

## **CHILDREN**

### **HB 161 — Children/Relative Caregiver Program**

by Rep. Garcia and others (CS/CS/SB 360 by Appropriations Committee; Children & Families Committee; and Senators Dawson and Holzendorf)

This bill expands the financial assistance and support services of the Relative Caregiver Program to a dependent child who is a half-brother or half-sister of a dependent child placed with a relative caregiver. The half-sibling must have been determined dependent pursuant to ch. 39, F.S., and is only eligible for the Relative Caregiver Program if the child with the direct relationship to the relative caregiver is in the home. Children for whom the state is paying a relative caregiver payment are included in the priorities delineated for participation in the school readiness programs. An exemption from the registration, matriculation, and laboratory fees for the workforce development education program and the fees for community colleges is provided for students for whom a relative caregiver payment is or was being made at the time they reached the age of 18 years.

If approved by the Governor, these provisions take effect July 1, 2002.

*Vote: Senate 36-0; House 112-0*

### **CS/HB 245 — Road to Independence Act**

by Healthy Communities Council and Rep. Detert and others (CS/SB 996 by Children & Families Committee and Senators Saunders and Crist)

This bill, titled the “Road to Independence Act,” creates a new section in the Florida Statutes that is dedicated to older children in foster care, young adults who were formerly in foster care, and the services that facilitate their successful transition to adulthood. The framework for Florida’s independent living transition services to these older youth is set forth by this bill and both incorporates existing statutory language for independent living services and provides for enhanced services allowed for with the increased federal Chafee Foster Care Independent Living Program grant funds. Included in this framework are goals, service eligibility, and an integration workgroup to address issues facing older youth. The services available to older children in foster care include pre-independent living services, life skills services, and subsidized independent living services, as well as opportunities to participate in life skills activities in which children not in foster care would normally engage. The services available to the young adults who were formerly in foster care include aftercare support services, the road to independent scholarship program and transitional support services.

If approved by the Governor, these provisions take effect October 1, 2002.

*Vote: Senate 36-0; House 114-0*

### **CS/SB 288—Children**

By Judiciary Committee and Senator Campbell

This bill amends ss. 39.013(10) and 39.402(14), F.S., to revise provisions relating to continuances in dependency proceedings. Statutory emphasis is given to the need to adhere to time frames and to limit extensions in order to preserve the rights of the child. The bill expands the list of persons, to include any party, rather than just the department attorney or petitioner, who may request a continuance based on the grounds that evidence is not available. The bill prohibits granting a continuance or extension of time in advance of circumstances creating the delay. The number of days for which continuances or extensions may be granted for dependency proceedings cannot total more than 60 days within any 12-month period. An exception to this limitation will be made for extraordinary circumstances necessary to preserve the constitutional rights of a party or the child's best interests.

Section 39.402, F.S., is amended, to remove the 15-day periodic review of a shelter placement. It is within the court's discretion whether to hold a review hearing for shelter placement at any time, if necessary.

If approved by the Governor, these provisions take effect July 1, 2002.

*Vote: Senate 36-0; House 116-0*

### **SB 592 — Adoption Assistance**

by Senator Peaden

This bill creates the Interstate Compact on Adoption and Medical Assistance and authorizes the Department of Children and Family Services to enter into interstate compacts with other states to provide for interstate protection of adoption assistance and medical assistance for children with special needs. The interstate compacts provide an agreed-upon process for facilitating an immediate and smooth reestablishment of Medicaid eligibility for families with special-needs children under adoption-assistance programs who move into or out of Florida. The bill allows non-Title IV-D children with special needs in the state funded adoption subsidy program to receive Medicaid from their state of residence, as is currently provided to children with special needs in the Title IV-D adoption program.

If approved by the Governor, these provisions take effect July 1, 2002.

*Vote: Senate 29-0; House 111-0*

## **CS/CS/SB 632 — Out-of-Home Care**

by Appropriations Committee; Children & Families Committee; and Senator Peaden

### ***Community-Based Care***

This bill addresses a number of issues in the implementation of community-based care in Florida's child welfare system by amending s. 409.1671, F.S., with the following provisions:

Modifies the requirement that foster care and related services be privatized statewide by January 1, 2003, to provide that the Department of Children and Family Services (department) must have initiated the competitive-procurement process statewide by that date and must have completed the privatization process by December 31, 2004.

