

DOMESTIC VIOLENCE

SB 320 — Interference with Custody

by Senator Rossin

This bill amends s. 787.03, F.S., to set forth certain requirements that a spouse who takes a child due to domestic violence must meet in order to gain the exemption to the interference with custody crime. The act requires that a spouse who takes a child in order to seek shelter from domestic violence must report the taking of the child to police or the state attorney within a specified period of time, including his address and telephone number and any subsequent change to the address and telephone number, and must commence custody proceedings. The bill adds as a defense to the crime of interference with custody that the defendant was the victim of an act of domestic violence or had reasonable cause to believe that action was necessary for protection against an act of domestic violence. A separate bill (SB 318) provides an exemption from public disclosure for the information provided by a spouse to the state attorney or sheriff in order to gain the exemption to the interference with custody crime.

If approved by the Governor, these provisions take effect July 1, 2000.

Vote: Senate 37-0; House 114-0

CS/HB 1039 — Domestic Violence

by Family Law & Children Committee, Rep. Pruitt and others (CS/SB 1124 by Children & Families Committee and Senator Myers)

Domestic Violence Fatality Review Teams

This bill creates s. 741.316, F.S., to establish domestic violence fatality review teams and provide for the parameters of their operation. The purpose of the domestic violence fatality review teams is to review fatal and near fatal incidents of domestic violence, related domestic violence matters, and suicides to learn how to prevent domestic violence with intervention that is early and with improvements to the systems' response to domestic violence. The bill directs each domestic violence fatality review team to collect data regarding the incidents of domestic violence and charges the Department of Law Enforcement with preparing an annual report. Members of the review team, witnesses, incident reporters, and investigators are provided with immunity from liability unless they act outside the scope of the domestic violence fatality review team. The bill assigns the

domestic violence fatality review teams to the Department of Children and Family Services for administrative purposes. A separate bill (CS/HB 1037) authorizes the domestic violence fatality review teams to retain the confidentiality and exemption from public disclosure of any information obtained that is otherwise provided confidential or exempt by law. Proceedings and meetings of the domestic violence fatality review teams in which the identity of the victim or the children of the victim are discussed are provided exemption from being open to the public.

Certified Domestic Violence Centers Capital Improvement Grant Program

This bill also establishes the certified domestic violence center capital improvement grant program. Certified domestic violence centers may apply to the Department of Children and Family Services for a capital improvement grant to construct, acquire, repair, improve, or upgrade systems, facilities, or equipment. The minimum requirements for information that must be included in the grant application are stipulated. An assessment of the domestic violence centers' capital improvement needs will be conducted each year and will provide the ranking of needs of the domestic violence centers requesting funds for capital improvements. The capital improvement grant program was the subject of SB 2226. An appropriation of \$2 million was allocated for the first year of capital improvement grants in the General Appropriations Act (HB 2145).

If approved by the Governor, these provisions take effect July 1, 2000.

Vote: Senate 39-0; House 120-0

CHILDREN

HB 679 — Foster Care Services

by Rep. Turnbull and others (CS/CS/SB 1098 by Fiscal Policy Committee; Children & Families Committee; and Senator Kurth)

HB 679 amends s. 409.145, F.S., by authorizing the department to continue providing foster care and related services to persons 18 to 23 years of age (rather than 21 years of age) who are enrolled full-time in a postsecondary educational institution granting a degree, a certificate, or an applied technology diploma.

Foster care services will continue only for the period of time that the person is continuously enrolled full-time in this post-secondary educational institution program.

