



1 A bill to be entitled
2 An act relating to early childhood development;
3 amending s. 39.201, F.S.; providing an exception from
4 a prohibition against the use of information in the
5 Department of Children and Families central abuse
6 hotline for employment screening of certain child care
7 personnel; amending s. 39.202, F.S.; expanding the
8 list of entities that have access to child abuse
9 records for purposes of approving providers of school
10 readiness services; amending s. 383.141, F.S.;
11 revising the requirements for the Department of Health
12 to maintain a clearinghouse of information for parents
13 and health care providers and to increase public
14 awareness of developmental evaluation and early
15 intervention programs; requiring the clearinghouse to
16 use a specified term; revising the information to be
17 included in the clearinghouse; amending s. 391.025,
18 F.S.; renaming the "Infants and Toddlers Early
19 Intervention Program" as the "Early Steps Program";
20 revising the components of the Children's Medical
21 Services program; amending s. 391.026, F.S.; requiring
22 the department to serve as the lead agency in
23 administering the Early Steps Program; amending s.
24 391.301, F.S.; establishing the Early Steps Program
25 within the department; deleting provisions relating to
26 legislative findings; authorizing the program to



27 | include certain screening and referral services for
28 | specified purposes; providing requirements and
29 | responsibilities for the program; amending s. 391.302,
30 | F.S.; defining terms; revising the definitions of
31 | certain terms; deleting terms; repealing ss. 391.303,
32 | 391.304, 391.305, 391.306, and 391.307, F.S., relating
33 | to requirements for the Children's Medical Services
34 | program, program coordination, program standards,
35 | program funding and contracts, and program review,
36 | respectively; amending s. 391.308, F.S.; renaming the
37 | "Infants and Toddlers Early Intervention Program" as
38 | the "Early Steps Program"; requiring, rather than
39 | authorizing, the department to implement and
40 | administer the program; requiring the department to
41 | ensure that the program follows specified performance
42 | standards; providing requirements of the program to
43 | meet such performance standards; revising the duties
44 | of the department; requiring the department to apply
45 | specified eligibility criteria for the program based
46 | on an appropriation of funds; providing duties for
47 | local program offices; requiring the local program
48 | office to negotiate and maintain agreements with
49 | specified providers and managed care organizations;
50 | requiring the development of an individualized family
51 | support plan for each child served in the program;
52 | requiring the local program office to coordinate with



53 managed care organizations; requiring the department
54 to submit an annual report, subject to certain
55 requirements, to the Governor, the Legislature, and
56 the Florida Interagency Coordinating Council for
57 Infants and Toddlers by a specified date; designating
58 the Florida Interagency Coordinating Council for
59 Infants and Toddlers as the state interagency
60 coordinating council required by federal rule subject
61 to certain requirements; providing requirements for
62 the local program office and local school district to
63 prepare certain children for the transition to school
64 under certain circumstances; amending s. 402.302,
65 F.S.; revising the definition of the term "screening"
66 for purposes of child care licensing requirements;
67 repealing s. 402.3057, F.S., relating to persons not
68 required to be refingerprinted or rescreened; amending
69 s. 402.306, F.S.; requiring the Department of Children
70 and Families and local licensing agencies to
71 electronically post certain information relating to
72 child care and school readiness providers; amending s.
73 402.311, F.S.; requiring school readiness program
74 providers to provide the department or local licensing
75 agencies with access to facilities, personnel, and
76 records for inspection purposes; amending s. 402.319,
77 F.S.; requiring certain child care providers to submit
78 an affidavit of compliance with certain mandatory



CS/HB 7053, Engrossed 2

2016

79 reporting requirements; amending s. 435.07, F.S.;

80 providing criteria for disqualification from

81 employment with a school readiness program provider;

82 amending s. 1002.82, F.S.; revising the duties of the

83 Office of Early Learning of the Department of

84 Education; requiring the office to coordinate with the

85 Department of Children and Families and local

86 licensing agencies for inspections of school readiness

87 program providers; amending s. 1002.84, F.S.; revising

88 provisions relating to determination of child

89 eligibility for school readiness programs; revising

90 requirements for determining parent copayments for

91 participation in the program; amending s. 1002.87,

92 F.S.; revising school readiness program eligibility

93 requirements; amending s. 1002.88, F.S.; revising

94 requirements for school readiness program providers;

95 amending s. 1002.89, F.S.; providing for additional

96 uses of funds for school readiness programs; amending

97 ss. 402.3025, 413.092, and 1003.575, F.S.; conforming

98 provisions to changes made by the act; providing an

99 effective date.

100

101 Be It Enacted by the Legislature of the State of Florida:

102

103 Section 1. Subsection (6) of section 39.201, Florida

104 Statutes, is amended to read:



105 39.201 Mandatory reports of child abuse, abandonment, or
106 neglect; mandatory reports of death; central abuse hotline.—

107 (6) Information in the central abuse hotline may not be
108 used for employment screening, except as provided in s.
109 39.202(2) (a) and (h) or s. 402.302(15). Information in the
110 central abuse hotline and the department's automated abuse
111 information system may be used by the department, its authorized
112 agents or contract providers, the Department of Health, or
113 county agencies as part of the licensure or registration process
114 pursuant to ss. 402.301-402.319 and ss. 409.175-409.176.