Specifies that the department must assure access to a model comprehensive residential services program as described in s. 409.1677, F.S., in any county in which full privatization is not accomplished by December 31, 2004. Assuring access to a model program does not substitute for full conversion to community-based care.

Requires that staff of lead community-based providers and their subcontractors who transport client children and families as part of their job responsibilities obtain \$100,000 per claim and \$300,000 per incident of bodily injury liability insurance on their personal automobile and limits related liability.

Requires that the department adopt written policies and procedures for monitoring the contract for delivery of services by lead community-based providers specifying minimal provisions such as: the evaluation of fiscal accountability and program operations including provider achievement of performance standards, provider monitoring of subcontractors, and timely follow-up of corrective actions for significant monitoring findings.

Reduces the necessity for community-based providers to provide status reports and otherwise notify the department regarding client cases, including planned case closures. Case closure notification is limited to voluntary cases.

Requires that the department, in consultation with existing lead community-based providers, develop a statewide proposal regarding the long-term use and structure of a shared-earnings program addressing the financial risk to eligible lead community-based providers. At a minimum, the proposal must allow for using federal earnings in excess of the amount appropriated in the General Appropriations Act for specific purposes such as changes in the number or composition of eligible clients, changes in the services eligible for reimbursement, shortfalls in state funds, or changes in the availability of federal funds. The final proposal must be submitted to the Legislative Budget Commission before December 31, 2002, and if the Commission refuses to concur, the proposal must be submitted to the Legislature in the form of a legislative budget request.

Permits the department to request and the Governor to recommend, beginning in FY 2003-2004, funding that is necessary to assure continuity of care in the event of lead agency failure, discontinuance of services, or financial misconduct. The General Appropriations Act will include any funds in a lump sum in the Administered Funds Program which constitute partial security for lead agency contract performance that the department must use to offset the need for a performance bond for that fiscal year after a comparison of risk to the funds available. The required performance bond may not exceed 2.5 percent of the annual contract value.

Expands participation in the excess federal earnings distribution program to include community-based agencies in place on July 1, 2002.

Requires that for purposes of competing for a privatization project, an agency must have written agreements with Healthy Families Florida lead entities in their community to promote cooperative planning for the provision of prevention and intervention services.

The bill amends s. 409.906, F.S., to expand the ability to earn Medicaid funds under the child-welfare-targeted case management option to all counties in which the department has a contract with a lead-community based agency if approved by the department. The bill removes the inappropriate requirement specifying that results of the targeted case management earnings be reported to the Child Welfare Estimating Conference, limiting the reporting requirement to the Social Services Estimating Conference.

### ***Residential Group Care/Family Foster Care***

The bill includes provisions that strengthen residential group care and family foster care as follows:

Creates s. 39.523, F.S. [previously s. 39.521(5), F.S.] and expands to all Florida counties, rather than only Districts 4, 11, 12, and the Suncoast Region, the assessment procedure for the placement of children in residential group care who are at least 11 years of age, have been in foster care for 6 months or longer, and who are moved among foster homes more than once. The criteria for the required assessment are further narrowed to apply to children who have “extraordinary needs” as defined in s. 409.1676, F.S.

Requires the department to include additional information in their annual report to the Legislature on expenditures relating to the placement of children in licensed residential group care.

Requires that funds included in the General Appropriations Act for Residential Group Care be appropriated in a separately identified special category, “Special Categories: Grants and Aids—Residential Group Care,” that funding increases be appropriated in a “lump-sum” category as defined in s. 216.011(1)(aa), F.S., and that the department submit a spending plan that identifies

a bed capacity shortage for residential group care and proposes a distribution formula by district addressing these deficiencies.

Allows funds from “Special Categories: Grants and Aids—Residential Group Care” to be used as one-time startup funding for certain remodeling or renovation purposes in residential group care facilities.

Redefines, in s. 409.1676, F.S., “children with extraordinary needs” to mean a dependent child who has a serious behavioral problem or who has been determined to be without the options of either reunification with family or adoption. “Serious behavioral problems” means children determined by an assessment to meet certain risk factors such as an adjudication of delinquency with conditional release or a history of physical aggression or violent behavior toward himself, other persons, animals, or property within the past year.

Directs the department and the Department of Juvenile Justice to establish an interagency agreement by December 1, 2002, for referral, placement, service provision, and service coordination for dependent and delinquent youth who are referred to residential group care facilities pursuant to s. 409.1676, F.S.

Expands comprehensive residential group care services to areas of the state for which the Legislature appropriates funds.

