  
 150 the report. Each agency conducting a joint investigation is

151 entitled to full access to the information gathered by the  
 152 department in the course of the investigation. A protective  
 153 investigation must include an interview with the child's parent  
 154 or legal guardian. The department shall make a full written  
 155 report to the state attorney within 3 working days after making  
 156 the oral report. A criminal investigation shall be coordinated,  
 157 whenever possible, with the child protective investigation of  
 158 the department. Any interested person who has information  
 159 regarding the offenses described in this subsection may forward  
 160 a statement to the state attorney as to whether prosecution is  
 161 warranted and appropriate. Within 15 days after the completion  
 162 of the investigation, the state attorney shall report the  
 163 findings to the department and shall include in the report a  
 164 determination of whether or not prosecution is justified and  
 165 appropriate in view of the circumstances of the specific case.

166 Section 3. Paragraph (c) of subsection (1) of section  
 167 39.521, Florida Statutes, is amended to read:

168 39.521 Disposition hearings; powers of disposition.—

169 (1) A disposition hearing shall be conducted by the court,  
 170 if the court finds that the facts alleged in the petition for  
 171 dependency were proven in the adjudicatory hearing, or if the  
 172 parents or legal custodians have consented to the finding of  
 173 dependency or admitted the allegations in the petition, have  
 174 failed to appear for the arraignment hearing after proper  
 175 notice, or have not been located despite a diligent search

176 | having been conducted.

177 |       (c) When any child is adjudicated by a court to be  
 178 | dependent, the court having jurisdiction of the child has the  
 179 | power by order to:

180 |       1. Require the parent and, when appropriate, the legal  
 181 | guardian or custodian ~~and~~ the child to participate in treatment  
 182 | and services identified as necessary. The court may require the  
 183 | person who has custody or who is requesting custody of the child  
 184 | to submit to a mental health or substance abuse disorder  
 185 | assessment or evaluation. The order may be made only upon good  
 186 | cause shown and pursuant to notice and procedural requirements  
 187 | provided under the Florida Rules of Juvenile Procedure. The  
 188 | mental health assessment or evaluation must be administered by a  
 189 | qualified professional as defined in s. 39.01, and the substance  
 190 | abuse assessment or evaluation must be administered by a  
 191 | qualified professional as defined in s. 397.311. The court may  
 192 | also require such person to participate in and comply with  
 193 | treatment and services identified as necessary, including, when  
 194 | appropriate and available, participation in and compliance with  
 195 | a mental health court program established under chapter 394 or a  
 196 | treatment-based drug court program established under s. 397.334.  
 197 | Adjudication of a child as dependent based upon evidence of harm  
 198 | as defined in s. 39.01(35)(g) ~~s. 39.01(30)(g)~~ demonstrates good  
 199 | cause, and the court shall require the parent whose actions  
 200 | caused the harm to submit to a substance abuse disorder



201 assessment or evaluation and to participate and comply with  
 202 treatment and services identified in the assessment or  
 203 evaluation as being necessary. In addition to supervision by the  
 204 department, the court, including the mental health court program  
 205 or the treatment-based drug court program, may oversee the  
 206 progress and compliance with treatment by a person who has  
 207 custody or is requesting custody of the child. The court may  
 208 impose appropriate available sanctions for noncompliance upon a  
 209 person who has custody or is requesting custody of the child or  
 210 make a finding of noncompliance for consideration in determining  
 211 whether an alternative placement of the child is in the child's  
 212 best interests. Any order entered under this subparagraph may be  
 213 made only upon good cause shown. This subparagraph does not  
 214 authorize placement of a child with a person seeking custody of  
 215 the child, other than the child's parent or legal custodian, who  
 216 requires mental health or substance abuse disorder treatment.

217 2. Require, if the court deems necessary, the parties to  
 218 participate in dependency mediation.

219 3. Require placement of the child either under the  
 220 protective supervision of an authorized agent of the department  
 221 in the home of one or both of the child's parents or in the home  
 222 of a relative of the child or another adult approved by the  
 223 court, or in the custody of the department. Protective  
 224 supervision continues until the court terminates it or until the  
 225 child reaches the age of 18, whichever date is first. Protective

226 supervision shall be terminated by the court whenever the court  
 227 determines that permanency has been achieved for the child,  
 228 whether with a parent, another relative, or a legal custodian,  
 229 and that protective supervision is no longer needed. The  
 230 termination of supervision may be with or without retaining  
 231 jurisdiction, at the court's discretion, and shall in either  
 232 case be considered a permanency option for the child. The order  
 233 terminating supervision by the department must set forth the  
 234 powers of the custodian of the child and include the powers  
 235 ordinarily granted to a guardian of the person of a minor unless  
 236 otherwise specified. Upon the court's termination of supervision  
 237 by the department, further judicial reviews are not required if  
 238 permanency has been established for the child.

239 4. Determine whether the child has a strong attachment to  
 240 the prospective permanent guardian and whether such guardian has  
 241 a strong commitment to permanently caring for the child.

242 Section 4. Paragraph (h) is added to subsection (2) of  
 243 section 39.5085, Florida Statutes, and subsection (3) is added  
 244 to that section, to read:

245 39.5085 Relative Caregiver Program.—

246 (2)

247 (h) If the department determines that a nonrelative  
 248 caregiver has received financial assistance under this section  
 249 to which he or she is not entitled, the department shall take  
 250 all necessary steps to recover such payment. The department may

251 make appropriate settlements and may ~~shall establish policies~~  
 252 and adopt rules to calculate and recover such payments.

253 (3) The Relative Caregiver Program shall no longer accept  
 254 initial applications after June 30, 2019. Relative Caregiver  
 255 Program benefits shall continue to be provided to caregivers  
 256 currently participating in the program pursuant to this section  
 257 until the child reaches 18 years of age.

