



Capitol Connection



Week Four - March 29, 2014

BUDGETS AND CHILDREN'S BILLS MOVE FORWARD

Nearing the mid-point of the legislative session, the House and Senate full appropriations committees debated and passed their budgets this week, while the early learning and child welfare bills moved a step closer to passage. The booster seat bill, which had not been heard in the House for several years, received its first House committee hearing, and following months of calls and hard work by dedicated advocates, the Senate KidCare bill, [SB 282](#) by Sen. Rene Garcia (R-Hialeah), was finally passed by the Senate Health Policy Committee on Tuesday, March 25. The bill would allow children of legal immigrants, who have lived in the United States less than five years, to be eligible for KidCare. Dozens of advocates flocked to the capitol to witness the bill's hearing and testify in favor of it, including the Florida Hospital Association, Florida Conference of Catholic Bishops, The United Methodist Church, United Way, Florida CHAIN, KidsWell Florida, Florida Impact, Florida Immigrant Coalition, Florida Legal Services, Florida Children's Council, The Children's Trust and Florida Now.

APPROPRIATIONS COMMITTEES TAKE UP BUDGETS

On Wednesday, March 26, the House Appropriations Committee discussed and passed its [\\$75.3 billion budget](#). Unlike last year's spending plan, this budget passed with some bipartisan support with four Democrats supporting the Republican-crafted product. The main points of objection for most Democrats were again the decision of House leadership to forgo expanding the Medicaid program for low income, adult Floridians, as well as what they cited as an insufficient level of per student funding in the K-12 education system. Chairman Seth McKeel (R-Lakeland) expressed optimism that the nearly \$400 million difference between the House and Senate budgets could be easily resolved. The following day, Sen. Joe Negron (R-Stuart) and the Senate Appropriations Committee approved their committee's budget. Unlike its House counterpart, the [\\$74.9 billion Senate spending plan](#) was approved unanimously, with all Democrats signaling their support.

Immediately following their committee approvals, the Senate appropriations plan was filed as [SB 2500](#), while the House budget, which will eventually become the official 2014-15 General Appropriations Act, was filed as [HB 5001](#). Both will head to their respective floors next week for

approval by their full bodies. During this time, there may be more amendments added. Finally, the budgets will have to be reconciled during the Budget Conference process. Stay tuned to future Capitol Connections for more detailed budget comparisons and coverage of this critical phase of the legislative session.

EARLY LEARNING

Early Learning Bills Pass Committees

[HB 7069](#) by Chair Marlene O'Toole (R-The Villages) and the House Education Committee, was passed by the Education Appropriations Subcommittee on Monday, March 24. The bill, which addresses early learning health and safety standards, licensing, and more was passed with little debate or discussion. It will be heard next by the full House Appropriations committee on Wednesday, April 2, at 2:30 PM. Some notable components of the bill include the following:

- Renames the School Readiness program as the Child Care and Development program
- Requires that private providers must be licensed or, if the provider is a licensed-exempt faith-based provider or nonpublic school and accepts public funds, agree to substantially comply with specified child care licensing standards and submit to inspections by the Florida Department of Children and Families (DCF) or local licensing agency
- Denies providers with serious health and safety violations in the previous year program eligibility in the Child Care and Development and Voluntary Prekindergarten Education programs unless certain requirements are met
- Requires that by January 1, 2016, personnel must be at least 18 years of age and hold a high school diploma (or equivalent); practitioners must be trained in developmentally appropriate practices aligned to the age and needs of children served
- Requires the Office of Early Learning (OEL) to develop online training on School Readiness program performance standards, and provider personnel to complete the training
- Requires the Office of Early Learning to conduct a two-year pilot project to study the impact of assessing the early literacy skills of Voluntary Prekindergarten Education Program participants who are English Language Learners, in both English and Spanish

The bill's companion, [SB 7114](#) by Chair John Legg's (R-Lutz) Senate Education Committee, was heard by that same committee on Tuesday, March 25. While the bills are substantially similar, some differences do exist related to the process of notification for egregious health and safety violations and the age eligibility of a School Readiness practitioner. The Senate bill also provides DCF with the rulemaking authority to define substantial compliance for monitoring of license-exempt facilities that receive public funds. An amendment was added that would require at least 50 percent of child care personnel to be trained in first aid and child CPR. The bill was passed without discussion or debate. On Thursday, the bill received a new number, [SB 1702](#), and will likely receive a new committee assignment.