115 Section 2. Paragraph (a) of subsection (2) of section
116 39.202, Florida Statutes, is amended to read:

117 39.202 Confidentiality of reports and records in cases of
118 child abuse or neglect.—

119 (2) Except as provided in subsection (4), access to such
120 records, excluding the name of the reporter which shall be
121 released only as provided in subsection (5), shall be granted
122 only to the following persons, officials, and agencies:

123 (a) Employees, authorized agents, or contract providers of
124 the department, the Department of Health, the Agency for Persons
125 with Disabilities, the Office of Early Learning, or county
126 agencies responsible for carrying out:

- 127 1. Child or adult protective investigations;
- 128 2. Ongoing child or adult protective services;
- 129 3. Early intervention and prevention services;
- 130 4. Healthy Start services;



131 5. Licensure or approval of adoptive homes, foster homes,
 132 child care facilities, facilities licensed under chapter 393, ~~or~~
 133 family day care homes, or informal child care providers who
 134 receive school readiness funding under part VI of chapter 1002,
 135 or other homes used to provide for the care and welfare of
 136 children; or

137 6. Services for victims of domestic violence when provided
 138 by certified domestic violence centers working at the
 139 department's request as case consultants or with shared clients.

140
 141 Also, employees or agents of the Department of Juvenile Justice
 142 responsible for the provision of services to children, pursuant
 143 to chapters 984 and 985.

144 Section 3. Subsections (2) and (3) of section 383.141,
 145 Florida Statutes, are amended to read:

146 383.141 Prenatally diagnosed conditions; patient to be
 147 provided information; definitions; information clearinghouse;
 148 advisory council.-

149 (2) When a developmental disability is diagnosed based on
 150 the results of a prenatal test, the health care provider who
 151 ordered the prenatal test, or his or her designee, shall provide
 152 the patient with current information about the nature of the
 153 developmental disability, the accuracy of the prenatal test, and
 154 resources for obtaining relevant support services, including
 155 hotlines, resource centers, and information clearinghouses
 156 related to Down syndrome or other prenatally diagnosed



157 developmental disabilities; support programs for parents and
158 families; and developmental evaluation and intervention services
159 under this part ~~s. 391.303~~.

160 (3) The Department of Health shall develop and implement a
161 comprehensive information clearinghouse to educate health care
162 providers, inform parents, and increase public awareness
163 regarding brain development, developmental disabilities and
164 delays, and all services, resources, and interventions available
165 to mitigate the effects of impaired development among children.
166 The clearinghouse must use the term "unique abilities" as much
167 as possible when identifying infants or children with
168 developmental disabilities and delays. The clearinghouse must
169 provide:

170 (a) Health information on conditions that may lead to
171 impaired development of physical, learning, language, or
172 behavioral skills.

173 (b) Education and information to support parents whose
174 unborn children have been prenatally diagnosed with
175 developmental disabilities or whose children have diagnosed or
176 suspected developmental delays.

177 (c) Education and training for health care providers to
178 recognize and respond appropriately to developmental
179 disabilities, delays, and conditions related to disabilities or
180 delays. Specific information approved by the advisory council
181 shall be made available to health care providers for use in
182 counseling parents whose unborn children have been prenatally



183 diagnosed with developmental disabilities or whose children have
184 diagnosed or suspected developmental delays.

185 (d) Promotion of public awareness of availability of
186 supportive services, such as resource centers, educational
187 programs, other support programs for parents and families, and
188 developmental evaluation and intervention services.

189 (e) Hotlines specific to Down syndrome and other
190 prenatally diagnosed developmental disabilities. The hotlines
191 and the department's clearinghouse must provide information to
192 parents and families or other caregivers regarding the Early
193 Steps Program under s. 391.301, the Florida Diagnostic and
194 Learning Resources System, the Early Learning program, Healthy
195 Start, Help Me Grow, and any other intervention programs.
196 Information offered must include directions on how to obtain
197 early intervention, rehabilitative, and habilitative services
198 and devices ~~establish on its Internet website a clearinghouse of~~
199 ~~information related to developmental disabilities concerning~~
200 ~~providers of supportive services, information hotlines specific~~
201 ~~to Down syndrome and other prenatally diagnosed developmental~~
202 ~~disabilities, resource centers, educational programs, other~~
203 ~~support programs for parents and families, and developmental~~
204 ~~evaluation and intervention services under s. 391.303. Such~~
205 ~~information shall be made available to health care providers for~~
206 ~~use in counseling pregnant women whose unborn children have been~~
207 ~~prenatally diagnosed with developmental disabilities.~~

208 (4) (a) There is established an advisory council within the



209 Department of Health which consists of health care providers and
210 caregivers who perform health care services for persons who have
211 developmental disabilities, including Down syndrome and autism.
212 This group shall consist of nine members as follows:

- 213 1. Three members appointed by the Governor;
- 214 2. Three members appointed by the President of the Senate;
- 215 and
- 216 3. Three members appointed by the Speaker of the House of
217 Representatives.