258 Section 5. Paragraph (c) of subsection (1) of section  
 259 39.6012, Florida Statutes, is amended to read:

260 39.6012 Case plan tasks; services.—

261 (1) The services to be provided to the parent and the  
 262 tasks that must be completed are subject to the following:

263 (c) If there is evidence of harm as defined in s.  
 264 39.01(35)(g) ~~s. 39.01(30)(g)~~, the case plan must include as a  
 265 required task for the parent whose actions caused the harm that  
 266 the parent submit to a substance abuse disorder assessment or  
 267 evaluation and participate and comply with treatment and  
 268 services identified in the assessment or evaluation as being  
 269 necessary.

270 Section 6. Paragraph (f) is added to subsection (1) of  
 271 section 39.6221, Florida Statutes, to read:

272 39.6221 Permanent guardianship of a dependent child.—

273 (1) If a court determines that reunification or adoption  
 274 is not in the best interest of the child, the court may place  
 275 the child in a permanent guardianship with a relative or other

276 adult approved by the court if all of the following conditions  
 277 are met:

278 (f) The child demonstrates a strong attachment to the  
 279 prospective permanent guardian and such guardian has a strong  
 280 commitment to permanently caring for the child.

281 Section 7. Section 39.6225, Florida Statutes, is created  
 282 to read:

283 39.6225 Guardianship Assistance Program.—

284 (1) The department shall establish and operate the  
 285 Guardianship Assistance Program to provide guardianship  
 286 assistance payments to relatives, next of kin, and fictive kin  
 287 who meet the eligibility requirements established in this  
 288 section. For purposes of administering the program, the term:

289 (a) "Child" means an individual who has not attained 21  
 290 years of age.

291 (b) "Young adult" means an individual who has attained 18  
 292 years of age but who has not attained 21 years of age.

293 (2) To approve an application for the program, the  
 294 department shall determine that all of the following  
 295 requirements have been met:

296 (a) The child's placement with the prospective permanent  
 297 guardian has been approved by the court.

298 (b) The court has granted legal custody to the guardian  
 299 pursuant to s. 39.521 or s. 39.522.

300 (c) The guardian has been licensed to care for the child

301 as provided in s. 409.175.

302 (d) The child was eligible for foster care room and board  
 303 payments pursuant to s. 409.145 for at least 6 consecutive  
 304 months while the child resided in the home of the guardian and  
 305 the guardian was licensed as a foster parent.

306 (3) A guardian who has entered into a guardianship  
 307 agreement for a dependent child may also receive guardianship  
 308 assistance payments for a dependent sibling of that dependent  
 309 child as a result of a court's determination of child abuse,  
 310 neglect, or abandonment and subsequent placement of the child  
 311 with the relative under this part.

312 (4) The department shall complete an annual  
 313 redetermination of eligibility for recipients of guardianship  
 314 assistance benefits. If the department determines that a  
 315 recipient is no longer eligible for guardianship assistance  
 316 benefits, such benefits shall be terminated.

317 (5) Guardianship assistance benefits shall be terminated  
 318 if:

319 (a) The child is absent from the home of the guardian for  
 320 a period of at least 60 consecutive calendar days, unless the  
 321 child:

322 1. Is absent due to medical care, school attendance,  
 323 runaway status, or detention in a Department of Juvenile Justice  
 324 facility; and

325 2. Continues to be under the care and custody of the

326 guardian.

327 (b) The court modifies the placement of the child and the  
328 guardian is no longer eligible to receive guardianship  
329 assistance benefits.

330 (6) A guardian who has met the requirements of subsection  
331 (2) and is caring for a child placed with the guardian by the  
332 court pursuant to this part may receive a guardianship  
333 assistance payment based on the following criteria:

334 (a) A guardian with an approved program application is  
335 eligible for guardianship assistance payments.

336 (b) A child eligible for cash benefits through the program  
337 is not eligible to simultaneously have payments made on the  
338 child's behalf through the relative caregiver program,  
339 postsecondary education services and supports under s. 409.1451,  
340 or child-only cash assistance under chapter 414.

341 (c) Guardianship assistance payments are not contingent  
342 upon continued residency in the state. Guardianship assistance  
343 payments must continue for court-approved permanent guardians  
344 who move out of state and continue to meet the requirements of  
345 this subsection and as specified in department rule. Relicensure  
346 of the out-of-state guardian's home is not required for  
347 continuity of payments.

348 (d) Guardianship assistance payments for a child from  
349 another state who is placed with a guardian in this state are  
350 the responsibility of the other state.

351        (e) The department shall provide guardianship assistance  
352 payments in the amount of \$4,000 annually, paid on a monthly  
353 basis, or in an amount other than \$4,000 annually as determined  
354 by the guardian and the department and memorialized in a written  
355 agreement between the guardian and the department. The agreement  
356 shall take into consideration the circumstances of the guardian  
357 and the needs of the child. Changes shall not be made without  
358 the concurrence of the guardian. However, in no case shall the  
359 amount of the monthly payment exceed the foster care maintenance  
360 payment that would have been paid during the same period if the  
361 child had been in licensed care at his or her designated level  
362 of care at the rate established in s. 409.145(4).

363        (f) Payments made pursuant to this section shall cease  
364 when the child attains 18 years of age except as provided in  
365 subsection (10).

366        (7) The department shall provide guardianship nonrecurring  
367 payments of up to \$2,000 for expenses associated with obtaining  
368 permanent guardianship of the child pursuant to s. 39.6221.

369        (a) Such expenses include reasonable and necessary fees to  
370 obtain guardianship and may include the cost of a home study,  
371 court costs, attorney fees, physical and psychological  
372 examinations, and other expenses directly related to the legal  
373 guardianship of a child.

374        (b) Such payments are also available for siblings placed  
375 in the same home as the child.

376 (8) The department may use appropriate and available state  
 377 and federal funds to operate the program.

378 (9) A child who is living with a caregiver and receiving  
 379 assistance under this section is eligible for Medicaid coverage  
 380 until he or she is 18 years of age except if meeting the  
 381 requirements of subsection (10), when the child may receive  
 382 Medicaid coverage up to age 21.