If approved by the Governor, these provisions take effect upon becoming law.
Vote: Senate 39-0; House 110-0

CS/CS/HB 855 — Child Welfare

by Law Enforcement & Crime Prevention Committee; Family Law & Children Committee; Rep. Murman and others (CS/SB 1910 by Criminal Justice Committee and Senators Laurent and Cowin)

This bill made revisions to the operation of a number of components of the child protection system including the child protection teams, law enforcement's involvement in the child protection system, foster care, and child abuse protection. The specific provisions of the bill include the following:

Child Protection Teams

- Adding the child protection teams to those individuals identified who may have access to the name of the person reporting the child abuse, abandonment, or neglect.
- Providing in statute for the full scope of the child protection team assessment instead of solely the medical evaluation.
- Modifying the cases of maltreatment that must be referred to a child protection team for an assessment.
- Broadening who can conduct a review of a child referred to the child protection team to determine if a face-to-face medical evaluation is needed.
- Expanding the circumstances under which a face-to-face child protection team medical evaluation can be determined not necessary.
- Requiring that photographs of sexual abuse trauma be excluded from the Department of Children and Family Services' investigative file and included in the child protection team record.

Law Enforcement

- Requiring that the Department of Children and Family Services determine if a known or suspected case of child abuse, abandonment, or neglect involves criminal conduct and needs to be forwarded for a criminal investigation to law enforcement.

- Making permissive the requirement that law enforcement take photographs of the child's living environment and broadening the scope of photographs to those that document the abuse or neglect.

Foster Care

- Allowing the Department of Children and Family Services to provide assistance to individuals who leave foster care when they reach 18 years of age but request assistance prior to the age of 21 years.
- Requiring that each Department of Children and Family Services' district or lead agency develop a plan for potential foster parents and emergency shelter parents' completion of the training in as convenient a manner as possible.
- Requiring the Department of Children and Family Services to provide each foster home with a telephone number that can be used by the foster parent during normal working hours when immediate assistance is needed and the caseworker is not available.

Child Abuse Protection

- Clarifying that the voice recordings of the central abuse hotline calls can be released to law enforcement, the state attorneys, and employees of the department for the purposes of investigating and prosecuting criminal charges or administrative penalties associated with making a false report of child abuse or neglect.
- Modifying the mandatory reporting of child abuse to not require officers and employees of the judicial branch, in their official capacity, to provide notice of suspected child abuse when the child is currently being investigated by the department, there is an existing dependency case, or the matter has been previously reported to the department.
- Stipulating that judges are not subject to criminal prosecution for failing to report child abuse when the information was received in the course of official duties.
- Modifying the classifying of a case as high risk to make cases involving parents or legal custodians of a young age, the use of illegal drugs, or domestic violence factors for the department to consider in determining whether a case is high risk instead of automatic high risk cases for which a petition for dependency is required to be filed.
- Expanding the time frame in which the department has to complete its child protective investigation from 30 days to 60 days.

- Changing the time frame provided for the state attorney to report on their determination of whether or not prosecution of a case is justified from 15 days from the completion of the investigation to 15 days after the case is reported to the state attorney.
- Requiring that the quality assurance programs in both the Department of Children and Family Services and the Department of Health include a review of the children's records for whom no findings of abuse were found to determine if these findings were appropriate.
- Requiring that the summary of the child protective investigation provided to the community based agency with which the child is placed at the time the case is transferred also be provided at the conclusion of the investigation.
- Removing the title "Kayla McKean Child Protection Act" from ch. 1999-168, L.O.F.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 117-0

MENTAL HEALTH/SUBSTANCE ABUSE

CS/SB 358 — Long Term Care

by Children & Families Committee

This bill includes provisions relating to mental health and substance abuse services, mental health services for children and adolescents, the Long-term Care Ombudsman Program, and the protection of vulnerable adults. CS/SB 682 passed, relating to mental health services for children and adolescents, which has identical provisions as those contained in CS/SB 358. (See summary of CS/SB 682 for those provisions.)

Mental Health and Substance Abuse Services

The bill creates statutory definitions for persons experiencing an acute mental or emotional crisis or an acute substance abuse crisis and includes revisions to the law governing the comprehensive substance abuse and mental health services systems. Persons who are in one of the department's target groups approved by the Legislature pursuant to s. 216.0166, F.S., are eligible to receive publicly funded substance abuse and mental health services.