218 (b) The advisory council shall provide technical
219 assistance to the Department of Health in the establishment of
220 the information clearinghouse and give the department the
221 benefit of the council members' knowledge and experience
222 relating to the needs of patients and families of patients with
223 developmental disabilities and available support services.

224 (c) Members of the council shall elect a chairperson and a
225 vice chairperson. The elected chairperson and vice chairperson
226 shall serve in these roles until their terms of appointment on
227 the council expire.

228 (d) The advisory council shall meet quarterly to review
229 this clearinghouse of information, and may meet more often at
230 the call of the chairperson or as determined by a majority of
231 members.

232 (e) The council members shall be appointed to 4-year
233 terms, except that, to provide for staggered terms, one initial
234 appointee each from the Governor, the President of the Senate,



235 and the Speaker of the House of Representatives shall be
 236 appointed to a 2-year term, one appointee each from these
 237 officials shall be appointed to a 3-year term, and the remaining
 238 initial appointees shall be appointed to 4-year terms. All
 239 subsequent appointments shall be for 4-year terms. A vacancy
 240 shall be filled for the remainder of the unexpired term in the
 241 same manner as the original appointment.

242 (f) Members of the council shall serve without
 243 compensation. Meetings of the council may be held in person,
 244 without reimbursement for travel expenses, or by teleconference
 245 or other electronic means.

246 (g) The Department of Health shall provide administrative
 247 support for the advisory council.

248 Section 4. Paragraph (c) of subsection (1) of section
 249 391.025, Florida Statutes, is amended to read:

250 391.025 Applicability and scope.—

251 (1) The Children's Medical Services program consists of
 252 the following components:

253 (c) The developmental evaluation and intervention program,
 254 including the Early Steps ~~Florida Infants and Toddlers Early~~
 255 ~~Intervention~~ Program.

256 Section 5. Subsection (19) is added to section 391.026,
 257 Florida Statutes, to read:

258 391.026 Powers and duties of the department.—The
 259 department shall have the following powers, duties, and
 260 responsibilities:



261 (19) To serve as the lead agency in administering the
262 Early Steps Program pursuant to part C of the federal
263 Individuals with Disabilities Education Act and part III of this
264 chapter.

265 Section 6. Section 391.301, Florida Statutes, is amended
266 to read:

267 391.301 Early Steps Program; establishment and goals
268 ~~Developmental evaluation and intervention programs; legislative~~
269 ~~findings and intent.-~~

270 (1) The Early Steps Program is established within the
271 department to serve infants and toddlers who are at risk of
272 developmental disabilities based on a physical or mental
273 condition and infants and toddlers with developmental delays by
274 providing developmental evaluation and early intervention and by
275 providing families with training and support services in a
276 variety of home and community settings in order to enhance
277 family and caregiver competence, confidence, and capacity to
278 meet their child's developmental needs and desired outcomes ~~The~~
279 ~~Legislature finds that the high-risk and disabled newborn~~
280 ~~infants in this state need in-hospital and outpatient~~
281 ~~developmental evaluation and intervention and that their~~
282 ~~families need training and support services. The Legislature~~
283 ~~further finds that there is an identifiable and increasing~~
284 ~~number of infants who need developmental evaluation and~~
285 ~~intervention and family support due to the fact that increased~~
286 ~~numbers of low birthweight and sick full-term newborn infants~~



287 ~~are now surviving because of the advances in neonatal intensive~~
288 ~~care medicine; increased numbers of medically involved infants~~
289 ~~are remaining inappropriately in hospitals because their parents~~
290 ~~lack the confidence or skills to care for these infants without~~
291 ~~support; and increased numbers of infants are at risk due to~~
292 ~~parent risk factors, such as substance abuse, teenage pregnancy,~~
293 ~~and other high-risk conditions.~~

294 (2) The program may include screening and referral ~~It is~~
295 ~~the intent of the Legislature to establish developmental~~
296 ~~evaluation and intervention services at all hospitals providing~~
297 ~~Level II or Level III neonatal intensive care services, in order~~
298 to promptly identify newborns with disabilities or with
299 conditions associated with risks of developmental delays so that
300 ~~families with high-risk or disabled infants may gain as early as~~
301 possible the services and skills they need to support their
302 infants' development infants.

303 (3) The program must ~~It is the intent of the Legislature~~
304 ~~that a methodology be developed to integrate information and~~
305 coordinate services ~~on infants with potentially disabling~~
306 ~~conditions with other programs serving infants and toddlers~~
307 early intervention programs, including, but not limited to, Part
308 C of Pub. L. No. 105-17 and the Healthy Start program, the
309 newborn screening program, and the Blind Babies Program.

310 (4) The program must:

311 (a) Provide services to enhance the development of infants
312 and toddlers with disabilities and delays.



313 (b) Expand the recognition by health care providers,
314 families, and the public of the significant brain development
315 that occurs during a child's first 3 years of life.

316 (c) Maintain the importance of the family in all areas of
317 the child's development and support the family's participation
318 in early intervention services and decisions affecting the
319 child.

320 (d) Operate a comprehensive, coordinated interagency
321 system of early intervention services and supports in accordance
322 with part C of the federal Individuals with Disabilities
323 Education Act.

324 (e) Ensure timely evaluation, individual planning, and
325 early intervention services necessary to meet the unique needs
326 of eligible infants and toddlers.

