



2019 LEGISLATIVE IMPACT REPORT



#CHSADVOCACY

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*CHS Western Board Members and Staff visiting Rep. Mike Hill's Capitol office.
Cover page photo: 2019 CHS Advocacy Team Training*



CHS Advocates Making an IMPACT

Special thanks to each of YOU - CHS State and Regional Board Members, Staff, Advocates and our CHS Lobbyist Team for your tireless efforts throughout the 2019 Legislative Session.

Without your determination and advocacy to legislators we would not have been so successful this Session. We thank you and look to your continued advocacy presence in the future.

For copies of this Report, legislative priorities and advocacy information please see the Advocacy Page of the CHS website at www.chsfl.org/advocate.

If you have any questions regarding this Report please contact Summer Pfeiffer, Vice President of Governmental Relations, at 850.339.5463 or Summer.Pfeiffer@chsfl.org.



CHS Southeastern Board Members and Staff presenting Rep. Nicholas Duran – 2018 Legislator of the Year



CHS Big Bend Staff meeting with Rep. Ramon Alexander

2019 CHS Senate Pages

Special thanks to our Host Families



We couldn't do this without YOU!





2019 Session Statistics

Legislative Statistics:

TOTAL Bills Filed <small>(doesn't include House budget bills)</small>	1,862
TOTAL Bills Passed	197
Success Rate of Bills Filed	10.5%

CHS Advocacy Social Media Posts Statistics: March – May 2019

- #CHSAdvocacy was tweeted 155 times and appeared on Facebook 6 times
- Advocacy tweets originating from @HelpFLKids appeared in 35,158 news feeds organically
- Advocacy tweets originating from @HelpFLKids were supported with more than 723 engagements -- including likes, replies, and retweets



2019 Session

Bills That Passed

Excerpts from the 2019 House and Senate Session Summaries

CS/CS/HB 23 –Telehealth

by Health and Human Services Committee; Ways and Means Committee; and Rep. Yarborough and others (CS/SB 1526 by Appropriations Committee and Senator Harrell)

The bill establishes a regulatory framework for telehealth under a new section of law, s. 456.47, F.S., including the following components:

- Establishing standards of practice for telehealth providers;
- Creating a registration process and requirements for out-of-state telehealth providers;
- Authorizing the prescribing of controlled substances in certain situations by telehealth;
- Providing record-keeping requirements for providers;
- Requiring the Department of Health (DOH) to create and maintain an informational website of out-of-state registered telehealth providers;
- Authorizing a disciplinary process for registered out-of-state telehealth providers;
- Establishing venue requirements for a civil or administrative action initiated by DOH, the appropriate health practitioner regulatory board, or a patient who receives telehealth services from an out-of-state telehealth provider;
- Providing rulemaking authority to administer these new requirements; and
- Creating insurance and health maintenance organization (HMO) contracting requirements relating to the voluntary acceptance of payment rates for telehealth services to ensure that telehealth providers are aware of the reimbursement provisions through initialing any specific telehealth payment terms, if different from in-person services, effective January 1, 2020.

The bill defines telehealth as the use of synchronous or asynchronous telecommunication technology to provide health care services, including, but not limited to, assessment, diagnosis, consultation, treatment, and monitoring of a patient; transfer of a medical data; patient and professional health-related education; public health services; and health administration. The definition does not include audio-only telephone call, e-mail messages, or facsimile transmissions.

The DOH is required to publish specific information about all out-of-state registrants via a public website. The required information includes the following information for each registrant:

- Name;
- Health care occupation;
- Completed health care training and education, including completion dates and any dates and certificates or degrees obtained;
- Out-of-state health care license with the license number;
- Florida telehealth provider registration number;

- 
- Specialty;
 - Board certification;
 - Five-year disciplinary history, including sanctions and board actions;
 - Medical malpractice insurance provider and policy limits, including whether the policy covers claims that arise in this state; and
 - Name and address of the provider's registered agent designated for service of process in this state.

The definition of a telehealth provider includes any individual who provides health care and related services using telehealth and who is licensed or certified under one of 27 professions or occupations or is a member of a multi-state health care licensure compact of which Florida is a member state.

Disciplinary action against an out-of-state telehealth registrant will be taken by the appropriate board, or the DOH if there is no board. Action may be taken if the registrant:

- Fails to notify the appropriate entity of any adverse actions taken against his or her license;
- Has restrictions placed on or disciplinary action taken against his or her license in any state or jurisdiction;
- Violates any of the requirements of the telehealth provider statutory provisions; or
- Commits any act that constitutes grounds for disciplinary action under s. 456.072(1), F.S., the general provisions for discipline with penalties and enforcement.

The bill creates mechanisms for discipline of a telehealth provider registrant which may include a suspension or revocation of his or her registration or issuance of a reprimand or letter of concern. A corrective action plan could also be issued with a suspension which could require successful completion before reinstatement based on the rules that may be adopted by the respective board or the DOH. Florida-licensed providers who deliver medical services through telehealth are still subject to the review and discipline of their respective professional or occupational boards or the DOH through their Florida license.