383 (10) Guardianship assistance payments shall only be made  
 384 for a young adult whose permanent guardian entered into a  
 385 guardianship assistance agreement after the child attained 16  
 386 years of age but before the child attained 18 years of age if  
 387 the child is:

388 (a) Completing secondary education or a program leading to  
 389 an equivalent credential;

390 (b) Enrolled in an institution that provides postsecondary  
 391 or vocational education;

392 (c) Participating in a program or activity designed to  
 393 promote or eliminate barriers to employment;

394 (d) Employed for at least 80 hours per month; or

395 (e) Unable to participate in programs or activities listed  
 396 in paragraphs (a)-(d) full time due to a physical, intellectual,  
 397 emotional, or psychiatric condition that limits participation.

398 Any such barrier to participation must be supported by  
 399 documentation in the child's case file or school or medical  
 400 records of a physical, intellectual, emotional, or psychiatric



401 condition that impairs the child's ability to perform one or  
402 more life activities.

403 (11) The case plan must describe the following for each  
404 child with a permanency goal of permanent guardianship in which  
405 the guardian is in receipt of guardianship assistance payments:

406 (a) The manner in which the child meets program  
407 eligibility requirements.

408 (b) The manner in which the agency determined that  
409 reunification or adoption is not appropriate.

410 (c) Efforts to discuss adoption with the child's permanent  
411 guardian.

412 (d) Efforts to discuss guardianship assistance with the  
413 child's parent or the reasons why efforts were not made.

414 (e) The reasons why a permanent placement with the  
415 prospective guardian is in the best interest of the child.

416 (f) The reasons why the child is separated from his or her  
417 siblings during placement, if applicable.

418 (g) Efforts to consult the child, if the child is 14 years  
419 of age or older, regarding the permanent guardianship  
420 arrangement.

421 (12) The program shall take effect July 1, 2019.

422 (13) The department shall adopt rules to administer the  
423 program.

424 Section 8. Paragraph (b) of subsection (6) and subsection  
425 (7) of section 39.6251, Florida Statutes, are amended to read:

426 39.6251 Continuing care for young adults.—

427 (6) A young adult who is between the ages of 18 and 21 and  
 428 who has left care may return to care by applying to the  
 429 community-based care lead agency for readmission. The community-  
 430 based care lead agency shall readmit the young adult if he or  
 431 she continues to meet the eligibility requirements in this  
 432 section.

433 (b) Within 30 days after the young adult has been  
 434 readmitted to care, the community-based care lead agency shall  
 435 assign a case manager to update the case plan and the transition  
 436 plan and to arrange for the required services. Updates to the  
 437 case plan and the transition plan and arrangements for the  
 438 required services ~~Such activities~~ shall be undertaken in  
 439 consultation with the young adult. The department shall petition  
 440 the court to reinstate jurisdiction over the young adult.  
 441 Notwithstanding s. 39.013(2), the court shall resume  
 442 jurisdiction over the young adult if the department establishes  
 443 that he or she continues to meet the eligibility requirements in  
 444 this section.

445 (7) During each period of time that a young adult is in  
 446 care, the community-based lead agency shall provide regular case  
 447 management reviews that must include at least monthly face-to-  
 448 face contact with the case manager. ~~If a young adult lives~~  
 449 ~~outside the service area of his or her community-based care lead~~  
 450 ~~agency, monthly contact may occur by telephone.~~

451 Section 9. Paragraph (p) of subsection (4) of section  
 452 394.495, Florida Statutes, is amended to read:

453 394.495 Child and adolescent mental health system of care;  
 454 programs and services.—

455 (4) The array of services may include, but is not limited  
 456 to:

457 (p) Trauma-informed services for children who have  
 458 suffered sexual exploitation as defined in s. 39.01(77)(g) ~~s.~~  
 459 ~~39.01(71)(g)~~.

460 Section 10. Subsection (4) of section 409.145, Florida  
 461 Statutes, is amended to read:

462 409.145 Care of children; quality parenting; "reasonable  
 463 and prudent parent" standard.—The child welfare system of the  
 464 department shall operate as a coordinated community-based system  
 465 of care which empowers all caregivers for children in foster  
 466 care to provide quality parenting, including approving or  
 467 disapproving a child's participation in activities based on the  
 468 caregiver's assessment using the "reasonable and prudent parent"  
 469 standard.

470 (4) FOSTER CARE ~~PARENT~~ ROOM AND BOARD RATES.—

471 (a) Effective July 1, 2019, level I family foster homes  
 472 shall receive a room and board rate of \$333.

473 (b)(a) Effective July 1, 2019 ~~January 1, 2014,~~ level II  
 474 family foster homes shall receive room and board rates ~~paid to~~  
 475 ~~foster parents~~ are as follows:

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Monthly Foster Care Rate

0-5 Years Age	6-12 Years Age	13-21 Years Age
<u>\$448.63</u> <del>\$429</del>	<u>\$460.02</u> <del>\$440</del>	<u>\$538.43</u> <del>\$515</del>

(c) ~~(b)~~ Level II through level V family foster homes  
~~parents~~ shall receive an annual cost of living increase. The  
department shall calculate the new room and board rate increase  
equal to the percentage change in the Consumer Price Index for  
All Urban Consumers, U.S. City Average, All Items, not  
seasonally adjusted, or successor reports, for the preceding  
December compared to the prior December as initially reported by  
the United States Department of Labor, Bureau of Labor  
Statistics. The department shall make available the adjusted  
room and board rates annually.

(d) ~~(e)~~ The amount of the monthly foster care room and  
board rate may be increased upon agreement among the department,  
the community-based care lead agency, and the foster parent.

