

Legislative Link

A legislative update provided by the United Way of Florida, Inc.

BILLS HEARD THIS WEEK

(Some information below is excerpted from legislative staff analyses)

WHAT'S INSIDE:

Page

Bills Heard This Week.....All



United Way of Florida

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CS/HB 13 – Department of Elderly Affairs (Robaina)

The bill provides that if the Department of Elderly Affairs takes any intermediate measure against an area agency on aging and the department determines, at least 90 days after such measure is taken, that the area agency on aging has failed to effectively plan, fund, or administer contracts for programs and services not funded by the federal Older Americans Act, the department may terminate an area agency on aging contract for such programs or services. Notwithstanding any law to the contrary, in the event of the termination of a contract with an area agency on aging, the department shall directly, or indirectly through a contract with an entity procured in accordance with chapter 287, plan, fund, and administer the programs and services previously under contract in the affected planning and service area. Within 180 days of the termination of a contract, the department shall initiate the competitive procurement process. Any contract or referral agreement effective on or after July 1, 2006, between an area agency on aging and a lead agency or service provider must be assignable to the department and subsequently to an entity competitively selected under this subsection.

Last Action: 3/29/06 HOUSE Favorable with CS by Governmental Operations

HB 97 – Safety Belt Law Enforcement (Slosberg)

Current law requires a motor vehicle operator, front seat passengers, and all passengers and operators less than 18 years of age to wear safety belts. The "Florida Safety Belt Law" is enforced as a secondary offense for operators and passengers 18 and older; that is, law enforcement officers cannot stop motorists 18 and older solely for not using safety belts. Instead, an officer must first stop a motorist who is 18 or older for a suspected violation of state traffic, motor vehicle, or driver license laws before issuing a uniform traffic citation for failure to wear a safety belt. It is a primary offense to operate a motor vehicle in this state unless each passenger and the operator of the vehicle under the age of 18 are restrained by a safety belt or by a child restraint device.

HB 97 gives the act the popular name the "Dori Slosberg Safety Belt Law" and amends the Florida Safety Belt Law to provide for primary enforcement for all motorists.

Last Action: 3/28/06 HOUSE Favorable by Criminal Justice

*A backward poet writes inverse.
A man's home is his castle, in a manor of speaking.
Dijon vu - the same mustard as before.
Shotgun wedding: A case of wife or death.*

Bills Heard this Week continued

PCS/SB 132 – Affordable Housing (Bennett)

Due to dramatic increases in housing costs coupled with modest rises in incomes, many low income and moderate income Florida families are finding it difficult to obtain safe, decent, and affordable rental and single family housing. Compounding concerns is the fact that Federal housing programs, especially those that typically serve individuals with the lowest incomes, have experienced significant budget reductions in recent years. This has placed increasing pressure on state and local governments to provide housing assistance for persons at the lowest income levels

In addition to the needs of the very low and low income families, recent steep increases in real estate prices have also effectively priced moderate income families out of the homeownership market in many communities. The average cost of a home in Florida has risen by close to 90 percent since 2001 with average wages rising only about 10 percent. This has exacerbated the state's existing affordable housing needs. The result is a widening of the "gap" in the ability of many working families to access affordable rental and owner housing. Some Florida communities are experiencing a critical shortage of housing for individuals who are employed in essential service occupations, such as teachers, police, hospital workers, and others who do not qualify for existing affordable housing programs.

This Proposed Committee Substitute (PCS) implements a number of revisions to Florida's affordable housing programs, and addresses a number of related land use and regulatory issues. Specifically, the PCS implements the following major provisions:

- Requires local governments to identify surplus lands and, where appropriate, make such lands available for purposes of affordable housing;
- Authorizes local governments and special districts to provide housing assistance to employed personnel;
- Provides financial incentives and programmatic changes to facilitate increased production of housing units for extremely low income persons;
- Creates the Community Workforce Innovation Program to provide housing assistance for essential services personnel (teachers, law enforcement officers, firefighters, nurses, etc.) in high cost counties, whose incomes do not exceed 140 percent of the area median income;
- Eliminates the \$243 million cap on the distribution of documentary stamp tax revenues to the State Housing Trust Fund and the Local Government Housing Trust Fund, which is set to take effect on July 1, 2007;
- Increases the income thresholds governing homeownership programs and increases the percentage of the home purchase price available as assistance;
- Provides additional flexibility and incentives for the development of multi-family housing.