The department is directed to adopt rules to implement clinical eligibility and fee collection requirements for publicly funded substance abuse and mental health services that would include a sliding-fee scale for persons who have a net family income at or above 150 percent of the Federal Poverty Income Guidelines.

The Commission on Mental Health and Substance Abuse is directed to study and make recommendations to the Legislature no later than December 1, 2000, regarding who should receive publicly funded mental health and substance abuse services. The Department of Children and Family Services is directed to revise its target groups pursuant to s. 216.0166, F.S., to include older adults who are 1) are in crisis, 2) are at risk of being placed in a more restrictive environment because of their mental illness or substance abuse, 3) have a severe and persistent mental illness, or 4) are in need of substance abuse treatment.

State and district planning provisions for substance abuse and mental health services are revised in the bill. Every three years, beginning in 2001, the department and the Agency for Health Care Administration must prepare a state master plan for the delivery and financing of a system of publicly funded community based substance abuse and mental health throughout the state. The master plan must include statewide policies and planning parameters that will be used by the districts in the preparation of the district substance abuse and mental health plans. The initial master plan must include an assessment of the clinical practice guidelines and standards for community-based mental health and substance abuse services delivered by agencies under contract with the department and must specify additional clinical practice standards and guidelines for new or existing services or programs.

The district health and human services boards are directed to assume the role vacated by the planning councils in 1994 of preparing an integrated district substance abuse and mental health plan to reflect the needs and program priorities established by the department and the needs of the district established under ss. 394.674 and 394.675, F.S.

All plans must include input from community based persons, organizations, and agencies interested in treatment services, local government entities that contribute to publicly funded treatment programs, and consumers and their family members of publicly funded services.

The bill revises the definitions of the substance abuse and mental health services systems. Mental health services include treatment such as psychiatric medications and supportive psychotherapies, rehabilitative services intended to reduce or eliminate the disability associated with mental illness, support services to assist persons to live successfully in environments of their choice, and case management to assist in obtaining the formal and informal resources needed to successfully cope with the consequences of their illness.

Services also include preventive interventions and activities to reduce the risk for or delay the onset of mental disorders.

Substance abuse services include prevention such as information dissemination and education regarding consequences of substance abuse, assessments to identify strengths and required level of care, intervention including short term counseling, rehabilitation which ranges from residential to case management, and ancillary services such as self help and support groups.

The bill strengthens the integration of district substance abuse and mental health services with other local systems such as juvenile justice, child protection, and health care. District plans must include provisions such as client access to the most recently developed psychiatric medications and the integration of treatment programs for persons with co-occurring disorders.

The bill directs the Department of Children and Family Services to submit a report to the Legislature by November 1 of each year describing the status of compliance by contract substance abuse and mental health providers with the performance outcome standards established by the Legislature.

Protection of Vulnerable Adults

The bill revises the system for conducting pre-employment background screening of paid caregivers of elderly and disabled persons. It implements a structured previous-employer reference check, continues criminal background checks, and removes the requirement for screening applicants through the central abuse registry and tracking system.

The central abuse registry and tracking system is redesignated as the “abuse hotline.” The requirements that the Department of Children and Family Services classify reports it investigates, notify persons named in investigative reports, and maintain records are removed. The Department of Children and Family Services’ interactions with and responsibility for perpetrators of abuse, neglect, and exploitation are significantly reduced. The terms “elderly person” and “disabled person” are redefined as “vulnerable adult.”

Long-term Care Ombudsman Program

The Office of the State Long-term Care Ombudsman is directed to prepare and submit annual budget requests. The bill re-designates the Long-Term Care Ombudsman Councils operating in the various Department of Elderly Affairs Planning and Service Areas of the state as *local* rather than *district* councils.