327 (f) Build the service capacity and enhance the
328 competencies of health care providers serving infants and
329 toddlers with unique needs and abilities.

330 (g) Ensure programmatic and fiscal accountability through
331 establishment of a high-capacity data system, active monitoring
332 of performance indicators, and ongoing quality improvement.

333 Section 7. Section 391.302, Florida Statutes, is amended
334 to read:

335 391.302 Definitions.—As used in ss. 391.301-391.308 ~~ss.~~
336 ~~391.301-391.307~~, the term:

337 (1) "Developmental delay" means a condition, identified
338 and measured through appropriate instruments and procedures,



339 which may delay physical, cognitive, communication, social or
340 emotional, or adaptive development.

341 (2) "Developmental disability" means a condition,
342 identified and measured through appropriate instruments and
343 procedures, which may impair physical, cognitive, communication,
344 social or emotional, or adaptive development.

345 (3) "Developmental intervention" or "early intervention"
346 means individual and group ~~individualized~~ therapies and services
347 needed to enhance both the infant's or toddler's growth and
348 development and family functioning. The term includes
349 habilitative services and assistive technology devices,
350 rehabilitative services and assistive technology devices, and
351 parent support and training.

352 (4) "Habilitative services and devices" means health care
353 services and assistive technology devices that help a child
354 maintain, learn, or improve skills and functioning for daily
355 living.

356 (5)-(2) "Infant or toddler" or "child" means a child from
357 birth until the child's third birthday.

358 (6) "Local program office" means an office that
359 administers the Early Steps Program within a municipality,
360 county, or region.

361 (7) "Rehabilitative services and devices" means
362 restorative and remedial services that maintain or enhance the
363 current level of functioning of a child if there is a
364 possibility of improvement or reversal of impairment.



CS/HB 7053, Engrossed 2

2016

365 ~~(3) "In-hospital intervention services" means the~~
366 ~~provision of assessments; the provision of individualized~~
367 ~~services; monitoring and modifying the delivery of medical~~
368 ~~interventions; and enhancing the environment for the high-risk,~~
369 ~~developmentally disabled, or medically involved infant or~~
370 ~~toddler in order to achieve optimum growth and development.~~

371 ~~(4) "Parent support and training" means a range of~~
372 ~~services to families of high risk, developmentally disabled, or~~
373 ~~medically involved infants or toddlers, including family~~
374 ~~counseling; financial planning; agency referral; development of~~
375 ~~parent-to-parent support groups; education concerning growth,~~
376 ~~development, and developmental intervention and objective~~
377 ~~measurable skills, including abuse avoidance skills; training of~~
378 ~~parents to advocate for their child; and bereavement counseling.~~

379 Section 8. Sections 391.303, 391.304, 391.305, 391.306,
380 and 391.307, Florida Statutes, are repealed.

381 Section 9. Section 391.308, Florida Statutes, is amended
382 to read:

383 391.308 Early Steps ~~Infants and Toddlers Early~~
384 ~~Intervention Program.~~—The department shall ~~Department of Health~~
385 ~~may~~ implement and administer part C of the federal Individuals
386 with Disabilities Education Act (IDEA), which shall be known as
387 the "Early Steps ~~"Florida Infants and Toddlers Early~~
388 ~~Intervention Program."~~

389 (1) PERFORMANCE STANDARDS.—The department shall ensure
390 that the Early Steps Program complies with the following



391 performance standards:

392 (a) The program must provide services from referral
393 through transition in a family-centered manner that recognizes
394 and responds to unique circumstances and needs of infants and
395 toddlers and their families as measured by a variety of
396 qualitative data, including satisfaction surveys, interviews,
397 focus groups, and input from stakeholders.

398 (b) The program must provide individualized family support
399 plans that are understandable and usable by families, health
400 care providers, and payers and that identify the current level
401 of functioning of the infant or toddler, family supports and
402 resources, expected outcomes, and specific early intervention
403 services needed to achieve the expected outcomes, as measured by
404 periodic system independent evaluation.

405 (c) The program must help each family to use available
406 resources in a way that maximizes the child's access to services
407 necessary to achieve the outcomes of the individualized family
408 support plan, as measured by family feedback and by independent
409 assessments of services used by each child.

410 (d) The program must offer families access to quality
411 services that effectively enable infants and toddlers with
412 developmental disabilities and developmental delays to achieve
413 optimal functional levels as measured by an independent
414 evaluation of outcome indicators in social or emotional skills,
415 communication, and adaptive behaviors.

416 (2) DUTIES OF THE DEPARTMENT.—The department shall:7



417 (a) ~~Jointly with the Department of Education, shall~~
418 Annually prepare a grant application to the United States
419 Department of Education for funding early intervention services
420 for infants and toddlers with disabilities, from birth through
421 36 months of age, and their families pursuant to part C of the
422 federal Individuals with Disabilities Education Act.

423 (b) ~~(2) The department,~~ Jointly with the Department of
424 Education, provide ~~shall include~~ a reading initiative as an
425 early intervention service for infants and toddlers.

426 (c) Annually develop a state plan for the Early Steps
427 Program.