The bill also directs the DOH to conduct an annual review of registration fees collected under the bill and determine the sufficiency of the fees for DOH and the boards to implement s. 456.47, F.S. A separate fee bill, HB 7067, imposes an initial out-of-state telehealth provider registration fee of \$150 and a biennial renewal fee of \$150.

For state fiscal year 2019-2020, \$261,389 in recurring funds and \$15,000 in non-recurring funds are appropriated from the Medical Quality Assurance Trust Fund and four full-time equivalent positions with an associated salary rate of \$145,870, are authorized for the implementation of the bill.

If approved by the Governor, these provisions take effect July 1, 2019, except as otherwise provided.

Vote: Senate 30-9; House 113-0



Potential Impact: CHS currently is a provider of telehealth services and this legislation provides a statutory structure including definition, standards of practice and list of 27 licensed health care practitioners that can provide services.

CS/SB 124 – Dependent Children

by Judiciary Committee and Senators Bean, Montford, Harrell, and Cruz

The bill addresses the complications that arise when a dependent child or young adult is involved in legal proceedings in multiple courts and jurisdictions.

For example, the courts of the county having jurisdiction over a child’s dependency case lose jurisdiction to appoint a guardian for the child if the child is placed in a living arrangement outside of that county. Similarly, the courts of the county having jurisdiction over an incapacitated young adult’s dependency case lose jurisdiction to appoint a guardian for the young adult if he or she is placed in a specialized and supportive living arrangement outside of the county. The bill addresses this issue by creating an additional guardianship venue provision that permits venue in the county with jurisdiction of the dependency case.

The bill also addresses issues concerning a dependent child who is involved in juvenile justice proceedings. In addressing these issues, the bill:

- Permits the court, before making a final disposition in juvenile proceedings, to receive and consider any information provided by the Guardian Ad Litem Program and the child’s attorney ad litem, if appointed, when the child is also under the jurisdiction of a dependency court;
- Requires the Department of Juvenile Justice to notify the dependency court, the Department of Children and Families, and if appointed, the Guardian Ad Litem Program and the child’s attorney ad litem before transferring a dependent child who is in the custody of the Department of Juvenile Justice from one facility or program to another;
- Permits a court, when receiving a quarterly report in juvenile proceedings, to receive and consider any information provided by the Guardian Ad Litem Program or the child’s attorney ad litem, if appointed, if the child is under the jurisdiction of a dependency court; and
- Adds the Guardian Ad Litem Program to the group of entities that may serve on a community reentry team that helps a youth transition from a residential commitment facility to adulthood.

Governor signed into law on April 26, 2019, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 116-0

Potential Impact: The new provisions contained in the legislation assist in strengthening the role of a child’s guardian ad litem in order to improve their situation and outcomes.

CS/SB 262 – Child Welfare

by Judiciary Committee and Senators Albritton, Harrell, Montford, and Rader

The bill revises the dependency process for abused children removed from their home to facilitate permanency within 1 year. Permanency for a dependent child can be reunification with parents, placement with a permanent guardian, such as a relative, or adoption. State law sets 1 year as a goal to achieve permanency. According to the Department of Children and Families, only 40% of dependent children in Florida reach their permanency goal within 1 year. To shorten the time children spend in dependency, the bill:

- Requires the court to name the Guardian ad Litem in the record;
- Directs caseworkers to provide updated contact information to parents;
- Limits court continuances to less than 60 days each year;
- Requires parents to give updated contact information to the caseworker and the court;
- Makes parents notify the court of any barriers to completing their case plan;
- Obligates case managers to make referrals to needed services for parents within 7 days after the case plan is approved;
- Requires the case plan to include strategies to overcome any barriers that would prevent the parents from completing any tasks;
- Orders the court to clearly inform parents that if they do not complete their case plan within 1 year, the court may terminate their parental rights; and
- Requires the court to provide a written order following a termination of parental rights within 30 days.

If approved by the Governor, these provisions take effect October 1, 2019.

Vote: Senate 39-0; House 112-0

Potential Impact: The Legislature is seeking to increase a child’s ability to achieve permanency in one year through a series of new requirements that involve parental responsibility, expedite service referrals and increase communication about expectations and barriers to successfully finishing case plan tasks.

CS/CS/CS/SB 318 – Public Records/Child Abuse, Abandonment, or Neglect

by Rules Committee; Education Committee; Children, Families, and Elder Affairs Committee; and Senator Montford

The bill expands the public records exemption that protects the name of a reporter of child abuse, abandonment, or neglect to also include other identifying information. Such information would be protected and would only be released to specified persons, officials, and agencies specified in law.

The bill subjects this public record exemption to the Open Government Sunset Review Act, and thus the exemption will be repealed on October 2, 2024, unless it is reviewed and saved from repeal by the Legislature. The bill provides a statement of public necessity as required by the State Constitution that protecting such information of reporters will strengthen mandatory reporting laws by helping ensure that all instances of known or suspected child abuse, abandonment, or neglect are reported to the Department of Children and Families.

Governor signed into law on May 23, 2019, these provisions take effect July 1, 2019.