HEALTHY CHILDREN

Florida KidCare Program

Thanks to your tireless efforts, Sen. Rene Garcia's [SB 282](#) has finally passed the Senate Health Policy Committee. However, more effort is needed to push this bill and Rep. Jose Felix Diaz's [HB 7](#) closer to the finish line.

ACTION ALERT:

Please call or email the chairs and other members of the committees below and ask them to support the bills.

House Health Care Appropriations Subcommittee	Senate Health and Human Services Appropriations Subcommittee
Chair Matt Hudson (R-Naples)	Chair Denise Grimsley (R-Sebring)
Rep. MaryLynn Magar (R-Tequesta)	Sen. Aaron Bean (R-Fernandina Beach)
Rep. Janet Cruz (D-Tampa)	Sen. Lizbeth Benacquisto (R-Fort Myers)
Rep. Jason Brodeur (R-Sanford)	Sen. Bill Galvano (R-Bradenton)
Rep. Neil Combee (R-Polk City)	Sen. Audrey Gibson (D-Jacksonville)
Rep. Matt Gaetz (R-Fort Walton Beach)	Sen. Tom Lee (R-Brandon)
Rep. Mike Hill (R-Pensacola)	Sen. Bill Montford (D-Tallahassee)
Rep. Jared Moskowitz (D-Coral Springs)	Sen. Garrett Richter (R-Naples)
Rep. Amanda Murphy (D-New Port Richey)	Sen. Christopher Smith (D-Fort Lauderdale)
Rep. David Richardson (D-Miami Beach)	Sen. Eleanor Sobel (D-Hollywood)
Rep. Elaine Schwartz (D-Hollywood)	Sen. John Thrasher (R-St. Augustine)
Rep. John Wood (R-Winter Haven)	

Please call and thank [Rep. Jose Felix Diaz](#), [Sen. Rene Garcia](#) (the bill sponsors) and [Sen. Anitere Flores](#) (the co-sponsor) who are also on these committees for their efforts.

Newborn Health Screening

[SB 722](#) by Sen. Rene Garcia (R-Hialeah) was passed unanimously by the Senate Children, Families, and Elder Affairs Committee on Tuesday, March 25. The bill, which now goes to its final committee, Senate Judiciary, will allow the State Public Health Laboratory to release the results of a newborn's hearing and metabolic tests or screenings to the newborn's health care practitioner, a term which is expanded to include a physician or physician assistant, osteopathic physician or physician assistant, advanced registered nurse practitioner, registered nurse, licensed practical nurse, midwife, speech-language pathologist or audiologist, or a dietician or nutritionist. An amendment was added that would require an audiologist, who has diagnosed a child with a hearing impairment, to ask the child's parents if they would like to receive direct correspondence from a qualified Early Steps provider.

Its companion, [HB 591](#) by Rep. Gayle Harrell (R-Port St. Lucie) was passed unanimously by its final committee, House Health and Human Services, on Thursday, March 20.

CHILD WELFARE

House Committee Passes Comprehensive Child Welfare Reform Proposed Committee Bill

The Healthy Families Subcommittee released its long-discussed committee bill, [PCB HFS 14-03](#) on "Child Protection and Child Welfare Services." The bill, which had been robustly work-shopped during the last few meetings, will now receive a bill number and committee assignments. Some differences noted by Chair Gayle Harrell (R-Port St. Lucie) in the newest version of the bill include:

- Exempting the sheriffs from the social work degree requirements until 2018; the new Child Welfare Institute will need to produce a study by 2017 comparing the effectiveness of both the sheriff and social worker models for child protective investigators
- Authorizing case managers and supervisors to receive tuition reimbursement, in addition to investigators

- Specifying that medically complex children have the most nurturing and least restrictive environment for them
- Revising the section for the monitoring of safety plans by addressing situations where domestic violence was involved, which will require separate safety plans for the perpetrator and the victim of domestic violence
- Allowing that children who are at risk for abuse and neglect, even if a report has not been filed, may receive services from CBCs
- Updating the statute relating to CBCs to reflect the maturity of that system; requiring that control remains in the community, and specifying the percentage of board members that must reside in the county; mandating that CBCs must post budget (including salaries for top execs) online
- Requiring DCF to monitor that CBCs have required insurance coverage
- An amendment was added that will allow child protection workers to have a degree in any field, provided that they have at least 5 years of directly related experience
- "Parking Lot Issues," or topics that will be addressed as the bill goes through the committee process or next year:
 - Community alliances: members will continue to receive direct input from DCF and community alliances this week
 - Child safety issues: given what has been highlighted in the *Miami Herald* series, care will be taken to ensure that the bill will be effective, recognize impending dangers, and not accept "promises" in safety plans without actual performance
 - Grant matching program has been altered and reduced to \$500,000