428 1. The plan must assess the need for early intervention
429 services, evaluate the extent of the statewide need that is met
430 by the program, identify barriers to fully meeting the need, and
431 recommend specific action steps to improve program performance.

432 2. The plan must be developed through an inclusive process
433 that involves families, local program offices, health care
434 providers, and other stakeholders.

435 (d) Ensure local program offices educate hospitals that
436 provide Level II and Level III neonatal intensive care services
437 about the Early Steps Program and the referral process for the
438 provision of developmental evaluation and intervention services.

439 (e) Establish standards and qualifications for
440 developmental evaluation and early intervention service
441 providers, including standards for determining the adequacy of
442 provider networks in each local program office service area.



443 (f) Establish statewide uniform protocols and procedures
444 to determine eligibility for developmental evaluation and early
445 intervention services.

446 (g) Establish a consistent, statewide format and procedure
447 for preparing and completing an individualized family support
448 plan.

449 (h) Promote interagency cooperation and coordination, with
450 the Medicaid program, the Department of Education program
451 pursuant to part B of the federal Individuals with Disabilities
452 Education Act, and programs providing child screening such as
453 the Florida Diagnostic and Learning Resources System, the Office
454 of Early Learning, Healthy Start, and the Help Me Grow program.

455 1. Coordination with the Medicaid program shall be
456 developed and maintained through written agreements with the
457 Agency for Health Care Administration and Medicaid managed care
458 organizations as well as through active and ongoing
459 communication with these organizations. The department shall
460 assist local program offices to negotiate agreements with
461 Medicaid managed care organizations in the service areas of the
462 local program offices. Such agreements may be formal or
463 informal.

464 2. Coordination with education programs pursuant to part B
465 of the federal Individuals with Disabilities Education Act shall
466 be developed and maintained through written agreements with the
467 Department of Education. The department shall assist local
468 program offices to negotiate agreements with school districts in



469 the service areas of the local program offices.

470 (i) Develop and disseminate the knowledge and methods
471 necessary to effectively coordinate benefits among various payer
472 types.

473 (j) Provide a mediation process and if necessary, an
474 appeals process for applicants found ineligible for
475 developmental evaluation or early intervention services or
476 denied financial support for such services.

477 (k) Competitively procure local program offices to provide
478 services throughout the state in accordance with chapter 287.
479 The department shall specify the requirements and qualifications
480 for local program offices in the procurement document.

481 (l) Establish performance standards and other metrics for
482 evaluation of local program offices, including standards for
483 measuring timeliness of services, outcomes of early intervention
484 services, and administrative efficiency. Performance standards
485 and metrics shall be developed in consultation with local
486 program offices.

487 (m) Provide technical assistance to the local program
488 offices.

489 (3) ELIGIBILITY.—The department shall apply the following
490 eligibility criteria if specific funding is provided, and the
491 associated applicable eligibility criteria are identified, in
492 the General Appropriations Act:

493 (a) Infants and toddlers are eligible for an evaluation to
494 determine the presence of a developmental disability or the risk



495 of a developmental delay based on a physical or medical
496 condition.

497 (b) Infants and toddlers determined to have a
498 developmental delay based on informed clinical opinion and an
499 evaluation using a standard evaluation instrument which results
500 in a score that is 1.5 standard deviations from the mean in two
501 or more of the following domains: physical, cognitive,
502 communication, social or emotional, and adaptive.

503 (c) Infants and toddlers determined to have a
504 developmental delay based on informed clinical opinion and an
505 evaluation using a standard evaluation instrument which results
506 in a score that is 2.0 standard deviations from the mean in one
507 of the following domains: physical, cognitive, communication,
508 social or emotional, and adaptive.

509 (d) Infants and toddlers determined to have a
510 developmental delay based on informed clinical opinion and an
511 evaluation using a standard evaluation instrument which results
512 in a score that is 1.5 standard deviations from the mean in one
513 or more of the following domains: physical, cognitive,
514 communication, social or emotional, and adaptive.

515 (e) Infants and toddlers determined to have a
516 developmental delay based on informed clinical opinion.

517 (f) Infants and toddlers at risk of developmental delay
518 based on an established condition known to result in
519 developmental delay, or a physical or mental condition known to
520 create a risk of developmental delay.



521 (4) DUTIES OF THE LOCAL PROGRAM OFFICES.—A local program
522 office shall:

523 (a) Evaluate a child to determine eligibility within 45
524 calendar days after the child is referred to the program.

525 (b) Notify the parent or legal guardian of his or her
526 child's eligibility status initially and at least annually
527 thereafter. If a child is determined not to be eligible, the
528 local program office must provide the parent or legal guardian
529 with written information on the right to an appeal and the
530 process for making such an appeal.

531 (c) Secure and maintain interagency agreements or
532 contracts with local school districts in a local service area.

533 (d) Provide services directly or procure services from
534 health care providers that meet or exceed the minimum
535 qualifications established for service providers. The local
536 program office must become a Medicaid provider if it provides
537 services directly.

538 (e) Provide directly or procure services that are, to the
539 extent possible, delivered in a child's natural environment,
540 such as in the child's home or community setting. The inability
541 to provide services in the natural environment is not a
542 sufficient reason to deny services.