The bill revises the procedure for appointments to be made to the State Long-term Care Ombudsman Council and provides that the decision of the Ombudsman is final when determining whether a member's three consecutive unexcused absences were without cause for purposes of determining if a vacancy exists. The bill limits membership on the State Council to two three-year terms.

The bill provides for an appropriation from General Revenue of \$40,000 for training of newly appointed state and local ombudsmen and an appropriation of \$40,000 for materials regarding public education and awareness training. The bill removes the requirement that the Department of Children and Family Services provide space and in-kind support to the Ombudsman program.

The Ombudsman is to enter into a cooperative agreement with the Medicaid Fraud Division of the Attorney General's Office. The bill provides additional detail about administrative support (office space, assistance with personnel, accounting, information systems); provides that the Department of Elderly Affairs is to meet the costs of providing administrative support to the Ombudsman from appropriated funds; specifies that the Department of Elderly Affairs should capture these costs when preparing its legislative budget request; and specifies the percentage of federal program funds which can be diverted to run the department.

If approved by the Governor, these provisions take effect September 1, 2000.

Vote: Senate 38-0; House 115-0

CS/SB 682 — Mental Health Services for Children and Adolescents

by Children & Families Committee and Senator Forman

This bill requires that children in the legal custody of the department may be placed by the department in a residential treatment center licensed under s. 394.875, F.S., or in a hospital licensed under ch. 395, F.S., under the provisions of s. 394.463, F.S., s. 394.467, F.S., or s. 39.407(5), F.S.

Section 39.407, F.S., is amended to require that when the Department of Children and Family Services (department) believes that a child in its legal custody is emotionally disturbed and may need residential treatment, an examination and suitability assessment must be conducted by a qualified evaluator (psychologist or psychiatrist) to substantiate that residential mental health treatment is clinically appropriate for treating the child's emotional disturbance and that available less restrictive treatment modalities that would offer comparable benefits have been considered and are unavailable. All children placed in a residential treatment program under s. 39.407, F.S., must have a guardian ad litem appointed.

The bill requires that the residential treatment program report monthly to the department on the child's progress towards achieving the treatment goals and if the child could be treated in a less restrictive program. The department submits this report to the court as well as a discharge plan for the child. The bill requires a court hearing no later than 3 months after the child is placed in residential treatment that includes a clinical review by a qualified evaluator addressing the need for continued residential treatment. The court reviews the case every 90 days thereafter. The court may order that the child be placed in a less restrictive setting at any time it is determined that residential treatment is not meeting the child's needs.

The bill specifies that nothing in this act excuses or relieves the department of any other obligations to abused, neglected, or abandoned children who are in its custody.

The bill amends s. 394.4785, F.S., (Baker Act) to prohibit the admission of a child or an adolescent to state mental health facilities that are state-owned or state-operated which provides consistency with s. 394.495, F.S., (Comprehensive Child and Adolescent Mental Health Services Act). A child or adolescent may be admitted to a residential treatment center or a crisis stabilization unit licensed under ch. 394, F.S., or a hospital licensed under ch. 395, F.S., as a voluntary patient or may be admitted to these facilities as an involuntary placement upon order of the court pursuant to s. 394.467, F.S. The bill specifies that these facilities must provide the least restrictive treatment appropriate to the child's or adolescent's needs and must adhere to the guiding principles, system of care, and service planning provisions contained in ch. 394, part III, F.S., known as the "Comprehensive Child and Adolescent Mental Health Services Act."

The bill creates the authority under s. 394.875, F.S., to license a residential treatment center for children and adolescents that is under contract with the Department of Children and Family Services to provide mental health treatment to children and adolescents with emotional disturbances, and provides that it is unlawful for an entity to hold itself out to be or to act as such a facility without a license. The department, in consultation with the Agency for Health Care Administration, is directed to adopt rules specifying standards for admission; length of stay; program and staffing; discharge and discharge planning; treatment planning; seclusion, restraints, and time out; rights of patients under s. 394.459, F.S.; use of psychotropic medications; and operational requirements.

