

2018 Child Welfare Session Summary

HB 1079: Child Welfare

Bill Sponsor: **Representative Colleen Burton**

Effective Date: July 1, 2018

Chapter 2018-103, Laws of Florida

Fingerprint Exemptions

- Authorizes the Department to establish an exemption process from being fingerprinted for certain household members with physical and developmental disabilities and requires a level 1 screening to be completed.

Offenses to Be Considered in Placing Children

- Makes resisting arrest with violence a five-year disqualifier when placing a child in the home.

Protection of Newborns

- Expands the definition of abuse and clarifies the definition of harm, giving the Department the ability to remove a newborn from the home when there is an open dependency case and allows the Department to take into consideration prospective harm when a caregiver has an extensive, abusive, and chronic use of a controlled substance or alcohol.

Equitable Allocation of Funding to the Community-Based Care (CBC) Lead Agencies

- Modifies the equity formula for distribution of new funds to more closely align with the types of cases handled and recognizes the workload involved.

Title IV-E Alignment

- Aligns state statutes with federal requirements for Title IV-E reimbursement for young adults in the Extended Foster Care Program and the extension of Maintenance Adoption Subsidies (MAS) to age 21 for children who were 16 or 17 at the time of adoption.
 - *Note: this language is also located in HB 5003, Implementing the General Appropriations Act.*

Guardianship Assistance Program (GAP)

- Establishes a GAP program, which is another option for relatives, next of kin, and fictive kin (person with close relationship to the child) to receive financial assistance for the dependent child(ren) placed in the custody of the relative or kin. GAP begins July 1, 2019, and the payment amount is \$333 per child per month.

Commercial Sexual Exploitation of Children (CSEC) Victims in Residential Treatment Centers

- Amends the requirements for residential treatment centers and hospitals when serving CSEC victims to ensure they receive the individual services they need and to avoid duplication of requirements.
- Allows the residential treatment center to prioritize the delivery of certain services to meet the specific treatment needs of the child.

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Child Care

- *Background Screening*: addresses federal requirements, including making felony drug offenses a disqualifier and requiring providers to look back five years when background screening staff to include information from other states.
- *Transportation*: ensures the protection of children being transported to child care facilities and homes.

Accountability

- Makes changes to several sections of law to enhance parent and caregiver accountability in complying with their dependency case plans.

Private Adoptions

- Streamlines the background screening process for potential adoptive parents and removes certain training requirements.

Keys to Independence Extension

- Expands authorization to sign the child's application for a learner's permit to relatives and nonrelatives who have custody of a child who is in out-of-home care.
- Provides protections from liability and increases in insurance cost for abused and neglected children who obtain their learner's permit.

HB 281: Incarcerated Parents

Bill Sponsor: **Representative Patricia Williams**

Effective Date: July 1, 2018

Chapter 2018-045, Laws of Florida

- Requires the Department to obtain information from the facility where the parent is incarcerated to determine how the parent can participate in the preparation and completion of the case plan and receive the services that are available.
- Requires the parent who is incarcerated to be included in the case planning and be provided a copy of any case plan that is developed.
- The Department must attach a list of the available services in the facility or note that the facility does not have a list of available services in the case plan.
- If a parent becomes incarcerated after a case plan has been developed, the parties to the case plan must move to amend the case plan if the incarceration has an impact on permanency for the child.

HB 1073: Department of Financial Services

Bill Sponsor: **Representative Bill Hager**

Effective Date: July 1, 2018

Chapter 2018-102, Laws of Florida

- Requires the CBC Lead Agencies to provide information regarding the Department of Financial Services' financial literacy on-line program to children who have reached 17 years of age and are completing a transition plan or applying for aftercare services.

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HB 1435: Child Welfare

Bill Sponsor: **Representative Daniel Perez**

Effective Date: July 1, 2018

Chapter 2018-108, Laws of Florida

- Requires the Department, in collaboration with sheriffs' offices that conduct child protective investigations and CBC Lead Agencies, to develop a family finding program, subject to state funding.
- Allows CBC Lead Agencies to establish kinship navigator programs, subject to state funding. The kinship navigator programs would help relative caregivers and fictive kin in the child welfare system navigate the broad range of services available to them and the children from public, private, community, and faith-based organizations.
- Revises attendance and reporting requirements for children enrolled in early education or child care programs and requires a transition plan for a child from birth to school age who is leaving an early education or child care program.