Last Action: 3/28/06 SENATE Favorable with CS by Community Affairs

CS/HB 181 – Administration of Medication (Hays)

Committee Substitute for House Bill 181 allows a direct service provider, who is not licensed to administer medication, the ability to administer or supervise the self-administration of medication by a client with a developmental disability, who resides in a facility regulated under Chapter 393, F.S.

The CS provides that a 4-hour medication training course must be satisfactorily completed and the direct service provider must be found competent to administer or supervise the self-administration of medication in a safe and sanitary manner. The CS requires that a consent form must be signed by a legal guardian or a legal representative.

Bills Heard this Week continued

Currently, the administration of medication to persons with developmental disabilities in the comprehensive transitional educational program is performed by a nurse. In day programs and intermediate care facilities, unlicensed direct care staff may administer oral, transdermal, inhaled or topical prescription medications to persons with developmental disabilities.

Last Action: 3/28/06 HOUSE Favorable by Elder & Long-Term Care

CS/HB 227 – Optional Medicaid Payments (Bilkaris)

Federal law requires a personal needs allowance to be deducted from a recipient's income when determining the recipient's responsibility for the cost of care in an institutional setting (nursing homes, state mental hospitals and intermediate care facilities for the developmentally disabled). The federal law establishes a minimum monthly personal needs allowance of \$30, but states may have a higher personal needs allowance.

Florida's current personal needs allowance is \$35. House Bill 227 increases the monthly personal needs allowance granted to Medicaid recipients in institutional settings from \$35 to \$45.

Last Action: 3/28/06 HOUSE Favorable by Elder & Long-Term Care

CS/HB 249 – Florida 211 Network (Jennings)

House Bill 249 CS amends section 408.918, Florida Statutes, to expand the Florida 211 Network to provide services in each county. The bill revises legislative intent by adding the finding that a statewide Florida 211 Network would be of great benefit to Floridians, particularly in times of disaster. The bill requires each Florida 211 Network provider to coordinate with county emergency management agencies to determine how the 211 Network may be used in the event of a disaster.

The bill provides a \$5 million appropriation from the General Revenue Fund to the Agency for Health Care Administration (agency) for Fiscal Year 2006-2007, with unencumbered funds reappropriated for the 2007-2008 fiscal year in the General Appropriations Act, to support the statewide expansion of the Florida 211 Network to all counties and to enhance the operations of existing 211 providers. The bill directs the agency to distribute the funds to the Florida alliance of Information & Referral Services (alliance). The alliance is to make the funds available to 211 providers on a matching basis, with each 211 provider required to match \$1 for \$1 the amount that it is provided from the alliance.

By December 15, 2006, 211 providers receiving state funds are required to report to the alliance the expenditure of their funds. By January 1, 2007, the alliance is required to provide a statewide report to the agency. No later than February 15, 2007, the agency is required to submit a statewide expenditure report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Last Action: 3/30/06 HOUSE Favorable by Commerce Council

SB 448 – Independent Living (Wilson)

The bill establishes a pilot program in Miami-Dade County to allow 50 young adults who are former foster children to continue to receive all foster care program services until the age of 21. Participants are to be selected by the circuit court having jurisdiction over the foster care case. Participants must be under the age of 18 at the time of selection.

The bill requires that the Department of Children and Families (DCF or the department) identify a cohort of 50 young adults who are not eligible for the Road to Independence (RTI) scholarship program as a comparison group for the participants in the pilot program. It requires DCF to administer the independent living assessment tool to both groups.

Last Action: 3/27/06 SENATE Favorable by Children and Families

Bills Heard this Week continued

SB 492 – Violent Video Games (Diaz de la Portilla)

This bill prohibits a person from selling or renting a violent video game to a minor and prohibits a minor from playing a violent video game in a video arcade. This bill requires that any violent video game imported or distributed in Florida must display a specific label.

This bill authorizes an “enforcing authority” to seek injunctive relief and civil penalties. Additionally, this bill declares a violation of the act a second degree misdemeanor and a subsequent violation a first degree misdemeanor.

Last Action: 3/29/06 SENATE temporarily postponed by Judiciary

CS/HB 531 – Prosperity Campaigns (Jennings)

HB 531 CS creates a Prosperity Campaign Council (Council) to be housed in Workforce Florida, Inc., to develop, enhance and assist in the coordination of Prosperity Campaigns throughout the state with the goal of providing economic benefit services and related information to Florida citizens.