If approved by the Governor, these provisions take effect October 1, 2000.

Vote: Senate 39-0; House 119-0

ORGANIZATIONAL AND MISCELLANEOUS ISSUES

CS/CS/SB 340 — Human Rights Advocacy Committee

by Governmental Oversight & Productivity Committee; Children & Families Committee; and Senator Forman

This bill amends ss. 402.165-402.167, F.S., to redefine the scope of authority for the Statewide Human Rights Advocacy Committee and the district human rights advocacy committees, and to change the name of the committees to the Florida Statewide Advocacy Council and Florida local advocacy councils. The individuals for whom the Florida Statewide Advocacy Council and Florida local advocacy councils' investigative and monitoring service and authority would apply are designated based on the client groups of identified sections and their applicable chapters in Florida Statute, and will encompass any service received by such individual, regardless of its state agency location. A new s. 402.164, F.S., is created which establishes legislative intent and definitions. The geographic areas for which each Florida local advocacy council has responsibility is changed to service areas that are designated by the Florida Statewide Advocacy Council and are consistent with judicial boundaries. A number of modifications are made to the membership, terms, officers, and appointment process for both the Florida Statewide Advocacy Council and the Florida local advocacy councils.

If approved by the Governor, these provisions take effect July 1, 2000.

Vote: Senate 40-0; House 117-0

HB 2125 — Department of Children and Family Services

by Children & Families Committee, Rep. Murman and others (SB 2566 by Senators Diaz-Balart and Cowin)

This bill includes provisions relating to the organizational structure of the Department of Children and Family Services, community-based care services, foster care services and dependent children, family care councils in the Developmental Services program, mental health and substance abuse services, and provisions that relate generally to children.

The bill includes certain provisions from SB 2566 (organizational structure of the Department of Children and Family Services) and CS/CS/SB 1144 (legal representation of dependent children), SB 2500 (sexually violent predators), CS/CS/SB 1098 (foster care), and CS/SB 2282 (Dependent Children Protection).

Department of Children and Family Services

Section 20.19, F.S., is amended to revise the organizational structure of the Department of Children and Family Services (department) as follows:

- Retains the current district and subdistrict structure of the department except in one prototype region.
- Repeals the district health and human services boards and the statewide health and human services board and directs the department to establish a community alliance in each county comprised of stakeholders, community leaders, client representatives, and funders of human services to provide a focal point for community participation and governance of community-based services. The alliance is responsible for advising the department on issues such as resource use, needs assessment, community priorities for service delivery, and community outcome goals.
- Establishes a prototype region comprised of the sixth, twelfth, and thirteenth judicial circuits (Pasco, Pinellas, Manatee, Sarasota, DeSoto, and Hillsborough counties) within which the department may consolidate the management and administrative structure or functions.
- Authorizes the department to contract for children’s services with a lead agency in each county within the prototype region that will be responsible for directing and coordinating the programs and services currently administered by the department; the lead agency may provide core services only after the department finds that the lead agency is the only appropriate organization within the service district capable of providing those services within the department’s quality assurance and performance standards.
- Requires that the department evaluate the efficiency and effectiveness of the operation of the prototype region and upon a determination that there has been a demonstrated improvement in management and oversight of services or cost savings, the Secretary may consolidate the administration of additional geographic areas of the state but must stay within the geographic service districts as specified in s. 20.19(5), F.S.
- Establishes a program office for each of the following programs that is under the direction of a program director appointed by the Secretary: adult services, child care services, developmental disabilities, economic self sufficiency, family safety, mental health, refugee services, and substance abuse.
- Provides for the Secretary of the Department of Children and Family Services to develop case projections each year in the area of child abuse and neglect and to

request a specific appropriation for funds and child protection positions for meeting certain Child Welfare League Standards.