543 (f) Develop an individualized family support plan for each
544 child served. The plan must:

545 1. Be completed within 45 calendar days after the child is
546 referred to the program;



547 2. Be developed in conjunction with the child's parent or
548 legal guardian who provides written consent for the services
549 included in the plan;

550 3. Be reviewed at least every 6 months with the parent or
551 legal guardian and updated if needed; and

552 4. Include steps to transition to school or other future
553 services by the child's third birthday.

554 (g) Assess the progress of the child and his or her family
555 in meeting the goals of the individualized family support plan.

556 (h) For each service required by the individualized family
557 support plan, refer the child to an appropriate service provider
558 or work with Medicaid managed care organizations or private
559 insurers to secure the needed services.

560 (i) Provide service coordination, including contacting the
561 appropriate service provider to determine whether the provider
562 can timely deliver the service, providing the parent or legal
563 guardian with the name and contact information of the service
564 provider and the date and location of the service of any
565 appointment made on behalf of the child, and contacting the
566 parent or legal guardian after the service is provided to ensure
567 that the service is timely delivered and to determine whether
568 the family requests additional services.

569 (j) Negotiate and maintain agreements with Medicaid
570 providers and Medicaid managed care organizations in its area.

571 1. With the parent's or legal guardian's permission, the
572 services in the child's approved individualized family support



573 plan shall be communicated to the Medicaid managed care
574 organization. Services that cannot be funded by Medicaid must be
575 specifically identified and explained to the family.

576 2. The agreement between the local program office and
577 Medicaid managed care organizations must establish methods of
578 communication and procedures for the timely approval of services
579 covered by Medicaid.

580 (k) Develop agreements and arrangements with private
581 insurers in order to coordinate benefits and services for any
582 mutual enrollee.

583 1. The child's approved individualized family support plan
584 may be communicated to the child's insurer with the parent's or
585 legal guardian's permission.

586 2. The local program office and private insurers shall
587 establish methods of communication and procedures for the timely
588 approval of services covered by the child's insurer, if
589 appropriate and approved by the child's parent or legal
590 guardian.

591 (1) Provide to the department data necessary for an
592 evaluation of the local program office performance.

593 (5) ACCOUNTABILITY REPORTING.—By December 1 of each year,
594 the department shall prepare and submit a report that assesses
595 the performance of the Early Steps Program to the Governor, the
596 President of the Senate, the Speaker of the House of
597 Representatives, and the Florida Interagency Coordinating
598 Council for Infants and Toddlers. The department must address



599 the performance standards in subsection (1) and report actual
600 performance compared to the standards for the prior fiscal year.
601 The data used to compile the report must be submitted by each
602 local program office in the state. The department shall report
603 on all of the following measures:

604 (a) Number and percentage of infants and toddlers served
605 with an individualized family support plan.

606 (b) Number and percentage of infants and toddlers
607 demonstrating improved social or emotional skills after the
608 program.

609 (c) Number and percentage of infants and toddlers
610 demonstrating improved use of knowledge and cognitive skills
611 after the program.

612 (d) Number and percentage of families reporting positive
613 outcomes in their infant's and toddler's development as a result
614 of early intervention services.

615 (e) Progress toward meeting the goals of individualized
616 family support plans.

617 (f) Any additional measures established by the department.

618 (6) STATE INTERAGENCY COORDINATING COUNCIL.—The Florida
619 Interagency Coordinating Council for Infants and Toddlers shall
620 serve as the state interagency coordinating council required by
621 34 C.F.R. s. 303.600. The council shall be housed for
622 administrative purposes in the department, and the department
623 shall provide administrative support to the council.

624 (7) TRANSITION TO EDUCATION.—



625 (a) At least 90 days before a child reaches 3 years of
626 age, the local program office shall initiate transition planning
627 to ensure the child's successful transition from the Early Steps
628 Program to a school district program for children with
629 disabilities or to another program as part of an individual
630 family support plan.

631 (b) At least 90 days before a child reaches 3 years of
632 age, the local program office shall:

633 1. Notify the local school district in which the child
634 resides and the Department of Education that the child may be
635 eligible for special education or related services as determined
636 by the local school district pursuant to ss. 1003.21 and
637 1003.57, unless the child's parent or legal guardian has opted
638 out of such notification; and

639 2. Upon approval by the child's parent or legal guardian,
640 convene a transition conference that includes participation of a
641 local school district representative and the parent or legal
642 guardian to discuss options for and availability of services.

643 (c) The local school district shall evaluate and determine
644 a child's eligibility to receive special education or related
645 services pursuant to part B of the federal Individuals with
646 Disabilities Education Act and ss. 1003.21 and 1003.57.

647 (d) The local program office, in conjunction with the
648 local school district, shall modify a child's individual family
649 support plan or, if applicable, the local school district shall
650 develop an individual education plan for the child pursuant to



CS/HB 7053, Engrossed 2

2016

651 ss. 1003.57, 1003.571, and 1003.5715, which identifies special
652 education or related services that the child will receive and
653 the providers or agencies that will provide such services.

654 (e) If a child is determined to be ineligible for school
655 district program services, the local program office and the
656 local school district shall provide the child's parent or legal
657 guardian with written information on other available services or
658 community resources.