(e) ~~(d)~~ Community-based care lead agencies providing care  
under contract with the department shall pay a supplemental room  
and board payment to level II through level V family foster  
homes ~~care parents~~ for providing independent life skills and

497 normalcy supports to children who are 13 through 17 years of age  
 498 placed in their care. The supplemental payment shall be paid  
 499 monthly to the level II through level V family foster homes ~~care~~  
 500 ~~parents~~ on a per-child basis in addition to the current monthly  
 501 room and board rate payment. The supplemental monthly payment  
 502 shall be based on 10 percent of the monthly room and board rate  
 503 for children 13 through 21 years of age as provided under this  
 504 section and adjusted annually.

505 Section 11. Subsections (4) and (5) of section 409.166,  
 506 Florida Statutes, are amended to read:

507 409.166 Children within the child welfare system; adoption  
 508 assistance program.—

509 (4) ADOPTION ASSISTANCE.—

510 (a) For purposes of administering payments under paragraph  
 511 (d), the term:

512 1. "Child" means an individual who has not attained 21  
 513 years of age.

514 2. "Young adult" means an individual who has attained 18  
 515 years of age but who has not attained 21 years of age.

516 (b) ~~(a)~~ A maintenance subsidy shall be granted only when  
 517 all other resources available to a child have been thoroughly  
 518 explored and it can be clearly established that this is the most  
 519 acceptable plan for providing permanent placement for the child.  
 520 The maintenance subsidy may not be used as a substitute for  
 521 adoptive parent recruitment or as an inducement to adopt a child

522 | who might be placed without providing a subsidy. However, it  
523 | shall be the policy of the department that no child be denied  
524 | adoption if providing a maintenance subsidy would make adoption  
525 | possible. The best interest of the child shall be the deciding  
526 | factor in every case. This section does not prohibit foster  
527 | parents from applying to adopt a child placed in their care.  
528 | Foster parents or relative caregivers must be asked if they  
529 | would adopt without a maintenance subsidy.

530 |       (c) ~~(b)~~ The department shall provide adoption assistance to  
531 | the adoptive parents, subject to specific appropriation, in the  
532 | amount of \$5,000 annually, paid on a monthly basis, for the  
533 | support and maintenance of a child until the 18th birthday of  
534 | such child or in an amount other than \$5,000 annually as  
535 | determined by the adoptive parents and the department and  
536 | memorialized in a written agreement between the adoptive parents  
537 | and the department. The agreement shall take into consideration  
538 | the circumstances of the adoptive parents and the needs of the  
539 | child being adopted. The amount of subsidy may be adjusted based  
540 | upon changes in the needs of the child or circumstances of the  
541 | adoptive parents. Changes shall not be made without the  
542 | concurrence of the adoptive parents. However, in no case shall  
543 | the amount of the monthly payment exceed the foster care  
544 | maintenance payment that would have been paid during the same  
545 | period if the child had been in a foster family home.

546 |       (d) Effective January 1, 2019, adoption assistance

547 payments may be made for a child whose adoptive parent entered  
548 into an adoption assistance agreement after the child reached 16  
549 years of age but before the child reached 18 years of age. Such  
550 payments may be made until the child reaches age 21 if the child  
551 is:

552 1. Completing secondary education or a program leading to  
553 an equivalent credential;

554 2. Enrolled in an institution that provides postsecondary  
555 or vocational education;

556 3. Participating in a program or activity designed to  
557 promote or eliminate barriers to employment;

558 4. Employed for at least 80 hours per month; or

559 5. Unable to participate in programs or activities listed  
560 in subparagraphs 1.-4. full time due to a physical,  
561 intellectual, emotional, or psychiatric condition that limits  
562 participation. Any such barrier to participation must be  
563 supported by documentation in the child's case file or school or  
564 medical records of a physical, intellectual, emotional, or  
565 psychiatric condition that impairs the child's ability to  
566 perform one or more life activities.

567 (e) A child or young adult receiving benefits through the  
568 adoption assistance program is not eligible to simultaneously  
569 receive relative caregiver benefits under s. 39.5085 or  
570 postsecondary education services and support under s. 409.1451.

571 (f)-(e) The department may provide adoption assistance to

572 the adoptive parents, subject to specific appropriation, for  
 573 medical assistance initiated after the adoption of the child for  
 574 medical, surgical, hospital, and related services needed as a  
 575 result of a physical or mental condition of the child which  
 576 existed before the adoption and is not covered by Medicaid,  
 577 Children's Medical Services, or Children's Mental Health  
 578 Services. Such assistance may be initiated at any time but shall  
 579 terminate on or before the child's 18th birthday.

580 (5) ELIGIBILITY FOR SERVICES.—

581 (a) As a condition of receiving ~~providing~~ adoption  
 582 assistance under this section, the adoptive parents must have an  
 583 approved adoption home study prior to adoption finalization and  
 584 must enter into an adoption-assistance agreement with the  
 585 department which specifies the financial assistance and other  
 586 services to be provided.

587 (b) A child who is handicapped at the time of adoption  
 588 shall be eligible for services through the Children's Medical  
 589 Services network established under part I of chapter 391 if the  
 590 child was eligible for such services prior to the adoption.

591 Section 12. Subsections (2), (4), (5), (6), and (14) of  
 592 section 409.175, Florida Statutes, and paragraph (a) of  
 593 subsection (11) of that section, are amended to read:

594 409.175 Licensure of family foster homes, residential  
 595 child-caring agencies, and child-placing agencies; public  
 596 records exemption.—



597 (2) As used in this section, the term:

598 (a) "Agency" means a residential child-caring agency or a  
 599 child-placing agency.

600 (b) "Boarding school" means a school that is registered  
 601 with the Department of Education as a school that provides a  
 602 residential service for students and that is either:

603 1. Accredited for academic programs by the Florida Council  
 604 of Independent Schools, the Southern Association of Colleges and  
 605 Schools, an accrediting association that is a member of the  
 606 National Council for Private School Accreditation, or an  
 607 accrediting association that is a member of the Florida  
 608 Association of Academic Nonpublic Schools, and that is  
 609 accredited for residential programs by the Council on  
 610 Accreditation, the Commission on Accreditation of Rehabilitation  
 611 Facilities, or the Coalition for Residential Education; or

612 2. Accredited by one of the organizations specified in  
 613 subparagraph 1. as a boarding school that includes both an  
 614 academic and residential component in its accreditation.