Children’s Home Society of Florida

2019 Legislative IMPACT Report



Vote: Senate 38-0; House 112-0

Potential Impact: The purpose of this added language to statute is to help ensure citizens report all suspected cases of abuse and neglect and not be in fear that their identity will be known to the public.

CS/HB 1209 – Caregivers for Children in Out-of-Home Care

by Children, Families and Seniors Subcommittee and Rep. Buchanan and others (CS/CS/SB 1432 by Rules Committee; Children, Families, and Elder Affairs Committee; and Senator Baxley)

Current law provides duties for the Department of Children and Families (DCF) and community-based care lead agencies (CBCs) while working with caregivers who provide out-of-home care to dependent children. CS/HB 1209 establishes a goal for DCF to treat foster parents, kinship caregivers, and nonrelative caregivers with dignity, respect, and trust while ensuring the delivery of child welfare services. The bill requires DCF to strive to accomplish these goals to the extent not otherwise prohibited by state or federal law and within current resources. The goals require DCF to provide specified information and supports to foster parents, kinship caregivers, and nonrelative caregivers.

Additionally, CS/HB 1209 creates a dispute resolution process for a caregiver who believes the goals are not being met and such failure is harmful to the child or is inhibiting the caregiver's ability to meet the child's needs.

If approved by the Governor, these provisions take effect July 1, 2019.

Vote: Senate 39-0; House 114-0

Potential Impact: This legislation outlines objectives to treat caregivers with respect; all objectives currently exist in statute or in DCF rule but reiterates them in one section. The bill does establish a process for caregivers if they believe the objectives are not being met by DCF or an agency under contract with DCF. If the objectives are not being met and the caregiver believes such failure is resulting in harm or the possibility of harm to the child or it is inhibiting the caregiver's ability to meet the child's needs, the caregiver may notify a DCF liaison or case manager to make an attempt to resolve the dispute. If the caregiver is not satisfied that the dispute has been resolved, the caregiver may contact the DCF liaison's or case manager's supervisor. If the caregiver is still not satisfied that the dispute has been resolved, the caregiver may contact DCF, and DCF must conduct a review and respond in writing no later than 30 days after being contacted.

CS/CS/SB 7030 – Implementation of Legislative Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission

by Appropriations Committee; Infrastructure and Security Committee; and Education Committee



The bill addresses the school safety and security recommendations of the Marjory Stoneman Douglas High School Public Safety Commission, and strengthens accountability and compliance oversight authority.

School Security

The bill enhances school security measures. Specifically, the bill:

- Requires sheriffs to assist district school boards and charter school governing boards in complying with safe-school officer requirements, including providing guardian training either directly or through a contract with another sheriff's office under specified circumstances.
- Requires district school boards to collaborate with charter school governing boards to facilitate charter school access to all safe-school officer options. If a district school board denies a charter school access to any of the safe-school officer options, the school district must assign a school resource officer or school safety officer to the charter school and retain the charter school's share of the costs from the safe schools allocation.
- Delineates that the four safe-school officer options include a school resource officer, a school safety officer, school guardian, and a school security guard. The bill specifies that:
 - A school guardian may be a school district employee or a charter school employee who volunteers to serve as a school guardian in addition to his or her official job duties or an employee of a school district or a charter school who is hired for the specific purpose of serving as a school guardian. The bill removes the prohibition on an individual who exclusively performs duties as a classroom teacher from participating in the guardian program.
 - A school security guard must hold a Class "D" and Class "G" license in accordance with the law and meet the training requirements equivalent to that of a school guardian as a safe-school officer.
- Continues to require a district school board to opt-in to the guardian program through a majority vote and require employees who volunteer to pass a psychological evaluation and complete 144 hours of required training. The bill also requires the employee to complete the required training to the Sheriff's satisfaction and then be appointed by the superintendent or charter school principal, as applicable.
- Applies the penalties specified in law relating to the false personation of a law enforcement officer to the false personation of a school guardian and a licensed security officer.

Student Safety

The bill improves student safety by establishing information sharing and reporting requirements for district school boards and charter school governing boards, including responses to emergency situations, safety incident reporting, data collection, and data sharing. Specifically, the bill:

- Requires each district school board and charter school governing board to adopt an active assailant response plan; and annually by October 1, requires each district school superintendent and charter school principal to certify that all school personnel have received annual training on the procedures contained in the plan.
- Requires drills for active shooter and hostage situations to be conducted in accordance with developmentally appropriate and age-appropriate procedures.
- Requires each district school board to define criteria for reporting to a law enforcement agency any act that poses a threat to school safety as well as acts of



misconduct which are not a threat to school safety and do not require consultation with law enforcement.