Amends the definition of “family foster home” in s. 409.175(2), F.S., by specifying that the total number of children placed in each foster home must be based on the recommendation of the department or the community-based care lead agency based on the needs of the child in care, the ability of the foster family to meet the needs of each child, the amount of safe physical plant space, the ratio of active and appropriate adult supervision, and the background, experience, and skill of the foster parents.

Modifies the provision for dual licensure for foster parents licensed under s. 409.175, F.S., and under s. 402.313, F.S., as family day care providers by removing the requirement for Gold Seal Quality Care designation and specifies that the provider may receive both an out-of-home care payment and a subsidized child care payment for the same child.

### ***Placement of Dependent Children in Residential Mental Health Treatment Facilities***

The bill requires that the Office of Program Policy Analysis and Government Accountability, in consultation with the department and the Agency for Health Care Administration, review and report to the Legislature on the process for placing children for residential mental health treatment [s. 39.407(5), F.S.] to determine whether changes are needed in this process.

If approved by the Governor, these provisions take effect July 1, 2002.

*Vote: Senate 40-0; House 116-0*

## **CS/CS/SB 1550 — Child Care/Home Operator Training**

by Appropriations Committee; Children & Families Committee; and Senator Silver

This bill requires passage of a competency examination for child care personnel in child care facilities, family child care homes, and large family child care homes as a criterion for the successful completion of the introductory child care course. The topic of computer technology for professional and classroom use has been added to the specialized areas of the child care training course for child care facilities which the Department of Children and Families may develop. The specific degrees, credentials, and courses that exempt child care personnel from certain portions of the required training are stipulated. The bill provides that the 40-hour introductory child care course completed by child care personnel is to articulate into community college credit in early childhood education, as approved by the Articulating Coordinating Council. The Department of Children and Families is provided with the authority to modify the child care training to meet the requirements of articulation. The deadline for child care facility operators to earn the required director's credential is extended by 1 year to January 1, 2004. Finally, the bill allows the state to enter into arrangements with not-for-profit entities to provide child care services at state facilities to both public and private employees with the condition that the child care needs of public employees be met before these child care services are extended to private-sector employees.

If approved by the Governor, these provisions take effect July 1, 2002.

*Vote: Senate 37-0; House 117-0*

## **MENTAL HEALTH AND SUBSTANCE ABUSE**

### **CS/SB 682 — Substance-Abuse Services**

by Children & Families Committee and Senator Peaden

#### *Licensure of Residential Treatment Facilities*

The bill amends the definition of "licensed service provider," in s. 397.311(19)(c), F.S., to specify that licensure provisions for residential treatment apply to facilities that provide room and board, treatment, and rehabilitation within the primary residential facility and to facilities that are used for room and board only when treatment and rehabilitation activities are provided on a mandatory basis at locations other than the primary residential facility. In the latter case, all facilities must be operated under the auspices of the same provider. Licensing and regulatory requirements apply to both the residential facility and all other facilities in which treatment and rehabilitation activities occur.

### ***Background Screening Requirements***

Section 397.451, F.S., is amended to specify that background checks for all owners, directors, and chief financial officers of service providers are subject to level 2 background screening requirements contained in ch. 435, F.S. All service provider personnel who have direct contact with children receiving services or adults who are developmentally disabled receiving services are subject to level 2 background screening as a provider under ch. 435, F.S.

The bill amends s. 397.403, F.S., to require that the application for licensure as a substance abuse provider under ch. 397, F.S., includes sufficient information to conduct background screening as provided in s. 397.451, F.S.

The bill provides that a license may not be issued to an applicant service provider if any owner, director, or chief financial officer has been found guilty of, regardless of adjudication, or has entered a plea of nolo contendere or guilty to any offense prohibited under the level 2 screening unless an exemption from disqualification has been granted by the department pursuant to ch. 435, F.S. The owner, director, or chief financial officer has 90 days to obtain the required exemption during which time the license remains in effect. If an owner, director, or chief financial officer is arrested or found guilty of, regardless of adjudication, or has entered a plea of nolo contendere or guilty to any offense prohibited under the level 2 screening standard while acting in that capacity, the provider shall immediately remove the person from that position and notify the department within 2 days after removal, excluding weekends and holidays. Failure to remove that person will result in revocation of the provider's license.

The bill removes the fingerprinting and background check exemption for several groups such as:

- Students in the health care professions who are interning with a service provider licensed under ch. 395, F.S., that does not treat unmarried minors or persons who are developmentally disabled,
- Personnel working for a service provider licensed under ch. 395, F.S., who have fewer than 15 hours a week of direct contact with unmarried minors or persons who are developmentally disabled.