615 (c) "Child" means any unmarried person under the age of 18  
 616 years.

617 (d) "Child-placing agency" means any person, corporation,  
 618 or agency, public or private, other than the parent or legal  
 619 guardian of the child or an intermediary acting pursuant to  
 620 chapter 63, that receives a child for placement and places or  
 621 arranges for the placement of a child in a family foster home,

622 residential child-caring agency, or adoptive home.

623 (e) "Family foster home" means a private residence in  
 624 which children who are unattended by a parent or legal guardian  
 625 are provided 24-hour care. The term does not include an adoptive  
 626 home that has been approved by the department or approved by a  
 627 licensed child-placing agency for children placed for adoption.

628 ~~Such homes include emergency shelter family homes and~~  
 629 ~~specialized foster homes for children with special needs. A~~  
 630 ~~person who cares for a child of a friend for a period not to~~  
 631 ~~exceed 90 days, a relative who cares for a child and does not~~  
 632 ~~receive reimbursement for such care from the state or federal~~  
 633 ~~government, or an adoptive home which has been approved by the~~  
 634 ~~department or by a licensed child-placing agency for children~~  
 635 ~~placed for adoption is not considered a family foster home.~~

636 (f) "License" means "license" as defined in s. 120.52(10).  
 637 A license under this section is issued to a family foster home  
 638 or other facility and is not a professional license of any  
 639 individual. Receipt of a license under this section shall not  
 640 create a property right in the recipient. A license under this  
 641 act is a public trust and a privilege, and is not an  
 642 entitlement. This privilege must guide the finder of fact or  
 643 trier of law at any administrative proceeding or court action  
 644 initiated by the department.

645 (g) "Licensing home study" means a documented assessment,  
 646 as defined by department rule, to determine the safety and

647 appropriateness of any 24-hour living arrangement for a child  
648 who is unattended by a parent or legal guardian. A primary  
649 caregiver issued a license for a specific child may apply for a  
650 waiver of the non-safety-related and non-health-related elements  
651 of a licensing home study under the Guardianship Assistance  
652 Program established in s. 39.6225.

653 (h)~~(g)~~ "Operator" means any onsite person ultimately  
654 responsible for the overall operation of a child-placing agency,  
655 family foster home, or residential child-caring agency, whether  
656 or not she or he is the owner or administrator of such an agency  
657 or home.

658 (i)~~(h)~~ "Owner" means the person who is licensed to operate  
659 the child-placing agency, family foster home, or residential  
660 child-caring agency.

661 (j)~~(i)~~ "Personnel" means all owners, operators, employees,  
662 and volunteers working in a child-placing agency, family foster  
663 home, or residential child-caring agency who may be employed by  
664 or do volunteer work for a person, corporation, or agency that  
665 holds a license as a child-placing agency or a residential  
666 child-caring agency, but the term does not include those who do  
667 not work on the premises where child care is furnished and have  
668 no direct contact with a child or have no contact with a child  
669 outside of the presence of the child's parent or guardian. For  
670 purposes of screening, the term includes any member, over the  
671 age of 12 years, of the family of the owner or operator or any

672 person other than a client, over the age of 12 years, residing  
673 with the owner or operator if the agency or family foster home  
674 is located in or adjacent to the home of the owner or operator  
675 or if the family member of, or person residing with, the owner  
676 or operator has any direct contact with the children. Members of  
677 the family of the owner or operator, or persons residing with  
678 the owner or operator, who are between the ages of 12 years and  
679 18 years are not required to be fingerprinted, but must be  
680 screened for delinquency records. For purposes of screening, the  
681 term also includes owners, operators, employees, and volunteers  
682 working in summer day camps, or summer 24-hour camps providing  
683 care for children. A volunteer who assists on an intermittent  
684 basis for less than 10 hours per month shall not be included in  
685 the term "personnel" for the purposes of screening if a person  
686 who meets the screening requirement of this section is always  
687 present and has the volunteer in his or her line of sight.

688 (k) "Placement screening" means the act of assessing the  
689 background of household members in the family foster home and  
690 includes, but is not limited to, criminal history checks as  
691 provided in s. 39.0138 using the standards for screening set  
692 forth in that section. The term "household member" means any  
693 member of the family or any person, other than the child being  
694 placed, over the age of 12 years who resides with the owner who  
695 operates the family foster home if such member or person has any  
696 direct contact with the child. Household members who are between

697 the ages of 12 and 18 years are not required to be fingerprinted  
 698 but must be screened for delinquency records.

699 (l)~~(j)~~ "Residential child-caring agency" means any person,  
 700 corporation, or agency, public or private, other than the  
 701 child's parent or legal guardian, that provides staffed 24-hour  
 702 care for children in facilities maintained for that purpose,  
 703 regardless of whether operated for profit or whether a fee is  
 704 charged. Such residential child-caring agencies include, but are  
 705 not limited to, maternity homes, runaway shelters, group homes  
 706 that are administered by an agency, emergency shelters that are  
 707 not in private residences, and wilderness camps. Residential  
 708 child-caring agencies do not include hospitals, boarding  
 709 schools, summer or recreation camps, nursing homes, or  
 710 facilities operated by a governmental agency for the training,  
 711 treatment, or secure care of delinquent youth, or facilities  
 712 licensed under s. 393.067 or s. 394.875 or chapter 397.

713 (m)~~(k)~~ "Screening" means the act of assessing the  
 714 background of personnel and includes, but is not limited to,  
 715 employment history checks as provided in chapter 435, using the  
 716 level 2 standards for screening set forth in that chapter.

717  
 718 (o)~~(l)~~ "Summer day camp" means recreational, educational,  
 719 and other enrichment programs operated during summer vacations  
 720 for children who are 5 years of age on or before September 1 and  
 721 older.