- Requires that the Florida Safe Schools Assessment Tool (FSSAT) be the primary physical site security assessment tool used by school officials at each school district and public school site in conducting security assessments; and requires each school district to report to the Department of Education (DOE) by October 15 that all schools within the district have completed the school security risk assessment using the FSSAT.
- Enhances oversight and enforcement as it relates to School Environmental and Safety Incident Reporting (SESIR) by requiring school districts and charter schools to report specified incidents; and requires the OSS to collect, review, and evaluate data regarding the reports to ensure compliance with the reporting requirements.
- Requires district school boards and charter schools to promote the use of the mobile suspicious activity reporting tool by advertising the tool on its website, school campuses, newsletters, and install the application on all mobile devices and bookmark the website on all computer devices issued to students.
- Modifies requirements relating to new student registration and transfer of student records by clarifying the mental health services-related reporting requirements at the time of initial registration and specifying the information that must be transferred from one public school to another upon a student's transfer.

The bill modifies requirements relating to school district threat assessment teams by:

- Requiring the threat assessment team to use the behavioral threat assessment instrument that is developed by the OSS in accordance with the law.
- Requiring, upon a student's transfer to a different school, a threat assessment team to verify that any intervention services provided to the student remain in place until the threat assessment team of the receiving school independently determines the need for intervention services.

The bill adds authority and responsibilities for the OSS. Specifically, the bill requires the OSS to:

- Annually publish a list including information about the number of safe-school officers in the state and information related to disciplinary incidents involving such officers.
- Make the FSSAT available annually by May 1, and provide annual training to each district's school safety specialist and other appropriate personnel on the assessment of physical site school security and completing the FSSAT.
- Specifies additional data that must be included in the centralized integrated data repository in coordination with the Florida Department of Law Enforcement (FDLE).
- Develop, no later than August 1, 2019, a standardized, statewide behavioral threat assessment instrument for use by all K-12 public schools and evaluate, by August 1, 2020, each school district's and charter school governing board's behavioral threat assessment procedures for compliance with the law.
- Establish a Statewide Threat Assessment Database Workgroup to complement the work of the DOE and the FDLE associated with the centralized integrated data repository and data analytics resources initiative. The workgroup must make recommendations regarding the development of a statewide threat assessment database to provide access to information about any school threat assessment to authorized personnel in each school district. The workgroup must provide a report to the OSS with recommendations that include specified components, no later than December 31, 2019.
- Convene a School Hardening and Harm Mitigation Workgroup comprised of individuals with subject matter expertise on school campus hardening best practices to review school hardening and harm mitigation policies, and submit a report to the executive



director of the OSS by August 1, 2020, including a prioritized list for the implementation of school campus hardening and harm mitigation strategies, and related estimated costs and timeframes. The bill also specifies reporting requirements and related deadlines for the OSS and the Commissioner of Education regarding recommendations for policy and funding enhancements and strategies for implementing school campus hardening.

- Monitor school district and charter school compliance with school safety requirements.

School District Funding

The bill provides funding opportunities to enhance school safety and security, and to provide additional mental health services to students. Specifically, the bill:

- Retroactively provides school districts with flexibility for expending 2018-2019 fiscal year safe schools allocation funds for employing or contracting for safe-school officers.
- Provides school districts with greater flexibility to improve school safety by authorizing the transfer of categorical funds within the Florida Education Finance Program towards school safety expenditures, and expands authorized uses of the safe schools allocation.
- Expands the authorized uses of the mental health assistance allocation, provides school district flexibility for expenditures, and requires a program and expenditure plan for school districts and charter schools.

Governor signed into law on May 8, 2019, these provisions take effect upon becoming law, except for the provisions related to the safe schools allocation and mental health allocation which are effective July 1, 2019, and the retroactive funding provisions related to the 2018-2019 safe schools allocation.

Vote: Senate 22-17; House 65-47

Potential Impact (specific to the mental health portion of the bill): CHS believes there are multiple opportunities to serve more students with our behavioral health and counseling services. CHS will be actively working to pursue these opportunities throughout the state.

CS/SB 7070 – K-12 Education

by Appropriations Committee; Education Committee; and Senator Diaz

The bill establishes and modifies K-12 education programs to support students and families, public schools, and teachers. The bill expands educational choice and opportunity for low-income families, supports public schools by expanding student support services and reducing regulations, and benefits teachers by removing teacher certification barriers and providing incentive awards.

Family Empowerment Scholarship Program

The bill establishes the Family Empowerment Scholarship Program (FES) for up to 18,000 students on a first-come, first-served basis, beginning in the 2019-2020 school year, to expand educational opportunities for children of families with limited financial resources. The bill provides that:

- The FES is funded through the Florida Education Finance Program (FEFP).
- The FES is administered by the Department of Education (DOE), with the household income verification of students conducted by an eligible scholarship-funding organization (SFO).

- The calculated scholarship amount for a student must be 95 percent of the funds per FTE in the FEFP for a student in the basic program plus a per FTE share of funds for all categorical programs, except for the Exceptional Student Education Guaranteed Allocation, based upon the grade level and school district in which the student was assigned.
- Beginning in the 2020-2021 school year, the number of students participating in the scholarship program may annually increase by 0.25 percent of the state's total public school student enrollment.

The bill specifies that a student is initially eligible for an FES if the student is:

- Eligible to enroll in kindergarten or has spent the prior school year in attendance at a public school; and
- On the direct certification list or the student's household income does not exceed 300 percent of the federal poverty level, with priority given to students whose household income levels do not exceed 185 percent of the federal poverty level or who are in foster care or out-of-home care; or
- Currently placed, or during the previous fiscal year was placed, in foster care or in out-of-home care, regardless of the student's household income-level.