Section 402.73, F.S., is created incorporating all of the department's contracting and performance standards provisions that were previously included in s. 20.19, F.S. The contracting standards were amended to provide that a security interest in property be granted by a contractor or political subdivision when state funds are used to purchase or make improvements to real property, lasting at least 5 years from the date of purchase or the completion of the improvements.

This bill authorizes the department to study the feasibility of establishing a certification or licensure program for non-clinical master level and bachelor level social work for the protection of consumers of social work services. The study must be conducted in consultation with the Florida schools of social work and the department must report back to the Speaker of the House of Representatives and the President of the Senate as to the feasibility and desirability of establishing such a program.

Community-Based Care Services

Section 39.3065, F.S., is revised to add the Broward County sheriff to the county sheriffs who will be responsible for child protective investigations by the end of FY 1999-2000, and permits the department to enter into grant agreements with sheriffs of other counties, beginning in FY 2000-2001, to perform child protective investigations. Sheriffs' staff are required to meet outcome measures approved by the Legislature and complete the training that is required of protective investigators employed by the department. The department may make advance payments to the sheriffs for child protective investigations.

Section 402.731, F.S., was created to extend the department's authority to develop certification programs for employees and agents to all providers (not just the family safety and preservation providers) to ensure that only qualified persons provide client services. The department may implement employment programs and strategies to attract and retain competent staff in the transition to privatized community-based care that includes lump-sum bonuses, salary incentives, relocation allowances, severance pay, out placement services, and time-limited exempt positions with salaries and benefits comparable to career service employees.

Section 409.1671, F.S., is amended to allow the department to contract with more than one lead agency within a single county when it would result in more effective delivery of foster care and related services and to authorize the department to establish a risk pool to reduce service provider financial risk from unanticipated growth in caseloads.

Section 409.16751, F.S. is created establishing a receivership procedure for lead community-based providers.

Foster Care/Dependent Children

Section 318.21, F.S., is amended by transferring funds for the funded foster care citizen review panels to the state courts system rather than the department for administrative costs, training costs, and costs associated with the implementation and maintenance of the foster care review panels in a constitutional charter county as provided for in s. 39.702, F.S.

Section 409.145, F.S., authorizes the department to continue providing foster care and related services to persons 18 to 23 years of age (rather than 21 years of age) who are enrolled full-time in a postsecondary educational institution granting a degree, a certificate, or an applied technology diploma. Foster care services will continue only for the period of time that the person is continuously enrolled in a degree-granting program.

The bill directs the Office of the State Courts Administrator to establish a 3-year pilot Attorney Ad Litem Program in the Ninth Judicial Circuit by October 1, 2000, to represent the rights of children who continue in out-of-home care after the shelter hearing and whom the court believes need legal representation. The child's wishes are represented as long as they are consistent with the safety and well being of the child. The court must appoint a guardian ad litem for all children who are appointed an attorney ad litem. The Office of the State Courts Administrator must evaluate the impact of the pilot programs and submit a final report to the Legislature on October 1, 2003, that includes recommendations on the feasibility of a statewide program. An appropriation of \$1,860,583 is provided.

The bill reorganizes ch. 39, F.S., to reflect the sequential order in which the child protection process would usually proceed and creates two new parts: Dispositions, Postdisposition Change in Custody; and Permanency. The directives of the federal Adoption and Safe Families Act of 1997 which reflect a focus on the protection of the children rather than family reunification and preservation are further incorporated. A number of technical, clarification and consistency amendments are made to ch. 39, F.S. Some of the substantial changes include the following: providing that the court is to recognize the permanency of a child's placement with a relative and under these circumstances, not requiring that adoption be determined not in the best interest of the child; providing the court with the discretion to appoint a guardian ad litem for the parent instead of requiring such appointments; and adding abandonment as defined in ch. 39.01(1), F.S., as grounds for termination of parental rights.