The bill specifies that service provider personnel must submit a request for exemption from disqualification within 30 days of being notified of a pending disqualification. This employee may not be adversely affected pending disposition of his or her request.

The bill provides that the department may grant exemptions from disqualification that would limit service provider personnel to working with adults in substance abuse treatment facilities.

The bill requires that an applicant for licensure also provide proof of compliance with local zoning ordinances. Service providers operating under a regular annual license will have 18

months from the expiration date of their regular license to meet local zoning requirements. Applicants for a new license must demonstrate proof of compliance with zoning requirements prior to the department issuing a probationary license.

### ***Exemptions From Licensure***

Section 397.405, F.S., exemptions for licensure, is amended to:

- Remove the provision that a sect which is exclusively religious, spiritual or ecclesiastical in nature and providing substance abuse services is exempt from licensure requirements under ch. 397, F.S., and
- Specify that DUI education and screening services must be licensed under ch. 397, F.S., if providing treatment services, require that physicians licensed under chs. 458 and 459, F.S., psychologists licensed under ch. 490, F.S., and social workers, marriage and family therapists, and mental health counselors licensed under ch. 491, F.S., must be licensed under ch. 397, F.S., if providing services to involuntary clients under part V of ch. 397, F.S.

If approved by the Governor, these provisions take effect July 1, 2002.

*Vote: Senate 38-0; House 116-0*

## **CS/HB 751 — Community Mental Health Services**

by Healthy Communities Council and Rep. Murman and others (CS/SB 598 by Children & Families Committee and Senator Peadar)

The bill requires that the Department of Children and Family Services (department) expand community mental health services with funds appropriated under the General Appropriations Acts for fiscal years 2001-2002 and 2002-2003 and under future legislative appropriations by implementing programs that emphasize crisis services, treatment, rehabilitation, support, and case management as defined in ch. 394, F.S. Funding increases in the General Appropriations Act must be appropriated in a “lump-sum” category and a spending plan developed by the department pursuant to ch. 216, F.S. Status reports must be submitted to the Governor and the Legislature on October 1, 2002, and October 1, 2003, concerning the progress made toward expanding these community mental health services with new legislative appropriations.

The bill specifies that a report be submitted to the Governor and Legislature on August 1 of each year that estimates the costs of expanding community mental health services. This report will be developed by the department in collaboration with the Agency for Health Care Administration and will include forecasts of Baker Act expenditures based on periodic actuarial analysis, caseload estimates of adults with serious mental illness and children with serious emotional

disturbances, associated costs per person served, and recommendations for maximizing the use of federal funds to meet these needs.

The bill requires that crisis services be implemented by January 1, 2004, and mental health services be implemented by January 1, 2006, in Florida's publicly funded community mental health system if legislative appropriations are specified for these purposes.

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

*Vote: Senate 35-0; House 116-0*

### **CS/CS/SB 2254 — Supportive Housing**

by Health, Aging & Long-Term Care Committee; Children & Families Committee; and Senator Brown-Waite

This bill directs the Department of Children and Families to establish a workgroup to review the issues associated with the services provided through supportive housing and develop recommendations for supportive housing living arrangements. The bill provides for representation on the workgroup from the Department of Children and Families, the Agency for Health Care Administration, the Department of Elderly Affairs, and designated organizations in the field. Recommendations of the workgroup are to be included in the January 2003 update of the Mental Health and Substance Abuse master plan.

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

*Vote: Senate 35-0; House 117-0*

## **DEVELOPMENTAL AND OTHER DISABILITIES**

### **CS/CS/HB 295 — Persons with Disabilities**

by Healthy Communities Council; Health & Human Services Appropriations Committee; and Rep. Littlefield, Mahon, and others (CS/CS/SB 576 by Finance & Taxation Committee; Health, Aging & Long-Term Care Committee; and Senators Wise and Crist)

The bill creates s. 413.402, F.S., directing the Florida Association of Centers for Independent Living (FACIL) to develop the Personal Care Attendant Pilot Program for personal-care attendants to individuals:

- At least 18 years of age and seriously disabled due to a traumatic spinal cord injury;
- Living in a nursing home or who have moved out of a nursing home within the preceding 180 days due to participation in a Medicaid home and community-based waiver program targeted to persons with brain or spinal cord injuries; and

- Determined eligible for training services from the Division of Vocational Rehabilitation of the Department of Education.