The bill also outlines the terms of the scholarship; scholarship prohibitions; private school eligibility and obligations; responsibilities of school districts, SFOs, and the DOE; and parent and student responsibilities for participating in the program.

Other State Scholarship Programs

The bill modifies the scholarship award amounts for the Florida Tax Credit Scholarship Program (FTC) and the Hope Scholarship Program to align with the award amount under the FES.

The bill also modifies the obligations of SFOs related to the FTC, Hope, and Gardiner Scholarship Programs.

Best and Brightest Teacher and Principal Programs

The Best and Brightest Teacher Program is revised to authorize three types of awards - recruitment, retention and recognition - each with distinct criteria for determining eligibility. The bill removes a teacher's performance on the SAT or ACT as a factor in determining eligibility for the award and establishes the following best and brightest teacher awards:

- Recruitment awards for newly hired teachers who are a content expert, based on criteria established by the department, in mathematics, science, computer science, reading, or civics.
- Retention awards for teachers rated as "highly effective" or "effective" the preceding year, and currently teaching in a school that has demonstrated specified academic improvement.
- Recognition awards for teachers and instructional personnel rated as "highly effective" or "effective" and selected by the school principal based on performance criteria and policies adopted by the district school board.

A principal is eligible for a Best and Brightest Principal Program award if he or she has served as school principal at his or her school for at least 4 consecutive school years, including the current school year, and the school has demonstrated specified academic improvement.

The award amounts for these programs are established annually by the Legislature in the General Appropriations Act.

Funds for the Operation of Schools

The bill:

- Establishes the Turnaround School Supplemental Services Allocation within the FEFP to provide funding to traditional public schools in, or exiting, turnaround status. The allocation provides funds to help district-managed turnaround schools offer



wraparound services to improve the academic and community welfare of students and families.

- Includes the Florida Best and Brightest Teacher and Principal Allocation within the FEFP.

Teacher Certification

The bill modifies teacher certification requirements by:

- Specifying that the criterion related to the demonstration of general knowledge mastery as part of the eligibility to seek certification applies only to an individual who serves as a classroom teacher.
- Eliminating the requirement that individuals teaching under a temporary certificate must demonstrate mastery of general knowledge within 1 calendar year of the date of employment.
- Requiring a school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge examination to provide information regarding the availability of specified state-level and district-level supports and instruction.
- Requiring the state board rule regarding certification fees to specify an initial examination fee for first-time test takers and a reduced retake fee for the full battery of subtests and each subtest of an examination.

Educational Facilities

The bill provides school districts additional flexibility for constructing educational facilities.

Specifically, the bill:

- Includes the funds generated by a 1.5-mill levy of ad valorem property taxes with the existing funds a district can use for capital outlay for educational facilities without a survey recommendation.
- Allows a district school board to adopt a resolution through a majority vote, rather than a supermajority vote, to implement exceptions to the educational facilities construction requirements, and removes the requirement that the board conduct a cost-benefit analysis prior to voting on the resolution.
- Requires the Office of Economic and Demographic Research (EDR), in conjunction with the DOE, to review and revise the cost per student station limits and to select an industry-recognized construction index to replace the currently-used Consumer Price Index.
- Eliminates restrictions and sanctions on district school boards related to educational facilities construction.

Schools of Hope Program

The bill modifies the Schools of Hope Program by:

- Authorizing a School of Hope to use state funds for costs associated with initial leasing of a facility and providing that recoverable assets revert to the district school board if the School of Hope is dissolved or otherwise terminated.
- Changing the definition of a “persistently low-performing school” to mean a school that has earned a grade lower than a “C” in at least three of the previous five years, and has not earned a grade of “B” or higher in the most recent two years.
- Authorizing a School of Hope to locate within, or serve students residing in, a Florida Opportunity Zone. The bill defines Florida Opportunity Zone to mean a population census tract that has been designated by the United States Department of the Treasury as a Qualified Opportunity Zone.

Community Schools

The bill establishes the Community School Grant Program (program) to fund and support the planning and implementation of community school programs. The program is intended to



improve student success and well-being by engaging and supporting parents and community organizations in their effort to positively impact student learning and development. The bill specifies that a community school model is a school service model developed by the Center for Community Schools at the University of Central Florida (center) which utilizes long-term partnerships among a school district, community organization, a university or college, and a health care provider to implement programs to address student, family, and community needs during and outside of the school day. Funding for the program is subject to legislative appropriation.

Charter Schools

The bill clarifies that a charter between the sponsor and charter school may include a provision requiring the charter school be held responsible for costs, including, but not limited to, mediation, damages, and attorney fees, incurred by the school district associated with complaints to the Office of Civil Rights or the Equal Employment Opportunity Commission.

Governor signed into law on May 9, 2019, these provisions take effect July 1, 2019, except as otherwise expressly provided in this act.