722        (p) ~~(m)~~ "Summer 24-hour camp" means recreational,  
 723 educational, and other enrichment programs operated on a 24-hour  
 724 basis during summer vacation for children who are 5 years of age  
 725 on or before September 1 and older, that are not exclusively  
 726 educational.

727        (4) (a) A person, family foster home, or residential child-  
 728 caring agency may not provide continuing full-time child care or  
 729 custody unless such person, home, or agency has first procured a  
 730 license from the department to provide such care. This  
 731 requirement does not apply to a person who is a relative of the  
 732 child by blood, marriage, or adoption, a permanent guardian  
 733 established under s. 39.6221, a licensed child-placing agency,  
 734 or an intermediary for the purposes of adoption pursuant to  
 735 chapter 63.

736        (b) A person or agency, other than a parent or legal  
 737 guardian of the child or an intermediary as defined in s.  
 738 63.032, shall not place or arrange for the placement of a child  
 739 in a family foster home, residential child-caring agency, or  
 740 adoptive home unless such person or agency has first procured a  
 741 license from the department to do so.

742        (c) A state, county, city, or political subdivision shall  
 743 not operate a residential group care agency, or receive children  
 744 for placement in residential group care facilities, family  
 745 foster homes, or adoptive homes without a license issued  
 746 pursuant to this section.

747 (d) This license requirement does not apply to boarding  
 748 schools, recreation and summer camps, nursing homes, hospitals,  
 749 or to persons who care for children of friends or neighbors in  
 750 their homes for periods not to exceed 90 days or to persons who  
 751 have received a child for adoption from a licensed child-placing  
 752 agency.

753 (e) The department or licensed child-placing agency may  
 754 place a 16-year-old child or 17-year-old child in her or his own  
 755 unlicensed residence, or in the unlicensed residence of an adult  
 756 who has no supervisory responsibility for the child, provided  
 757 the department or licensed child-placing agency retains  
 758 supervisory responsibility for the child.

759 (5) ~~(a)~~ The department shall adopt and amend ~~licensing~~  
 760 rules for the levels of licensed care associated with the  
 761 licensure of family foster homes, residential child-caring  
 762 agencies, and child-placing agencies. The rules may also include  
 763 criteria to approve waivers to licensing requirements when  
 764 applying for a child-specific license.

765 (a) Family foster homes shall be classified by levels of  
 766 licensure, as follows:

767 1. Level I.-

768 a. Type of licensure.-Child-specific foster home.

769 b. Licensure requirements.-The caregiver must meet all  
 770 level II requirements pursuant to this section. However,  
 771 requirements not directly related to safety may be waived.

- 772        2. Level II.—
- 773        a. Type of licensure.—Non-child-specific foster home.
- 774        b. Licensure requirements.—The caregiver must meet all  
 775 licensing requirements pursuant to paragraph (b).
- 776        3. Level III.—
- 777        a. Type of licensure.—Safe foster home for victims of  
 778 human trafficking.
- 779        b. Licensure requirements.—The caregiver must meet all  
 780 licensing requirements pursuant to paragraph (b) and all  
 781 certification requirements pursuant to s. 409.1678.
- 782        4. Level IV.—
- 783        a. Type of licensure.—Therapeutic foster home.
- 784        b. Licensure requirements.—The caregiver must meet all  
 785 licensing requirements pursuant to paragraph (b) and all  
 786 certification requirements established in rule by the Agency for  
 787 Health Care Administration.
- 788        5. Level V.—
- 789        a. Type of licensure.—Medical foster home.
- 790        b. Licensure requirements.—The caregiver must meet all  
 791 licensing requirements pursuant to paragraph (b) and all  
 792 certification requirements established in rule by the Agency for  
 793 Health Care Administration. ~~The department may also adopt rules~~  
 794 ~~relating to the screening requirements for summer day camps and~~  
 795 ~~summer 24-hour camps.~~
- 796        (b) The requirements for licensure and operation of family



797 foster homes, residential child-caring agencies, and child-  
 798 placing agencies shall include:

799 1. The operation, conduct, and maintenance of these homes  
 800 and agencies and the responsibility which they assume for  
 801 children served and the evidence of need for that service.

802 2. The provision of food, clothing, educational  
 803 opportunities, services, equipment, and individual supplies to  
 804 assure the healthy physical, emotional, and mental development  
 805 of the children served.

806 3. The appropriateness, safety, cleanliness, and general  
 807 adequacy of the premises, including fire prevention and health  
 808 standards, to provide for the physical comfort, care, and well-  
 809 being of the children served.

810 4. The ratio of staff to children required to provide  
 811 adequate care and supervision of the children served and, in the  
 812 case of foster homes, the maximum number of children in the  
 813 home.

814 5. The good moral character based upon screening,  
 815 education, training, and experience requirements for personnel.

816 6. The department may grant exemptions from  
 817 disqualification from working with children or the  
 818 developmentally disabled as provided in s. 435.07.

819 7. The provision of preservice and inservice training for  
 820 all foster parents and agency staff.

821 8. Satisfactory evidence of financial ability to provide

822 care for the children in compliance with licensing requirements.

823 9. The maintenance by the agency of records pertaining to  
824 admission, progress, health, and discharge of children served,  
825 including written case plans and reports to the department.

826 10. The provision for parental involvement to encourage  
827 preservation and strengthening of a child's relationship with  
828 the family.

829 11. The transportation safety of children served.

830 12. The provisions for safeguarding the cultural,  
831 religious, and ethnic values of a child.

832 13. Provisions to safeguard the legal rights of children  
833 served.

834 (c) ~~(b)~~ The requirements for the licensure and operation of  
835 a child-placing agency shall also include compliance with the  
836 requirements of ss. 63.0422 and 790.335.