The association is required to develop memorandums of understanding with the Department of Revenue, the Brain and Spinal Cord Injury Program in the Department of Health, the Florida Medicaid Program in the Agency for Health Care Administration, the Florida Endowment Foundation for Vocational Rehabilitation, and the Division of Vocational Rehabilitation of the Department of Education. FACIL will develop a training program for persons selected to participate in the pilot program in order to prepare each recipient to manage his or her own personal-care attendant.

The Florida Association of Centers for Independent Living, in cooperation with the Florida Endowment Foundation for Vocational Rehabilitation, will:

- Develop a program to recruit, screen, and select candidates to be trained as personal-care attendants;
- Develop a training program for personal-care attendants; and
- Establish procedures for selecting persons eligible to participate in the pilot program.

Nurse registries licensed under s. 400.506, F.S., are authorized to recruit and screen candidates and to operate as a fiscal intermediary through which payments are made to individuals performing services as personal care attendants under this pilot program. The Agency for Health Care Administration must seek federal waivers necessary to implement these provisions.

The Florida Association of Centers for Independent Living, in cooperation with the Division of Vocational Rehabilitation in the Department of Education, will assess the selected participants and make recommendations for their placement into appropriate work-related training programs. The association is to develop a plan for implementation of the program with the Department of Revenue, the Brain and Spinal Cord Injury Program in the Department of Health, the participating state attorneys' offices, the Florida Medicaid Program in the Agency for Health Care Administration, the Florida Endowment Foundation for Vocational Rehabilitation, and the Division of Vocational Rehabilitation of the Department of Education.

The bill requires that an implementation plan for the pilot program be presented by FACIL to the Legislature by March 1, 2003, that includes a timeline for implementation, estimates of the number of participants to be served, and cost projections for each component of the pilot program. The pilot program will be implemented by July 1, 2003, unless there is specific legislative action to the contrary.

The Department of Revenue in coordination with FACIL and the Florida Prosecuting Attorneys Association will select four counties in which to operate the pilot program. The Association and the state attorneys' offices in Duval County and the four pilot program counties will develop and implement a tax collection enforcement diversion program that will collect revenue from persons who have not remitted their collected sales tax. The criteria for referral to the diversion program will be determined cooperatively between the state attorneys' offices in those counties and the Department of Revenue.

Notwithstanding the normal sales tax distribution provisions of s. 212.20, F.S., 25 percent of the funds collected under the diversion program will be deposited in the operating account of the Florida Endowment Foundation for Vocational Rehabilitation and used to implement the program, and the program will operate only from funds deposited into that account. Each year the revenue estimating conference is to project the amount of money likely to be generated from the tax collection enforcement diversion program.

An appropriation of \$250,000 of nonrecurring funds from the Brain and Spinal Cord Injury Program Trust Fund transferred to the Florida Endowment Foundation for Vocational Rehabilitation for FY 2002-2003 will be used for the initial development of the program. The initial \$50,000 from each of the pilot program counties and Duval County deposited with the Florida Endowment for Vocational Rehabilitation will be used to repay the \$250,000 to the Brain and Spinal Cord Injury Program Trust Fund.

If approved by the Governor, these provisions take effect July 1, 2002.

*Vote: Senate 34-0; House 116-0*

## **DOMESTIC VIOLENCE**

### **SB 716 — Domestic Violence Program**

by Senator Peadar

This bill completes the process of transferring the domestic violence programs from the Department of Community Affairs to the Department of Children and Families by providing for the following:

- A new formula for distributing the funds deposited in the Additional Court Cost Clearing Trust Fund that specifically designates a portion of the trust funds to the Department of Children and Families for the domestic violence programs;
- Clear authority for the Department of Children and Families to operate the domestic violence programs and receive trust fund dollars; and

- A repeal of conflicting statutory and Laws of Florida language.

A number of revisions are made to the injunction for protection against domestic violence by this bill and include the following:

- Clarifying the mandatory co-residency requirement in the definitions of “domestic violence” and “family or household member” except under specified circumstances;
- Revising the venue requirements for domestic violence injunctions to allow the additional option of filing the petitions in the circuit where the petitioner currently or temporarily resides without a minimum residency period;
- Prohibiting charging a fee for filing a petition for injunction for protection against domestic violence;
- Clarifying the circumstances under which injunctive relief against domestic violence may be sought and providing a list of factors to be considered by the court in determining whether a petitioner is in imminent danger of becoming a victim of domestic violence;
- Requiring the recording of all proceedings on protective injunctions against domestic violence;
- Requiring the court to allow the presence of advocates for the petitioner and respondent in the proceeding or hearing for protective injunctions against domestic violence, if requested;
- Expanding the list of underlying actions that constitute violations of an injunction for protection against domestic violence; and
- Clarifying the law regarding the court’s role in ordering a person charged with domestic violence to a pre-trial diversion program.