Vote: Senate 23-17; House 76-39

Potential Impact: Community School Grant program created in statute, allows for expansion of current model throughout the state. Turnaround Status Schools may offer another opportunity for CHS to work with schools that are struggling to meet the complex needs of their students during school and outside of school hours.

CS/HB 7099 – Child Welfare

by Health and Human Services Committee; Children, Families and Seniors Subcommittee; and Rep. Stevenson and others (CS/CS/SB 1650 by Children, Families, and Elder Affairs Committee; Health Policy Committee; and Senator Albritton)

The bill makes a number of changes to Florida child welfare laws under ch. 39, F.S., and related statutes, primarily to ensure compliance with federal regulations for implementation of the federal Family First Prevention Services Act and to align with the federal Title IV-E and the Guardianship Assistance Program (GAP) requirements. Specifically, the bill:

- Provides that guardianship assistance benefits under the GAP will be terminated if the guardian is no longer providing support for the child.
- Clarifies provisions relating to the extended foster care program, including requiring a young adult participating in the program to provide specified documentation of eligibility.
- Amends provisions relating to judicial reviews for young adults who are leaving and re-entering extended foster care.
- Clarifies provisions relating to financial assistance and other benefits available to children and young adults.
- Amends requirements relating to the licensure of family foster homes, residential child-caring agencies, and child-placing agencies, to either meet federal requirements or to streamline requirements for Level I licensing for foster homes under s. 409.175, F.S.
- Reduces from three months to 60 days the period of time for a court review following a child's placement in a residential treatment program.
- Provides the Department of Children and Families (DCF) with rulemaking authority to administer the extended foster care and GAP programs.

The bill amends s. 39.402, F.S., to provide that, in the provision of psychotropic medications to a child in the custody of the DCF, a psychiatric nurse as defined under s. 394.455, F.S., may perform certain medical, psychiatric, and psychological examinations of and provide treatment to children in care, and may perform physical, mental, and substance abuse examinations of a person with or requesting child custody services.

The bill creates s. 402.57, F.S., to require the DCF to establish a direct-support organization to support the Florida Children and Youth Cabinet.

The bill amends ss. 39.201(2) and 39.303(4), F.S., to provide new requirements for reports of child abuse and neglect related to children who are being treated in medical facilities in the state.

If approved by the Governor, these provisions take effect July 1, 2019.

Vote: Senate 39-0; House 114-0

Potential Impact: CS/HB 7099 brings Florida Statutes into full compliance with federal requirements for earning additional federal Title IV-E revenue and enhances new and existing child welfare programs. New provisions were added requiring DCF referral to Child Protection Team for assessment. The bill also authorizes psychiatric nurses to prescribe psychotropic medication to dependents while in care. This was a much needed addition due to the lack of child psychiatrists in the field.



*CHS Greater Lakeland Staff meeting with Rep. Josie Tomkow – Left
CHS Western Staff meeting with Rep. Robert Andrade – Right*



2019 Session

Bills That Failed

HB 69 by Rep. Antone: Child Care Facilities: Revises minimum licensing standards relating to transportation safety for child care facilities & child care homes; requires DCF to suspend license of child care facility or child care home when child dies under certain conditions. Effective Date: 7/1/2019

HB 84 by Rep. Rodriguez: Conversion Therapy; Prohibiting a person who is licensed to provide professional counseling or a practitioner who is licensed under provisions regulating the practice of medicine, osteopathic medicine, psychology, clinical social work, marriage and family therapy, or mental health counseling from practicing or performing conversion therapy for an individual who is younger than a specified age; providing that such licensee or practitioner is subject to disciplinary proceedings by the Department of Health and the appropriate board under certain circumstances, etc. Effective Date: 7/1/2019

SB 90 by Sen. Book: Early Childhood Courts; Authorizing circuit courts to create early childhood court programs; providing requirements and guidelines for the Office of the State Courts Administrator when hiring community coordinators and a statewide training specialist; authorizing the office to provide funding to circuit courts that choose to establish a coordination system in lieu of creating a community coordinator position, etc. Effective Date: 7/1/2019

HB 125 by Rep. Roth: Sheriffs Providing Child Protective Investigative Services: Requires Sheriff of Walton County to provide all child protective investigations in county. Effective Date: upon becoming a law

HB 128 by Sen. Bean: Child Abuse; Expanding the list of incidents or injuries that constitute harm to a child's health or welfare to include incidents or injuries resulting from violations of child restraint and seatbelt requirements; requiring the central abuse hotline to accept certain reports or calls for investigation for children who do not live in this state; expanding the types of reports that the Department of Health must refer to Child Protection Teams, etc. Effective Date: 7/1/2019

SB 256 by Sen. Baxley: Child Protection Teams; Revising the definition of the term "officer, employee, or agent," as it applies to immunity from personal liability in certain actions, to include any member of a child protection team established by the Department of Health in certain circumstances, etc. Effective Date: 7/1/2019

SB 290 Sen. Monford: Medicaid School-based Services; Revising applicable provisions for the reimbursement of school-based services by the Agency for Health Care Administration to certain school districts; deleting a requirement specifying the use of certified state and local education funds for school-based services; revising a requirement for the agency's reimbursement of school-based services to certain private and charter schools, etc. Effective Date: 7/1/2019