The Florida Prosperity Campaign Council, is composed of 20 members and assigned the following responsibilities:

- Assist in the development and enhancement of Prosperity Campaigns and related programs throughout the state;
- Work with all levels of government, non-profit entities and the private sector to provide economic benefit services and related information to Florida citizens;
- Work with the Department of Education in developing financial literacy instruction to be part of the life management skills course;
- Take other action as necessary to perform its function; and
- Provide a report to the Governor regarding the effectiveness of the Council.

Additionally, HB 531 CS requires financial literacy instruction to be included in the required high school life management skills course. The bill provides an appropriation of \$162,000 from the General Revenue Fund to fund the Prosperity Campaign Council.

Last Action: 3/28/06 HOUSE Favorable with CS by Community Colleges & Workforce

SJR 534 – Pledge of Allegiance/Public Schools (Fasano)

This Senate Joint Resolution proposes the amendment of s. 1, art. IX, Fla. Const. by requiring district school boards to adopt rules to mandate the daily recital of the Pledge of Allegiance (Pledge) in all pre-kindergarten through grade 12 public schools.

Last Action: 3/29/06 SENATE Favorable with CS by Judiciary

*All those who believe in psycho-kinesis, raise my hand.
The early bird may get the worm, but the second mouse gets the cheese.
I almost had a psychic girlfriend but she left me before we met.
OK, so what's the speed of dark?
How do you tell when you're out of invisible ink?*

Bills Heard this Week

HB 595 – Community Behavioral Health Agencies (Cannon)

The bill limits liability in tort actions involving crisis services provided by detoxification programs, addictions receiving facilities, or designated public receiving facilities. The bill requires that net economic damages be limited to \$1 million per liability claim, including, but not limited to, past and future medical expenses, wage loss, and loss of earning capacity. Additionally, any noneconomic damages are limited to \$200,000 per claim. The bill allows for any claim to be settled up to the policy limits without action by the Legislature. However, claims for any amount exceeding the limits may be brought to the Legislature as a claims bill.

The bill specifies that the immunities enjoyed by a provider under the provisions of this act extend to an employee of the provider when the employee is acting in furtherance of the provider's responsibilities under its contract with the Department of Children and Families. However, these immunities are not applicable to a provider or employee who acts in a culpably negligent manner or with willful and wanton disregard or unprovoked physical aggression when such acts result in injury or death.

The bill requires each provider obtain and maintain general liability insurance coverage in the amount of \$1 million per claim and \$3 million per incident.

Last Action: 3/28/06 HOUSE Favorable with CS by Judiciary

CS/SB 786 – Notification Regarding The State Minimum Wage (Hill)

This bill requires each employer who must pay an employee the Florida minimum wage to display a poster substantially similar to the one which the Agency for Workforce Innovation (AWI) is directed to create in a conspicuous and accessible place in every establishment where employees are employed. The bill requires AWI to create the required posters in English and in Spanish and make them available to employers on or before December 1st of each year. Under this bill, each poster must contain specific language outlining the restrictions on employers, the rights of employees, and the penalties for non-compliance with Florida's minimum wage law.

Last Action: 3/29/06 SENATE Favorable with CS by Judiciary

CS/SB 862 – Emergency Preparedness (Domestic Security Committee, Diaz de la Portilla, and Fasano)

This CS provides legislative findings that infrastructure improvements, which were identified in the 2004 and 2005 hurricane seasons, are needed to better protect the residents of Florida. The CS provides that the Legislature shall make an unspecified amount of funds available to local agencies through appropriations to the Department of Community Affairs for infrastructure improvements to:

- County emergency operations centers;
- Emergency power for public special needs hurricane evacuation shelters;
- Retrofit public hurricane evacuation shelters;
- Improve commodities logistical staging and warehouse capacity; and
- Establish a pilot program for regional shelters.

This CS provides legislative findings that county emergency operations centers should meet minimum criteria for structural survivability and sufficiency of operational space. This CS provides criteria for an appropriation that shall include, but not be limited to:

- Population;
- Hurricane evacuation clearance time for the county's vulnerable population;
- The existing emergency operations center's structural survivability; and
- FEMA guidance for emergency operations center workspace requirements.