The bill also establishes an injunction for protection against dating violence. This injunctive relief is created in s. 784.046, F.S., injunctions for protection against repeat violence, but as a separate cause of action. Injunctions for protection against dating violence would be provided using the same stipulations as provided for injunctions for protection against repeat violence. However, a petition for a dating violence injunction can be filed if the person is a victim of dating violence or in imminent danger of becoming a victim of dating violence. Dating violence is specifically defined and requires that the violence is between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. Factors are provided to consider in determining the existence of such a relationship, and casual acquaintanceships and ordinary fraternization in a business or social context are specifically excluded.

If approved by the Governor, these provisions take effect January 1, 2003, except as otherwise provided in the act.

*Vote: Senate 36-0; House 115-0*

## **CHILD SUPPORT**

### **CS/SB 1272 — Child Support/Health Care Coverage**

by Children & Families Committee and Senator Peadar

This bill provides for Florida's use of the national medical support notice which implements a standard order and process for notifying the employer of the health care coverage required of a Title IV-D support obligation and instituting the non-custodial parent's health care coverage for the child. A process and directive are provided for liquidating securities to pay for overdue support. The bill aligns the terminology pertaining to "abandoned property" for the Department of Revenue Child Support Enforcement Program with that provided in ch. 717, F.S. A threshold is set forth for determining when adequate grounds exist for effectuating a modification resulting from the required 3-year review of Title IV-D cases. The requirement for the Office of Program Policy Analysis and Government Accountability to evaluate the State Disbursement Unit and the State Case Registry every two years is eliminated.

Statutory provisions establishing the pilot program for the administrative establishment of child support are amended to address issues identified in the first year of operation and issues pertaining to statewide application of this administrative process as is provided for with the passage of HB 1689. These revisions to the administrative process include using a financial affidavit developed by the department, requiring the department to terminate the administrative process and file a civil action in circuit court to determine child support if requested by the noncustodial parent, requiring the department to confirm that the notice of proceeding was received under certain circumstances, allowing for the use of restricted delivery when serving the notice of proceeding to establish child support, eliminating the requirement that the amount of support for each child be specified in the administrative order, clarifying that the administrative law judge may issue an income deduction order and include unemployment compensation withholding, allowing the department to suspend and terminate the administrative support order and informing parents of the self-help programs available to persons filing action in circuit court.

If approved by the Governor, these provisions take effect upon becoming law, except as expressly provided for in the act.

*Vote: Senate 37-0; House 117-0*

## **HB 1689 — Child Support**

by Judicial Oversight Committee; Rep. Crow and others (CS/CS/SB 2012 by Judiciary Committee; Children & Families Committee; and Senator Peaden)

This bill provides for the statewide application and implementation of the pilot program for administrative establishment of child support orders for Title IV-D cases. With this administrative process, the Department of Revenue is authorized to issue a final order of child support obligation that is binding and enforceable. However, all Title IV-D parents retain the right to use the court for determining their child support, if they desire. A number of revisions are made to the administrative process created for the pilot program for establishment of child support orders as it is to be implemented statewide, including using a financial affidavit developed by the department, requiring the department to terminate the administrative process and file a civil action in circuit court to determine child support if requested by the noncustodial parent, requiring the department to confirm that the notice of proceeding was received under certain circumstances, allowing for the use of restricted delivery when serving the notice of proceeding to establish child support, eliminating the requirement that the amount of support for each child be specified in the administrative order, clarifying that the administrative law judge may issue an income deduction order and include unemployment compensation withholding, allowing the department to suspend and terminate the administrative support order and informing parents of the self-help programs available to persons filing action in circuit court. The Department of Revenue is required to submit a report by June 30, 2004 to the Legislature, the Governor and Cabinet on the implementation and results of the administrative process for establishing child support, and the Office of Program Policy Analysis and Government Accountability is to conduct an evaluation of this administrative process with a report submitted by January 31, 2005.

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

*Vote: Senate 35-0; House 112-0*