HB 315 Rep. Latvala: Child Welfare: Requires certain entities to provide training for specified purposes; establishes communication between law enforcement agencies & DCF related to certain individuals involved in child welfare system; provides requirements for law enforcement officers & central abuse hotline; authorizes lead agencies to provide intensive family reunification services that combine child welfare & mental health services to certain families; authorizes department & certain lead agencies to create program to more effectively provide case management services to specified children; specifies requirements of program; requires Criminal Justice Standards & Training Commission to incorporate training for specified purposes; requires law enforcement officers to complete such training as part of basic recruit training or continuing training or education by specified date. Effective Date: July 1, 2019

HB 597 by Rep. Stark: Adoption Records: Provides that name & identity of birth parent, adoptive parent, & adoptee may be disclosed from adoption records without court order under certain circumstances. Effective Date: July 1, 2019

HB 823 by Rep. Ausley: Child Welfare: Revises & creates provisions related to Florida Children's Ombudsman, case plan development, & social study reports for judicial review; provides additional requirements for caseworkers & caregivers of dependent children; requires lead agencies to recruit & retain foster homes; provides responsibilities for lead agencies in recruitment & retention of foster homes. Effective Date: October 1, 2019

HB 899 by Rep. Tomkow: Child Welfare: Provides factors court must consider when determining whether child should remain in his or her current placement or be placed in out-of-home care; provides requirements for case plans & permanency determinations; requires disclosure & determination of ineffective communication by parents & caregivers; provides for agency & caregiver recommendations for change in visitation; provides factors court must consider when determining whether child should be returned to custody of his or her parents; authorizes lead agency to provide more than 35 percent of all child welfare services under certain conditions. Effective Date: 10/1/2019

SB 918 by Sen. Thurston: Adoption Assistance for Children in the Child Welfare System; Requiring that court costs for all adoptive parents who adopt children in the custody of the Department of Children and Families be waived, rather than reimbursed, by the department, etc. Effective Date: 7/1/2019

SB 1214 by Sen. Book: Child Abuse, Abandonment, and Neglect; Relocating provisions relating to the central abuse hotline of the Department of Children and Families; requiring animal control officers and certain agents to provide their names to hotline staff; requiring individuals who are required to investigate child abuse, abandonment, or neglect to also report certain animal abuse to specified persons or agencies; requiring the department to include certain training in the training program for persons required to investigate child abuse, abandonment, or neglect, etc. Effective Date: 7/1/2019

HB 1249 by Rep. Overdorf: Pub. Rec./Foster Parent Applicant and Foster Parent Names/Department of Children and Families: Provides exemption from public records requirements for identifying information of foster parent applicants & licensed foster parents, & spouses, minor children, & other adult household members thereof; provides for retroactive application; provides exception under certain circumstances; provides for future legislative review & repeal of exemption; provides statement of public necessity. Effective Date: July 1, 2019



CHS Big Bend Staff meeting with Rep. Loranne Ausley



CHS Palm Beach Staff briefing Sen. Gayle Harrell on CHS Legislative Agenda

FY 2019-2020

Budget Highlights

Issue	Final Budget Outcomes
Community Partnership Schools Expansion (aka Community School Grants, Sec. 1003.64, F.S.)	\$7,435,571 recurring \$7.1m and nonrecurring \$255,000 for a specific school
Additional Child Welfare Core Services	\$8 million
CBC Risk Pool	\$8 million
Children's Advocacy Centers \$500,000 non recurring restoration	\$500,000
Open Doors Human Trafficking	\$750,000
Back of the Bill – CBC Deficits	\$5.06 million

The Governor has not been presented with SB 2500 General Appropriations Act at this time. Once he finalizes the budget and provides his list of vetoed items will update this section of the Report.



Sen. Rob Bradley – 2018 CHS Legislator of the Year

FY 2019-2020

Proviso Language

From the funds in Specific Appropriation 112A, \$7,180,571 in recurring funds is provided to the Department of Education to support the planning and implementation of community school programs pursuant to section 1003.64, Florida Statutes.

From the funds in Specific Appropriation 326, the department, in consultation with the community-based care lead agencies, shall study the equity allocation model prescribed in section 409.991, Florida Statutes, and provide a report that identifies at least three alternative funding methodologies for the distribution of core service funds to the lead agencies. All recommendations must be developed in a budget neutral manner and may include an evaluation of base funding. The report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 15, 2019.

From the funds in Specific Appropriation 326, the department shall conduct a comprehensive, multi-year review of the revenues, expenditures, and financial position of all community-based care lead agencies and shall cover the most recent two consecutive fiscal years. The review must include a comprehensive system-of-care analysis. All lead agencies must develop and maintain a plan to achieve financial viability which shall accompany the department's submission. The department's review shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2019.

From the funds in Specific Appropriation 326, the department shall restore any Fiscal Year 2018-2019 nonrecurring safety management services funding for each community-based care lead agency up to the amount of the nonrecurring allocation for Fiscal Year 2018-2019 before allocating the remaining core services funding pursuant to the equity allocation model prescribed in section 409.991, Florida Statutes.