The bill provides for incentive grants, subject to specific appropriations, that encourage children service councils or juvenile welfare boards to provide support to local child welfare programs. These councils or boards may request funding or continued funding to the Department of Children and Family Services to support programs funded by the council or board for local child welfare services. The department must establish a grant application procedure and award grants no later than October 1 of each year and the council or board awarded a grant must submit performance and output information to the department.

Developmental Services

Section 393.502, F.S., is amended relating to the family care councils. Appointments to the district councils are made by the Governor upon the recommendation of the council members. The number of members changes from 9 persons to at least 10 and no more than 15 persons. Council members are appointed for a 3-year term; members whom the Governor does not act upon will serve for two terms. The councils may apply for, receive, and accept grants, gifts, donations, bequests, and other payments from any public or private entity or person.

Mental Health/Substance Abuse Services

Section 397.321, F.S., is amended to allow the department to establish in District 9, in cooperation with the Palm Beach County Board of County Commissioners, a pilot project to serve in a managed care arrangement non-Medicaid eligible persons who qualify to receive substance abuse or mental health services from the department. The department cannot incur additional administrative costs and the results of the pilot must be reported to the district administrator and the Secretary 18 months after the initiation of the pilot.

The bill amends s. 216.136, F.S., to require the Criminal Justice Estimating Conference to project future bed needs and other critical program needs under the Jimmy Ryce Act, for the purpose of determining necessary appropriations. Section 775.089(1)(c), F.S., is amended which relates to restitution resulting from a defendant's criminal episode to include the victim of an offense committed by an offender who, at any time following the offense, is alleged to be a sexually violent predator and for whom involuntary civil commitment is sought under ch. 394, part V, F.S. The time for the multidisciplinary team to file its report and recommendation to the state attorney is extended from 45 days to 90 days after notice of the impending release of the person to whom the Jimmy Ryce Act may apply. The department is directed to adopt rules regarding continuing education of the members of the multidisciplinary assessment teams and to implement a long-term study to determine the efficacy of the Jimmy Ryce Act.

The bill directs the Correctional Privatization Commission in consultation with the department, to develop and issue a request for proposal for the financing, design, construction, acquisition, ownership, leasing, and operation of a secure facility of at least 400 beds to house and rehabilitate sexual predators committed under the Jimmy Ryce Act of 1998. The Secretary of the department retains final approval of the request for proposal, the successful bidder, and the contract. This statutory provision will constitute specific legislative authorization for the department to enter into a contract with a provider for the financing, design, construction, acquisition, ownership, leasing, and operation of a secure facility to house and rehabilitate sexual predators to be constructed upon the grounds of the DeSoto Correctional Facility in DeSoto County. The selected contractor is authorized to enter into a lease arrangement or other private financing or to sponsor the issuance of tax exempt bonds, certificates of participation, or other public or private means to finance the facility. Upon completion of the sexual predator secure treatment facility in DeSoto county, the Martin Sexually Violent Predator Treatment and Retaining Program must be phased out within 1 year.

Provisions Relating Generally to Children

Section 409.176, F.S., is amended to authorize the facility administrator of a registered residential child-caring agency and family foster home to consent to routine and emergency medical care on behalf of the parent, legal guardian, or person having legal custody of the child.

The bill amends s. 784.085, F.S., by providing that except for the affected child, any person who knowingly causes or attempts to cause a child to come into contact with blood, seminal fluid, or urine or feces by throwing, tossing, projecting, or expelling such material is guilty of a felony of the third degree.

The bill amends s. 683.23, F.S., specifying that the second Monday in September of each year is designated as “Florida Missing Children’s Day” in remembrance of Florida’s past and present missing children and in recognition of Florida’s continued efforts to protect the safety of children through prevention, education, and community involvement.

If approved by the Governor, the attorney ad litem pilot program takes effect October 1, 2000, and the remaining provisions take effect July 1, 2000.

Vote: Senate 33-5; House 119-0