Bills Heard this Week continued

Counties where no survivable emergency operations center exists and those with workspace deficits shall receive first priority for funding. Funding under this act is limited to construction or structural renovation.

The CS provides legislative findings that all designated public special needs hurricane evacuation shelters should be equipped with permanent emergency power generating capacity by June 1, 2007.

The CS provides legislative findings that retrofitting buildings for use as public hurricane evacuation shelters is an efficient and economical method of reducing the deficit of public shelter spaces. Criteria for a public hurricane evacuation shelter retrofit appropriation shall include, but not be limited to:

- The project's ability to meet the structural and siting requirement of American Red Cross Standard, ARC 4496, "Guidelines for Hurricane Evacuation Shelter Selection," once completed;
- Local and regional public shelter needs;
- Project cost effectiveness in relation to the number of shelter spaces it will provide; and
- The project priority ranking in the respective local mitigation strategy.

The CS provides legislative findings that improved logistical staging and warehouse capacity will help ensure the state has adequate available and accessible supplies, equipment, and commodities to respond to disasters.

Appropriated funds may be used for:

- Increased storage capacity;
- Improved technologies to manage commodities; and
- Increased efforts to maintain an inventory of supplies, equipment, and commodities in a safe and secure manner for use in the aftermath of a disaster.

The CS provides legislative findings that regional hurricane evacuation shelters are an efficient and economical method of providing additional shelter space.

Last Action: 3/28/06 SENATE Favorable by Community Affairs

HB 1129 – Florida State Employees' Charitable Campaign (Henriquez)

The bill changes the distribution formula for undesignated contributions made by state employees participating in the Florida State Employees' Charitable Campaign. It requires that the distribution of undesignated funds in each local fiscal agent area be shared proportionately by the participating charitable organizations based upon their percentage of designations in each fiscal agent area.

Last Action: 3/29/06 HOUSE Favorable by Governmental Operations

Actual Analogies and Metaphors Found in High School Essays: (The way these young minds think is scary as heck.)

She had a deep, throaty, genuine laugh, like that sound a dog makes just before it throws up.

Her vocabulary was as bad as, like, whatever.

He was as tall as a six-foot-three-inch tree.

The little boat gently drifted across the pond exactly the way a bowling ball wouldn't.

McBride fell 12 stories, hitting the pavement like a Hefty bag filled with vegetable soup.

HB 1213 – Exceptional Student Evaluation (Barreiro)

Committee Substitute for House Bill 209 requires before a public school student may be evaluated for an emotional, behavioral, or mental disorder or any other psychological or psychiatric disorder listed in the Diagnostic and Statistical Manual of Mental Disorders, the parent must be fully informed of all known and potential consequences of and alternatives for such evaluation, including, but not limited to, the following:

- a. The behaviors prompting the evaluation could be the result of underlying physical condition,
- b. The parent may want to consider consulting a medical doctor,
- c. Psychological and psychiatric evaluation and diagnosis of mental and behavioral disorders are based on subjective interpretation and not on objective medical tests.
- d. Treatment often consists of psychotropic medications.
- e. There are alternative treatments for mental and behavioral disorders that do not include psychotropic medications.

The Department of Education shall provide a written form to each of the school districts. The form must contain a provision for signed acknowledgement of having read the information and consent or lack of consent provided by the parent for the evaluation.

Last Action: 3/28/06 HOUSE Unfavorable by Health Care Regulation

HB 1239 – Child Abuse (Detert)

Florida has two statutes that address child abuse. Chapter 39, F.S., is a civil statute, relating to dependency, that defines child abuse, and specifically defines, what constitutes excessive corporal punishment. Section 827.03, F.S., is a criminal statute that defines “child abuse” (simple child abuse) and “aggravated child abuse,” but does not specifically address corporal punishment.

Courts have looked to the above statutes in an attempt to determine when corporal discipline rises to the level of criminal child abuse. The courts’ analyses and opinions have resulted in an “either or” approach to classifying excessive corporal discipline. Either excessive corporal discipline is civil child abuse, or it’s simple (or aggravated) criminal abuse. The case law does not appear to contemplate that the same act of excessive corporal discipline (e.g., a severe beating that causes significant bruises or welts) could qualify as both civil and simple child abuse.