Gulfcoast Board Members attending CHS Advocacy Days at the Capitol

CHS Advocacy Award Recipients - 2018

Congratulations to all our Children's Home Society of Florida Advocacy Award Recipients for their hard work and dedication throughout 2018. John Miller, Davicka Thompson, Andrea McNally and Timothy Only.



John Miller, Western Adoptions Staff



Davicka Thompson, Palm Beach Division Board Chair



ANDREA DEZSO

Andrea McNally (Dezso), CHS Communications Staff



Timothy Only, Evans Community Partnership School Graduate & CHS Advocate

**Community Partnership Schools Day
at the Capitol - 2019**



Attendees at the Inaugural Community Partnership Schools Day at the Capitol - Top
Marklyne and Tim - Evans High School Graduates and Keynote Speakers - Bottom

CHS Legislative Priorities Impact -2019



Increase Access to Mental Health Services

IMPACT: The Marjory Stoneman Douglas High School Public Safety Commission Legislative Recommendations are contained in Senate Bill 7030 and passed successfully. Mental Health Assistance Allocation expands school based and community based mental health services for students and requires every school district to submit a plan for every school. Funding includes \$75million to implement. *CHS is involved throughout the state in school based and community based mental health services and will explore opportunities this legislation has provided.*



Better Outcomes for Children – CaseAIM

IMPACT: CHS Advocates worked diligently before and during Session educating law makers on the great outcomes provided by this innovation. Competing funding projects and less health care allocation than anticipated played a major role in not achieving success during budget conference. *CHS will continue to educate and advocate for additional support and expansion of CaseAIM.*



Evidenced-Based Model - Community Partnership Schools

IMPACT: CHS advocated with various partners to increase current funding from \$1,400,000 to \$5,800,000 to include all existing schools currently operating model and to expand the model to new schools. As the 2019 Session approached, CHS worked with House and Senate Leadership to include the CPS Model into Senate Bill 7070. Section 1003.64, Florida Statutes is the newly created statute for the Community School Grant Program. The final amount of funding granted was \$7,435,571 (\$7.1m in recurring general revenue). There was proviso added to the budget specifying Clay County Schools will receive \$255,000 of the \$7.4million appropriation. *CHS did receive more support this year than ever before with local media endorsing CPS model and advocating to the Legislature.*



Role Clarity for Community Based Care Lead Agencies and providers

IMPACT: Community Based Care Lead Agencies (CBCs) and Child Welfare Providers worked together to agree on a statutory change for the role clarity of CBCs through a community driven process. This language was included in House Bill 899 by Rep. Tomkow and was very far in the process, unfortunately time ran out in achieving both chambers' vote. *CHS will continue to advocate for this agreed upon language.*



Foster Parent Information Protection

IMPACT: Legislation was filed as a direct result of events happening in 2018 including a horrific attack of a foster parent by a biological parent and a public records request from a Florida newspaper to the Florida Department of Children and Families (DCF) for a list of all foster parent names and locations. DCF did not grant the request and sought a legislative solution during 2019 Session. Legislation was not successful following cases of sexual abuse allegations of foster parents during Session and compromise language could not be agreed upon by all parties. *CHS continues to advocate for this policy to ensure the safety of foster parents and how the release of their personal information could hinder the recruitment or retention of foster parents that are desperately needed in Florida.*



Family First Prevention Services Act (FFPSA)

IMPACT: The Florida Senate and House of Representatives held multiple committee meetings before and during the 2019 Session to ensure they had the information needed on FFPSA and what the Legislature's responsibility for implementing the new provisions. The Legislature agreed early on the funding requested from the Department of Children and Families that was needed to mitigate projected loss. House Bill 7099 was successful and ensures compliance with the Guardianship Assistance Program, extended foster care and Title IVE funds. *CHS has played an active role for many years in making legislators aware of the impact of losing the Federal Waiver, implementing the new federal legislation and encouraging our state leaders to prepare.*



Child Welfare Financing Reform

IMPACT: The Legislature included proviso language calling for at least 3 alternative funding models to be developed and recommended on the allocation of community-based care core funding. CHS began these conversations on finance reform with legislators and legislative staff a few years ago. This exercise will provide an opportunity to continue to advocate for a different methodology and future reform dialog. *CHS will be active in the discussions for new allocation methodologies.*



Members of House Subcommittee on PreK-12 Innovation and panel speakers following a Community Partnership School presentation – Above

Nikolas Pascual, CHS Southeastern Board Member presenting Rep. Daniel Perez – 2018 Legislator of the Year – Left

Members of the Senate Committee on Children, Families and Elder Affairs taking a tour of CHS Big Bend programs – next page





2020 Legislative Session Dates

Interim Committee Meetings

September 16-20, 2019

October 14-18, 2019

October 21-25, 2019

November 4-8, 2019

November 12-15, 2019

December 9-13, 2019

Session Begins – January 14, 2020

Session Ends – March 13, 2020