659 (f) The local program office shall negotiate and maintain
660 an interagency agreement with each local school district in its
661 service area pursuant to the Individuals with Disabilities
662 Education Act, 20 U.S.C. s. 1435(a)(10)(F). Each interagency
663 agreement must be reviewed at least annually and updated upon
664 review, if needed.

665 Section 10. Subsection (15) of section 402.302, Florida
666 Statutes, is amended to read:

667 402.302 Definitions.—As used in this chapter, the term:

668 (15) "Screening" means the act of assessing the background
669 of child care personnel, in accordance with state and federal
670 law, and volunteers and includes, but is not limited to:7

671 (a) Employment history checks, including documented
672 attempts to contact each employer that employed the applicant
673 within the preceding 5 years and documentation of the findings.

674 (b) A search of the criminal history records, sexual
675 predator and sexual offender registry, and child abuse and
676 neglect registry of any state in which the applicant resided



677 during the preceding 5 years.

678

679 An applicant must submit a full set of fingerprints to the
680 department or to a vendor, entity, or agency authorized by s.
681 943.053(13). The department, vendor, entity, or agency shall
682 forward the fingerprints to ~~local criminal records checks~~
683 ~~through local law enforcement agencies, fingerprinting for all~~
684 ~~purposes and checks in this subsection, statewide criminal~~
685 ~~records checks through the Department of Law Enforcement for~~
686 state processing, and the Department of Law Enforcement shall
687 forward the fingerprints to ~~federal criminal records checks~~
688 through the Federal Bureau of Investigation for national
689 processing. Fingerprint submission must comply with s. 435.12.

690 Section 11. Section 402.3057, Florida Statutes, is
691 repealed.

692 Section 12. Subsection (3) of section 402.306, Florida
693 Statutes, is amended to read:

694 402.306 Designation of licensing agency; dissemination by
695 the department and local licensing agency of information on
696 child care.—

697 (3) The department and local licensing agencies, or the
698 designees thereof, shall be responsible for coordination and
699 dissemination of information on child care to the community and
700 shall make available through electronic means ~~upon request~~ all
701 licensing standards and procedures, health and safety standards
702 for school readiness providers, monitoring and inspection



CS/HB 7053, Engrossed 2

2016

703 reports, and ~~in addition to~~ the names and addresses of licensed
704 child care facilities, school readiness program providers, and,
705 where applicable pursuant to s. 402.313, licensed or registered
706 family day care homes. This information shall also include the
707 number of deaths, serious injuries, and instances of
708 substantiated child abuse that have occurred in child care
709 settings each year; research and best practices in child
710 development; and resources regarding social-emotional
711 development, parent and family engagement, healthy eating, and
712 physical activity.

713 Section 13. Section 402.311, Florida Statutes, is amended
714 to read:

715 402.311 Inspection.—

716 (1) A licensed child care facility shall accord to the
717 department or the local licensing agency, whichever is
718 applicable, the privilege of inspection, including access to
719 facilities and personnel and to those records required in s.
720 402.305, at reasonable times during regular business hours, to
721 ensure compliance with ~~the provisions of~~ ss. 402.301-402.319.
722 The right of entry and inspection shall also extend to any
723 premises which the department or local licensing agency has
724 reason to believe are being operated or maintained as a child
725 care facility without a license, but no such entry or inspection
726 of any premises shall be made without the permission of the
727 person in charge thereof unless a warrant is first obtained from
728 the circuit court authorizing such entry or inspection ~~same~~. Any



729 application for a license or renewal made pursuant to this act
730 or the advertisement to the public for the provision of child
731 care as defined in s. 402.302 shall constitute permission for
732 any entry or inspection of the premises for which the license is
733 sought in order to facilitate verification of the information
734 submitted on or in connection with the application. In the event
735 a licensed facility refuses permission for entry or inspection
736 to the department or local licensing agency, a warrant shall be
737 obtained from the circuit court authorizing entry or inspection
738 before ~~same prior to~~ such entry or inspection. The department or
739 local licensing agency may institute disciplinary proceedings
740 pursuant to s. 402.310~~7~~ for such refusal.

741 (2) A school readiness program provider shall accord to
742 the department or the local licensing agency, whichever is
743 applicable, the privilege of inspection, including access to
744 facilities, personnel, and records, to verify compliance with
745 the requirements of s. 1002.88. Entry, inspection, and issuance
746 of an inspection report by the department or the local licensing
747 agency to verify compliance with the requirements of s. 1002.88
748 is an exercise of a discretionary power to enforce compliance
749 with the laws duly enacted by a governmental body.

750 (3) The department's issuance, transmittal, or publication
751 of an inspection report resulting from an inspection under this
752 section does not constitute agency action subject to chapter
753 120.

754 Section 14. Subsection (3) is added to section 402.319,



755 Florida Statutes, to read:

756 402.319 Penalties.—

757 (3) Each child care facility, family day care home, and
758 large family child care home shall annually submit an affidavit
759 of compliance with s. 39.201.