837 (d) ~~(e)~~ The department shall randomly drug test a licensed  
838 foster parent if there is a reasonable suspicion that he or she  
839 is using illegal drugs. The cost of testing shall be paid by the  
840 foster parent but shall be reimbursed by the department if the  
841 test is negative. The department may adopt rules necessary to  
842 administer this paragraph.

843 (e) ~~(d)~~ In adopting ~~promulgating~~ licensing rules pursuant  
844 to this section, the department may make distinctions among  
845 types of care; numbers of children served; and the physical,  
846 mental, emotional, and educational needs of the children to be

847 served by a home or agency.

848 (f)~~(e)~~ The department may ~~shall~~ not adopt rules which  
 849 interfere with the free exercise of religion or which regulate  
 850 religious instruction or teachings in any child-caring or child-  
 851 placing home or agency. This section may not; ~~however, nothing~~  
 852 ~~herein shall~~ be construed to allow religious instruction or  
 853 teachings that are inconsistent with the health, safety, or  
 854 well-being of any child; with public morality; or with the  
 855 religious freedom of children, parents, or legal guardians who  
 856 place their children in such homes or agencies.

857 (g)~~(f)~~ The department's rules shall include adoption of a  
 858 form to be used by child-placing agencies during an adoption  
 859 home study that requires all prospective adoptive applicants to  
 860 acknowledge in writing the receipt of a document containing  
 861 solely and exclusively the language provided for in s. 790.174  
 862 verbatim.

863 (6) (a) An application for a license shall be made on forms  
 864 provided, and in the manner prescribed, by the department. The  
 865 department shall make a determination as to the good moral  
 866 character of the applicant based upon screening.

867 (b) Upon application, the department shall conduct a  
 868 licensing study based on its licensing rules; shall inspect the  
 869 home or the agency and the records, including financial records,  
 870 of the agency; and shall interview the applicant. The department  
 871 may authorize a licensed child-placing agency to conduct the

872 licensing study of a family foster home to be used exclusively  
 873 by that agency and to verify to the department that the home  
 874 meets the licensing requirements established by the department.  
 875 Upon certification by a licensed child-placing agency that a  
 876 family foster home meets the licensing requirements and upon  
 877 receipt of a letter from a community-based care lead agency in  
 878 the service area where the home will be licensed which indicates  
 879 that the family foster home meets the criteria established by  
 880 the lead agency, the department shall issue the license. A  
 881 letter from the lead agency is not required if the lead agency  
 882 where the proposed home is located is directly supervising  
 883 foster homes in the same service area.

884 (c) A licensed family foster home, child-placing agency,  
 885 or residential child-caring agency which applies for renewal of  
 886 its license shall submit to the department a list of personnel  
 887 who have worked on a continuous basis at the applicant family  
 888 foster home or agency since submitting fingerprints to the  
 889 department, identifying those for whom a written assurance of  
 890 compliance was provided by the department and identifying those  
 891 personnel who have recently begun working at the family foster  
 892 home or agency and are awaiting the results of the required  
 893 fingerprint check, along with the date of the submission of  
 894 those fingerprints for processing. The department shall by rule  
 895 determine the frequency of requests to the Department of Law  
 896 Enforcement to run state criminal records checks for such

897 personnel except for those personnel awaiting the results of  
898 initial fingerprint checks for employment at the applicant  
899 family foster home or agency.

900 (d)1. The department may pursue other remedies provided in  
901 this section in addition to denial or revocation of a license  
902 for failure to comply with the screening requirements. The  
903 disciplinary actions determination to be made by the department  
904 and the procedure for hearing for applicants and licensees shall  
905 be in accordance with chapter 120.

906 2. When the department has reasonable cause to believe  
907 that grounds for denial or termination of employment exist, it  
908 shall notify, in writing, the applicant, licensee, or summer or  
909 recreation camp, and the personnel affected, stating the  
910 specific record that indicates noncompliance with the screening  
911 requirements.

912 3. Procedures established for hearing under chapter 120  
913 shall be available to the applicant, licensee, summer day camp,  
914 or summer 24-hour camp, and affected personnel, in order to  
915 present evidence relating either to the accuracy of the basis  
916 for exclusion or to the denial of an exemption from  
917 disqualification. Such procedures may also be used to challenge  
918 a decision by a community-based care lead agency's refusal to  
919 issue a letter supporting an application for licensure. If the  
920 challenge is to the actions of the community-based care lead  
921 agency, the respondent to the challenge shall be the lead agency

922 and the department shall be notified of the proceedings.

923 4. Refusal on the part of an applicant to dismiss  
 924 personnel who have been found not to be in compliance with the  
 925 requirements for good moral character of personnel shall result  
 926 in automatic denial or revocation of license in addition to any  
 927 other remedies provided in this section which may be pursued by  
 928 the department.

929 (e) At the request of the department, the local county  
 930 health department shall inspect a home or agency according to  
 931 the licensing rules promulgated by the department. Inspection  
 932 reports shall be furnished to the department within 30 days of  
 933 the request. Such an inspection shall only be required when  
 934 called for by the licensing agency.

935 (f) All residential child-caring agencies must meet  
 936 firesafety standards for such agencies adopted by the Division  
 937 of State Fire Marshal of the Department of Financial Services  
 938 and must be inspected annually. At the request of the  
 939 department, firesafety inspections shall be conducted by the  
 940 Division of State Fire Marshal or a local fire department  
 941 official who has been certified by the division as having  
 942 completed the training requirements for persons inspecting such  
 943 agencies. Inspection reports shall be furnished to the  
 944 department within 30 days of a request.

945 (g) In the licensing process, the licensing staff of the  
 946 department shall provide consultation on request.