Meanwhile, the suite of child welfare bills in the Senate ([SB 1666](#), [SB 1668](#), [SB 1670](#)), which had been postponed to ensure that the bills addressed some of the issues raised by the recent [Miami Herald investigation](#), will be heard in the Senate Health and Human Services Appropriations Subcommittee on Wednesday, April 2, at 1 PM.

Motor Vehicle Insurance and Driver Education for Children in Care

[SB 744](#) by Sen. Nancy Detert (R-Venice) passed its third committee, Senate Banking and Insurance, on Tuesday, March 25. Its last assignment is Senate Appropriations. The bill would establish a statewide pilot program to pay for the costs of driver education, licensure, and the costs incidental to licensure, as well as motor vehicle insurance for a child in licensed out-of-home care.

Also on Tuesday, its companion, [HB 977](#) by Rep. Ben Albritton (R-Bartow), was passed unanimously by the House Healthy Families Subcommittee. Thomas Fair, from Florida Youth Shine, testified on his struggles of not being able to attend driver's education, afford auto insurance, or lend his car to his fellow uninsured former foster care roommates. The committee also heard from Alan Abramowitz, Executive Director of the statewide Guardian ad Litem program, who stated that less than 3 percent of children who age out of foster care have a drivers license, and as a result, cannot get a job, go to college, or get to high school. The bill now goes to House Health Care Appropriations.

Unaccompanied Youth

[SB 260](#) by Sen. Jack Latvala (R-Clearwater) was read, amended, and placed on Third Reading on Wednesday, March 26. It is scheduled to be heard and voted on by the full Senate on Thursday, April 3. The bill would allow certain unaccompanied youth to consent to medical, dental, psychological, substance abuse, and surgical diagnosis and treatment themselves. Its companion, [HB 203](#) by Rep. Daniel Raulerson (R-Plant City), was passed out of its final committee, House Judiciary, on Thursday, March 27. It will now go to the floor of the House.

Human Trafficking

[SB 768](#) by Sen. Oscar Braynon (D-Miami Gardens) was passed unanimously on Monday, March 24 by

the Senate Criminal Justice Committee. It is now in the Senate Judiciary Committee. The bill makes many changes with regards to human trafficking:

- Includes human trafficking in the definition of the term "sexual abuse of child"
- Includes human trafficking within provisions providing for confidentiality of court records concerning certain offenses involving children
- Includes human trafficking victims within provisions prohibiting disclosure of identifying information of certain crime victims
- Provides that victims of human trafficking are eligible for crime victim compensation awards and allows them to be eligible for financial relocation assistance

Its companion, [HB 989](#) by Rep. Carlos Trujillo (R-Doral) is currently in the House Judiciary Committee, its final assignment.

The Senate Children and Families and Elder Affairs committee is expected to take up [PCB HFS 14-02](#) on Tuesday, continuing the debate regarding whether victims of trafficking should be detained in "secure safe houses" to protect them from returning to their perpetrators, whether creating a system of care with high quality comprehensive services and supports is more appropriate, or whether both are possible, as Chair Eleanor Sobel (D-Hollywood) maintains.

JUVENILE JUSTICE

Juvenile Justice, Chapter 985 Rewrite

[HB 7055](#) by the House Criminal Justice Subcommittee and Rep. Ray Pilon (R-Sarasota) was passed by its final committee, House Judiciary, on Thursday, March 27. The bill proposes a variety of changes to Chapter 985 of the Florida Statutes, relating to the Department of Juvenile Justice, its duties, and its programs. The bill will incorporate and align themes of the Roadmap to System Excellence into Chapter 985, by focusing on prevention and rehabilitation and pivoting away from the idea of punishment to consequence and care. Some specific provisions of the bill include:

- Updates legislative intent language and definitions applicable to Chapter 985 of the Florida Statutes
- Modifies procedures relating to jurisdiction, contempt of court, fingerprinting and photographing, and intake assessments
- Expands the continuity of care system for children in detention
- Provides authority to the department to develop, within existing resources, evening reporting centers and community re-entry teams
- Expands the department's notification requirements to a school or victim when the custody status of a youth has changed
- Allows technical violations to be resolved through alternative consequence programs
- Broadens the application of transition-to-adulthood services to youth of all ages
- Expands when a misdemeanor youth may be committed to a residential program
- Creates a new offense relating to "willful and malicious neglect" of juvenile offenders
- Enhances the performance accountability system for service providers
- Limits the amount paid to hospitals and health care providers that do not have a contract with the department for health care services provided to juveniles

The bill's companion, [SB 700](#) by Sen. Rob Bradley (R-Fleming Island), is in its final committee of reference, Senate Appropriations.

Juvenile Justice Education Programs

[SB 598](#) by Sen. Aaron Bean (R-Fernandina Beach) was passed unanimously by the Senate Criminal

Justice Committee on Monday, March 24. Its companion, [HB 173](#) by Rep. Janet Adkins (R-Fernandina Beach), was passed unanimously by the full House on March 12 and recently received committee assignments after it passed through Messages to the Senate. These bills would enhance transition services by requiring that local school districts, Florida Department of Juvenile Justice reentry personnel and local workforce personnel be part of a youth's transition planning. They would also require that school districts consider the needs of individual youth when they return to school, and enhance career and technical training. Additionally, these bills seek to improve accountability, enhance access to virtual education, and require state and federal education dollars to follow the youth who generate them.

OTHER BILLS AFFECTING CHILDREN

Child Safety Devices in Motor Vehicles

A bill that would revise booster seat requirements for children, [HB 225](#) by Rep. Keith Perry (R-Gainesville), was passed by the House Transportation and Highway Safety Subcommittee on Monday, March 24. This is a big milestone as a booster seat bill has not been heard in the House for several years. The bill proposes to require an approved child restraint device for all children less than 7 years of age, if the child is less than 4 feet 9 inches in height. According to the staff analysis, only Florida and South Dakota still allow the use of adult seat belts without a booster seat for children less than 5 years of age. Its companion, [SB 518](#) by Sen. Anitere Flores (R-Miami) was last heard on March 12 and is now waiting to be voted on by its last committee, Senate Appropriations.

SPECIAL DISTRICTS

Lobbying of Special Districts

[SB 846](#) by Sen. Jack Latvala (R-Clearwater), "Government Ethics" regulates those who lobby certain independent special districts by creating a statute that closely resembles the legislative lobbying provisions and the executive branch lobbying provisions, as well as those used by The Children's Trust. The bill:

- Requires lobbyists to register for each principal represented
- Prohibits unregistered lobbyists from representing clients before special districts
- Requires the filing of quarterly compensation reports
- Requires special districts to maintain the filings and make them available to the public
- Imposes fines for failing to file the quarterly compensation reports
- Prohibits expenditures from lobbyists
- Provides jurisdiction to the Commission on Ethics concerning complaints alleging violations of the new requirements
- Requires the districts to adopt procedures and forms to implement the new system

The bill was read, amended, and placed on Third Reading on Wednesday, March 26. It is scheduled to be heard and voted on by the full Senate on Thursday, April 3. It does not currently have a House sponsor.

Special Districts: Chapter 189 Reorganization

[HB 1237](#) by Rep. Larry Metz (R-Groveland) was passed by the House Local and Federal Affairs Committee on Thursday, March 27. It now goes to the Finance and Tax Subcommittee. The bill proposes to reorganize Chapter 189 of the Florida Statutes into eight parts, as well as:

- Provide requirements for the chair of a governing body
- Provide special district reporting requirements

- Provide for suspension of special districts under certain conditions
- Provide penalties for special districts that fail to comply
- Revise the Governor's power to suspend public officers to include members of governing body of special district
- Revise provisions relating to suspension and removal from office of municipal officers to include members of a governing body of a special district

Its companion, [SB 1632](#) by Sen. Kelli Stargel (R-Lakeland) will be heard by the Senate Community Affairs Committee on Tuesday, April 1.

Please contact Diana Ragbeer, Director of Public Policy and Communications at diana@thechildrenstrust.org should you need further information.