This bill amends the definition of the term “child abuse” in s. 827.03(1), F.S., to include inappropriate or excessively harsh discipline of a child by a parent, legal custodian, or caregiver. The bill then defines the term “inappropriate or excessively harsh corporal discipline” as an act of discipline that results in or could reasonably be expected to result in any of the following or other similar injuries:

- sprains, dislocations, or cartilage damage; bone or skull fractures;
- brain or spinal cord damage;
- intracranial hemorrhage or injury to other internal organs; asphyxiation, suffocation, or drowning; injury resulting from the use of a deadly weapon; burns or scalding;
- cuts, lacerations, punctures, or bites; disfigurement;
- loss or impairment of a body part or function; significant bruises or welts; or
- mental injury.

Provisions of the bill will result in courts no longer having to look to Ch. 39, F.S., to try and determine the legislature’s intent with regards to when excessive corporal punishment rises to the level of criminal child abuse.

Last Action: 3/28/06 HOUSE Favorable by Future of Florida’s Families

CS/SB 1286 – Substance Abuse and Mental Health Corporation (Children & Families and Lynn)

This bill revises the duties of the Florida Substance Abuse and Mental Health Corporation requiring the corporation to direct efforts to improve interagency coordination of substance abuse and mental health service to ensure that the services promote recovery and resiliency-based systems of care and promote system transformation by providing mechanisms for input on system management from stakeholders; and requiring the current responsibilities of the corporation be condensed from eight to four.

Last Action: 3/29/06 SENATE Favorable with CS by Health Care

SB 1314 – Services for Seniors (Rich)

This bill authorizes each county, by ordinance, to create an independent special district to fund services for seniors throughout the county. The county must obtain approval, by a majority vote of those electors voting on the question, to annually levy ad valorem taxes that may not exceed 0.5 mills of assessed valuation of all properties within the county that are subject to ad valorem county taxes. The referendum required to approve the ad valorem tax levy must be held at the first general election immediately following adoption of the ordinance creating the independent special district.

The bill provides for such districts to be governed by a senior council consisting of 11 members, including: the executive director of the area agency on aging; the county director of human services; one member of the board of county commissioners for a 4-year term; two nonvoting members of the legislative delegation for the county appointed by the delegation chair for a 4-year term; two representatives of the Florida League of Cities for a 4-year term; and four members appointed by the Governor for a 4-year term, initially staggered, with reappointment for one additional term permitted, who meet certain additional qualifications.

Last Action: 3/27/06 SENATE Favorable by Children and Families

CS/HB 1363 – Affordable Housing (Davis)

CS/HB 1363:

- Authorizes the disposition of county property for affordable housing.
- Provides a density bonus in both the development of regional impact substantial deviation and statewide guidelines and standards provisions.
- Authorizes the disposition of municipal property for affordable housing.
- Authorizes independent special districts to provide housing and housing assistance for its employed personnel.
- Removes the cap on the distribution of certain revenues into the State Housing Trust Fund.
- Authorizes the use of state-owned surplus lands for affordable housing.
- Creates an incentive to provide workforce housing within developments of regional impact.
- Section 16 – Amends s. 420.0004 (8) – (14), F.S., authorizing Florida Housing Finance Corporation to adjust low income guidelines; provides definitions.
- Increases the applicable population criteria for funding eligibility; lowers the sponsor match related to funding for certain repairs or improvements; and allows for coterminous loan terms under certain circumstances; all related to the State Apartment Incentive Loan Program.
- Amends provisions relating to the Florida Homeownership Assistance Program.
- Creates the Community Workforce Housing Innovation Program.
- Authorizes school boards to provide affordable housing for teachers and other instructional personnel.
- Creates and appropriation of \$20 million from the State Housing Trust Fund to the Florida Housing Finance Corporation to provide funding to teachers eligible for affordable housing.

Last Action: 3/29/06 HOUSE Favorable with CS by Local Government Council

Bills Heard this Week continued

HB 1417 – Hospices (Sansom)

HB 1417 amends s. 400.602, F.S., to allow licensure of for-profit hospices in hospice service areas with a population of 750,000 or more, or in which a for-profit hospice is currently licensed to operate.

The bill directs AHCA to submit, by January 1, 2008, a report to the President of the Senate and the Speaker of the House of Representatives analyzing the impact of for-profit hospices on the delivery of care to terminally-ill patients.