SB 7026: Public Safety

Bill Sponsor: **Senator Bill Galvano**

Effective Date: March 9, 2018

Chapter 2018-003, Laws of Florida

Community Action Treatment (CAT) Teams

- Codifies existing CAT teams into law and directs the Department to contract for additional CAT teams throughout the state, subject to state funding. CAT teams provide services for youth, adolescents, and young adults.

Centralized Integrated Data Repository

- Includes the Department in the effort to coordinate with the Department of Law Enforcement, other state agencies, and local law enforcement to provide a centralized integrated data repository and data analytics resources by December 1, 2018.
 - Data that is exempt or confidential and exempt from public records requirements remains so when incorporated into the centralized integrated data repository.

Record Sharing

- Allows all state agencies that provide services to students experiencing or at risk of an emotional disturbance or a mental illness, including the Department, may share with each other records or information that are confidential or exempt from disclosure under Chapter 119 if the records or information are reasonably necessary to ensure access to appropriate services for the student or to ensure the safety of the student or others.

Appropriations to the Department

- \$9.8 million in recurring funds for additional CAT teams and \$18.3 million in recurring funds for additional mobile crisis teams to ensure reasonable access among all counties.

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BUDGET

HB 5001: General Appropriations Act

Bill Sponsor: **House Appropriations Committee & Representative Carlos Trujillo**

Effective Date: July 1, 2018

Approved by the Governor with Vetoes

Chapter 2018-9, Laws of Florida

- **Department of Children and Families Total: \$3.19 billion**
 - \$1.7 billion GR
 - \$1.4 billion TF
- **12,030.75 positions**

Child Welfare

- \$8.1 million to fund the Child Protection Workforce Stability issue for a total of 130 positions* to adequately staff and stabilize the Department's child protection workforce to ensure better safety outcomes for children and families.
(*Realigns 61 FTEs within the Department, adds an additional 69 FTEs, to increase staff in FY 2018-19 to 20 Hotline Criminal Intelligence Unit, 80 child protective investigators, and 30 child protective investigator supervisors)
- \$8.1 million to CBC Lead Agencies for safety management services (intended to prevent the removal of children from the home) and \$5.7 million to develop and analyze additional Title IV-E claiming opportunities.
- \$10.4 million to restore CBC Lead Agency core service funding from FY 2017-18 at the same allocations as were determined in that FY.
- \$15 million in funding for the CBC Lead Agency risk pool to mitigate operating deficits that may occur from unanticipated events.
- \$7.6 million to CBC Lead Agencies for the Independent Living services and to extend the age of eligibility for the MAS to 21 years of age for specified individuals.
- \$2.3 million funding for the MAS and other adoption assistance, including medical assistance to cover the costs of the post-adoption services rendered.
- \$2.9 million to support two positions in the Department and licensing staff for the CBC Lead Agencies to aid in the implementation and administration of Title IV-E GAP.
- \$3.9 million to restore funding provided in FY 2017-18 for payments disbursed through the Nonrelative Caregiver program. This program provides financial assistance for nonrelative placement when a child is removed from the home.

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- \$1.3 million in funding to add to the capacity of the FLORIDA ACCESS system to make disbursements related to the GAP.
- \$4.5 million to increase data collection capabilities necessary to determine eligibility for GAP and \$1.6 million for the analysis and planning to transition the Florida Safe Families Network (FSFN) system to Comprehensive Child Welfare Information System.
- \$2.96 million to fund the operation and maintenance costs for the FSFN system that has been fully transitioned to a cloud environment.
- \$1.5 million in budget authority to continue the Child Welfare Results-Oriented Accountability (ROA) program. These initiatives are necessary to strengthen the cycle of accountability established within the ROA program so that those serving children and families at multiple levels are provided with evidence-based practices and approaches to strengthen the safety, permanency, and well-being of children in care and their families.
- \$1.3 million for the continued development and enhancement of specialized treatment programs for youth who are dually-served by the child welfare and juvenile justice systems.

HB 5003: Implementing the 2018-2019 General Appropriations Act

Bill Sponsor: **House Appropriations Committee & Representative Carlos Trujillo**

Effective Date: July 1, 2018

Approved by the Governor

- Implements specific appropriations in the General Appropriations Act (HB 5001), including Title IV-E Extended Foster Care and extension of MAS.
- Mirrors language in HB 1079 that aligns state statutes with federal requirements for Title IV-E reimbursement for young adults in the Extended Foster Care Program and the extension of MAS to age 21 for children who were 16 or 17 at the time they were adopted.