947 (h) Upon determination that the applicant meets the state  
 948 minimum licensing requirements and has obtained a letter from a  
 949 community-based care lead agency which indicates that the family  
 950 foster home meets the criteria established by the lead agency,  
 951 the department shall issue a license without charge to a  
 952 specific person or agency at a specific location. A license may  
 953 be issued if all the screening materials have been timely  
 954 submitted; however, a license may not be issued or renewed if  
 955 any person at the home or agency has failed the required  
 956 screening. The license is nontransferable. A copy of the license  
 957 shall be displayed in a conspicuous place. Except as provided in  
 958 paragraph (j), the license is valid for 1 year from the date of  
 959 issuance, unless the license is suspended or revoked by the  
 960 department or is voluntarily surrendered by the licensee. The  
 961 license is the property of the department.

962 (i) The issuance of a license to operate a family foster  
 963 home or agency does not require a lead agency to place a child  
 964 with the home or agency. A license issued for the operation of a  
 965 family foster home or agency, unless sooner suspended, revoked,  
 966 or voluntarily returned, will expire automatically 1 year from  
 967 the date of issuance except as provided in paragraph (j). Ninety  
 968 days prior to the expiration date, an application for renewal  
 969 shall be submitted to the department by a licensee who wishes to  
 970 have the license renewed. A license shall be renewed upon the  
 971 filing of an application on forms furnished by the department if

972 the applicant has first met the requirements established under  
 973 this section and the rules promulgated hereunder.

974 (j) Except for a family foster group home having a  
 975 licensed capacity for more than five children, the department  
 976 may issue a license that is valid for longer than 1 year but no  
 977 longer than 3 years to a family foster home that:

978 1. Has maintained a license with the department as a  
 979 family foster home for at least the 3 previous consecutive  
 980 years;

981 2. Remains in good standing with the department; and

982 3. Has not been the subject of a report of child abuse or  
 983 neglect with any findings of maltreatment.

984  
 985 A family foster home that has been issued a license valid for  
 986 longer than 1 year must be monitored and visited as frequently  
 987 as one that has been issued a 1-year license. The department  
 988 reserves the right to reduce a licensure period to 1 year at any  
 989 time.

990 (k) The department may not license summer day camps or  
 991 summer 24-hour camps. However, the department shall have access  
 992 to the personnel records of such facilities to ensure compliance  
 993 with the screening requirements. The department may adopt rules  
 994 relating to the screening requirements for summer day camps and  
 995 summer 24-hour camps.

996 (11) (a) The department is authorized to seek compliance



997 | with the licensing requirements of this section to the fullest  
 998 | extent possible by reliance on administrative sanctions and  
 999 | civil actions, with the exception of those standards for which a  
 1000 | waiver has been granted pursuant to this section.

1001 |         (14) (a) In order to provide improved services to children,  
 1002 | the department shall provide or cause to be provided preservice  
 1003 | training for prospective foster parents ~~and emergency shelter~~  
 1004 | ~~parents~~ and inservice training for foster parents ~~and emergency~~  
 1005 | ~~shelter parents~~ who are licensed and supervised by the  
 1006 | department.

1007 |         (b) As a condition of licensure, foster parents ~~and~~  
 1008 | ~~emergency shelter parents~~ shall successfully complete a minimum  
 1009 | of 21 hours of preservice training. The preservice training  
 1010 | shall be uniform statewide and shall include, but not be limited  
 1011 | to, such areas as:

- 1012 |             1. Orientation regarding agency purpose, objectives,  
 1013 | resources, policies, and services;
- 1014 |             2. Role of the foster parent ~~and the emergency shelter~~  
 1015 | ~~parent~~ as a treatment team member;
- 1016 |             3. Transition of a child into and out of foster care ~~and~~  
 1017 | ~~emergency shelter care~~, including issues of separation, loss,  
 1018 | and attachment;
- 1019 |             4. Management of difficult child behavior that can be  
 1020 | intensified by placement, by prior abuse or neglect, and by  
 1021 | prior placement disruptions;

1022 5. Prevention of placement disruptions;

1023 6. Care of children at various developmental levels,

1024 including appropriate discipline; and

1025 7. Effects of foster parenting on the family of the foster

1026 parent ~~and the emergency shelter parent.~~

1027 (c) In consultation with foster parents, each region

1028 ~~district~~ or lead agency shall develop a plan for making the

1029 completion of the required training as convenient as possible

1030 for potential foster parents ~~and emergency shelter parents.~~ The

1031 plan should include, without limitation, such strategies as

1032 providing training in nontraditional locations and at

1033 nontraditional times. The plan must be revised at least annually

1034 and must be included in the information provided to each person

1035 applying to become a foster parent ~~or emergency shelter parent.~~

1036 (d) Prior to licensure renewal, each level II through

1037 level V foster parent ~~and emergency shelter parent~~ shall

1038 successfully complete 8 hours of inservice training. Each level

1039 I foster parent shall successfully complete 4 hours of inservice

1040 training. Periodic time-limited training courses shall be made

1041 available for selective use by foster parents ~~and emergency~~

1042 ~~shelter parents.~~ Such inservice training shall include subjects

1043 affecting the daily living experiences of foster parenting as a

1044 foster parent ~~or as an emergency shelter parent, whichever is~~

1045 ~~appropriate.~~ For a foster parent ~~or emergency shelter parent~~

1046 participating in the required inservice training, the department

1047 shall reimburse such parent for travel expenditures and, if both  
 1048 parents in a home are attending training or if the absence of  
 1049 the parent would leave the children without departmentally  
 1050 approved adult supervision, ~~either~~ the department shall make  
 1051 provision for child care or shall reimburse the foster ~~or~~  
 1052 ~~emergency shelter~~ parents for child care purchased by the  
 1053 parents for children in their care.

1054 Section 13. Subsection (5) of section 960.065, Florida  
 1055 Statutes, is amended to read:

1056 960.065 Eligibility for awards.—

1057 (5) A person is not ineligible for an award pursuant to  
 1058 paragraph (2) (a), paragraph (2) (b), or paragraph (2) (c) if that  
 1059 person is a victim of sexual exploitation of a child as defined  
 1060 in s. 39.01(77) (g) ~~s. 39.01(71) (g)~~.

1061 Section 14. This act shall take effect July 1, 2018.