Last Action: 3/28/06 HOUSE Favorable with CS by Elder & Long-Term Care

HB 1491 – Children in Foster Care (Gibson, A)

The bill creates a Community Advisory Panel on Foster Care Pilot Program in Duval County. It provides that the purpose of the pilot program is to identify educational needs and follow-up strategies for foster children age six through 12 years enrolled in the Duval County school system. The goal of the program is to ensure that children in foster care will be tested appropriately and placed in an educational environment that optimizes their opportunities for success.

The community-based care provider in Duval County is given responsibility for administering the pilot program and is directed to employ a full-time project coordinator and a full-time psychologist for the program.

The chief judge for the Fourth Judicial Circuit or his or her designee is directed to create the Community Advisory Panel on Foster Care.

The bill describes the duties of the panel and of the project coordinator for the pilot project. It requires the development of a research component of the program and provides that the program will expire on July 1, 2009.

Last Action: 3/28/06 HOUSE Favorable with CS by Future of Florida's Families

HB 1503 – Agency for Persons with Disabilities (Galvano)

HB 1503 proposes changes to several statutes relating to the Agency for Persons with Disabilities and individuals with disabilities. The bill provides for Senate confirmation of the agency director, updates several statutes to reflect the agency's establishment in 2004, authorizes trained direct service providers who are unlicensed to administer or supervise the self-administration of certain prescription medications, distinguishes between forensic services provided by DCF for persons with mental illness and forensic services provided by APD for persons with retardation or autism, and addresses the use of restraints and seclusion in mental health and developmental disability facilities and programs.

Last Action: 3/28/06 HOUSE Favorable with CS by Elder & Long-Term Care

HB 1505 – Domestic Violence (Mealor)

This bill requires law enforcement agencies to include victim statements and other materials that are part of an active criminal investigation and are exempt from Florida's public records laws in the information sent to domestic violence centers.

This bill provides that in emergency situations immediately following incidents of domestic violence, a court may issue an emergency protection order if a law enforcement officer states under oath to the court the facts that show such an order is needed and the court finds reasonable grounds to believe that the victim or the victim's child is in immediate danger of domestic violence.

Bills Heard this Week continued

The bill requires employers with 50 or more employees to allow employees who have been employed for at least 12 months to request or take up to three working days of leave with or without pay within a 12-month period if the employee is the victim of domestic violence and the leave is sought to:

- seek an injunction for protection against domestic violence;
- obtain medical care or mental health counseling;
- obtain services from a victim-services organization;
- make the employee's home secure or to seek new housing; or
- to seek legal assistance to address issues arising from the act of domestic violence and to attend and prepare for court-related proceedings arising from the act of domestic violence.

The bill requires employees to provide advance notice of the leave (except in cases of imminent danger) and use all available annual or vacation leave, personal leave, and sick leave available to the employee prior to using the leave provided for in this bill (unless this requirement is waived by the employer).

Last Action: 3/28/06 HOUSE Favorable with CS by Criminal Justice

CS/SB 1510 – Child Care Facilities (Children and Families Committee and Lynn)

This committee substitute (CS) requires child care providers to maintain compliance with child care standards in order to maintain their status as Gold Seal Quality Care providers. It authorizes the revocation of a facility's designation as a Gold Seal Quality Care provider for failing to meet specified standards. It requires the Department of Children and Family Services (DCF) to promulgate rules which provide criteria and procedures for reviewing and approving accrediting associations for participation in the Gold Seal Quality Care program, conferring and revoking designations of Gold Seal Quality Care providers, and classifying violations.

The CS revises provisions relating to the background screening of volunteers in child care settings regulated by DCF to make those provisions consistent with the screening requirements for other child care personnel.

The CS moves responsibility for the Teacher Education and Compensation Helps (TEACH) program from DCF to the Agency for Workforce Innovation.

Finally, the CS creates s. 402.317, F.S., to allow child care to be provided for 24 hours or longer when the parent or legal guardian works a shift of 24 hours or longer. This new section requires that the employer document the shift assignment and limits the total child care to 72 consecutive hours in any seven-day period. It authorizes waiving all time limitations for child care when a state of emergency has been declared.

Last Action: 3/28/06 SENATE Favorable with CS by Community Affairs

SB 1748 – Juvenile Justice (Wise)

Chapter 985, F.S., addresses Florida's juvenile justice system. Some judges, prosecutors, defense attorneys, and agency personnel have indicated that the chapter's current organization is difficult to utilize in practice.

The bill reorganizes ch. 985, F.S., to provide a chronological presentation of the delinquency proceeding from the introduction of the child into the system to the case outcome. It divides the chapter into 13 parts. It also divides larger sections within the chapter into smaller parts that are given more meaningful section and subheading names to better describe and organize the chapter's contents.

The bill is designed to be strictly a technical rewrite of ch. 985, F.S., with no substantive changes to current law.

Last Action: 3/28/06 SENATE Favorable by Children & Families

Bills Heard this Week continued

PCS/SB 1798 – Independent Living Transition Services (Rich)

This bill makes numerous changes to current law regarding the independent living transition services which are currently provided to children in foster care and young adults formerly in foster care by the Department of Children and Family Services (DCF or the department) and its contracted services providers, the community-based care lead agencies. Among the more substantial changes, the bill:

- Expands the eligibility for independent living services to include young adults who were adopted from foster care after age 16 and those who were placed in guardianships by the court after reaching 16 years of age, having spent at least six months in foster care.
- Describes additional requirements for case planning for older foster children, including educational and career path planning, planning for age-appropriate activities, and planning for the transition into adulthood.
- Requires the department or community-based care lead agency providing independent living services to develop an annual plan for implementing these services.
- Authorizes community-based care lead agencies to purchase housing, education, transportation, and employment services in order to make these services available to young adults in lieu of receiving direct payments.
- Extends the age of eligibility for young adults formerly in foster care enrolling in the Florida KidCare program from 19 to 20 years.

Last Action: 3/27/06 SENATE Favorable with CS by Children and Families

HB 7123 – Child Protective Services (Future of Florida’s Families Committee and Rep. Galvano)

This bill amends chapter 39, Florida Statutes, relating to child protection, to conform to provisions of the federal Adoption and Safe Families Act (ASFA) in three major areas. These areas are reasonable efforts, case planning, and permanency.

With regard to **reasonable efforts**, the bill amends current law to:

- Describe when reasonable efforts are required; and
- Clarify the nature of reasonable efforts required regarding both parental and relative placements at each stage of dependency proceedings.

With regard to **case planning**, the bill amends current law to:

- Provide that agreeing to a case plan does not constitute an admission of wrongdoing or consent to a finding of dependency;
- Recognize the role of mediation and family conferencing in the development of case plans;
- Define “concurrent case planning” and provide direction for its use;
- Replace pre-ASFA language relating to “extending the case plan” with clear direction as to the time frames and requirements for permanency hearings;
- Clarify options available to the court when it becomes clear that a case plan cannot be completed within the first 12 months that a child is in care;
- Provide new emphasis on current language that “time is of the essence” in case planning by placing that language more prominently in the statute; and
- Clarify the considerations and the process to be used in amending a case plan.

Church Bulletin Bloopers

Ladies, don't forget the rummage sale. It's a chance to get rid of those things not worth keeping around the house. Don't forget your husbands.

Please place your donation in the envelope a long with the deceased person you want remembered.

Bills Heard this Week continued

With regard to **permanency**, the bill amends current law to:

- Define “permanency hearings,” “permanency plan,” and “permanency goal,” and
- Conform the permanency options under Florida law to those contained in federal law.

Last Action: 3/28/06 HOUSE Favorable by Civil Justice

HB 7173 – Welfare of Children (Galvano)

The bill establishes a centralized office to examine, oversee, and implement abuse prevention services by creating the Office of Child Abuse Prevention within the Executive Office of the Governor.

Creating an Office of Child Abuse Prevention is viewed as untangling the fragmented web of services to bring a more efficient, streamlined and accessible array of services to the families of the State of Florida. That is, layers should be removed, communication networks should be developed, prevention management should increase, and accountability should be created. A centralized prevention office will lay the foundation for success in accessing prevention services for years to come.

The bill also addresses the welfare of young adults aging out of the foster care system by expanding the eligibility pool, requiring the development of a plan for each community-based care (CBC) service area, providing for the direct deposit of funds, authorizing CBCs to purchase housing and other services, and providing for the expansion of Kidcare coverage for eligible young adults until age 20.

The bill makes public school employees subject to the reporting requirements of chapter 39, F.S., for purposes of making reports of alleged abuse to the central abuse hotline.

Because of an exemption from regulation by both the Department of Children and Family Services and the Department of Education, the bill requires boarding schools to be accredited.

Last Action: 3/28/06 HOUSE Referred to Fiscal Council; Health & Families Council



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