760 Section 15. Paragraph (c) is added to subsection (4) of
761 section 435.07, Florida Statutes, to read:

762 435.07 Exemptions from disqualification.—Unless otherwise
763 provided by law, the provisions of this section apply to
764 exemptions from disqualification for disqualifying offenses
765 revealed pursuant to background screenings required under this
766 chapter, regardless of whether those disqualifying offenses are
767 listed in this chapter or other laws.

768 (4)

769 (c) Disqualification from employment under this chapter
770 may not be removed from, and an exemption may not be granted to,
771 any current or prospective child care personnel of a provider
772 receiving school readiness funding under part VI of chapter
773 1002, and such a person is disqualified from employment as child
774 care personnel with such providers, regardless of any prior
775 exemptions from disqualification, if the person has been
776 registered as a sex offender as described in 42 U.S.C. s.
777 9858f(c) (1) (C) or has been arrested for and is awaiting final
778 disposition of, has been convicted or found guilty of, or
779 entered a plea of guilty or nolo contendere to, regardless of
780 adjudication, or has been adjudicated delinquent and the record



781 has not been sealed or expunged for, any offense prohibited
782 under any of the following provisions of state law or a similar
783 law of another jurisdiction:

784 1. A felony offense prohibited under any of the following
785 statutes:

786 a. Chapter 741, relating to domestic violence.

787 b. Section 782.04, relating to murder.

788 c. Section 782.07, relating to manslaughter, aggravated
789 manslaughter of an elderly person or disabled adult, aggravated
790 manslaughter of a child, or aggravated manslaughter of an
791 officer, a firefighter, an emergency medical technician, or a
792 paramedic.

793 d. Section 784.021, relating to aggravated assault.

794 e. Section 784.045, relating to aggravated battery.

795 f. Section 787.01, relating to kidnapping.

796 g. Section 787.025, relating to luring or enticing a
797 child.

798 h. Section 787.04(2), relating to leading, taking,
799 enticing, or removing a minor beyond the state limits, or
800 concealing the location of a minor, with criminal intent pending
801 custody proceedings.

802 i. Section 787.04(3), relating to leading, taking,
803 enticing, or removing a minor beyond the state limits, or
804 concealing the location of a minor, with criminal intent pending
805 dependency proceedings or proceedings concerning alleged abuse
806 or neglect of a minor.



- 807 j. Section 794.011, relating to sexual battery.
- 808 k. Former s. 794.041, relating to sexual activity with or
- 809 solicitation of a child by a person in familial or custodial
- 810 authority.
- 811 l. Section 794.05, relating to unlawful sexual activity
- 812 with certain minors.
- 813 m. Section 794.08, relating to female genital mutilation.
- 814 n. Section 806.01, relating to arson.
- 815 o. Section 826.04, relating to incest.
- 816 p. Section 827.03, relating to child abuse, aggravated
- 817 child abuse, or neglect of a child.
- 818 q. Section 827.04, relating to contributing to the
- 819 delinquency or dependency of a child.
- 820 r. Section 827.071, relating to sexual performance by a
- 821 child.
- 822 s. Chapter 847, relating to child pornography.
- 823 t. Section 985.701, relating to sexual misconduct in
- 824 juvenile justice programs.
- 825 2. A misdemeanor offense prohibited under any of the
- 826 following statutes:
- 827 a. Section 784.03, relating to battery, if the victim of
- 828 the offense was a minor.
- 829 b. Section 787.025, relating to luring or enticing a
- 830 child.
- 831 c. Chapter 847, relating to child pornography.
- 832 3. A criminal act committed in another state or under



CS/HB 7053, Engrossed 2

2016

833 federal law which, if committed in this state, constitutes an
834 offense prohibited under any statute listed in subparagraph 1.
835 or subparagraph 2.

836 Section 16. Paragraph (i) of subsection (2) of section
837 1002.82, Florida Statutes, is amended, and paragraphs (s)
838 through (x) are added to that subsection, to read:

839 1002.82 Office of Early Learning; powers and duties.—

840 (2) The office shall:

841 (i) Enter into a memorandum of understanding with local
842 licensing agencies and Develop, in coordination with the Child
843 Care Services Program Office of the Department of Children and
844 Families for inspections of school readiness program providers
845 to monitor and verify compliance with s. 1002.88 and the health
846 and safety checklist adopted by the office. The provider
847 contract of a school readiness program provider that refuses
848 permission for entry or inspection shall be terminated. The, and
849 adopt a health and safety checklist may to be completed by
850 license-exempt providers that does not exceed the requirements
851 of s. 402.305 and the Child Care and Development Fund pursuant
852 to 45 C.F.R. part 98.

853 (s) Develop and implement strategies to increase the
854 supply and improve the quality of child care services for
855 infants and toddlers, children with disabilities, children who
856 receive care during nontraditional hours, children in
857 underserved areas, and children in areas that have significant
858 concentrations of poverty and unemployment.



CS/HB 7053, Engrossed 2

2016

859 (t) Establish preservice and inservice training
860 requirements that address, at a minimum, school readiness child
861 development standards, health and safety requirements, and
862 social-emotional behavior intervention models, which may include
863 positive behavior intervention and support models.

864 (u) Establish standards for emergency preparedness plans
865 for school readiness program providers.

866 (v) Establish group sizes.

867 (w) Establish staff-to-children ratios that do not exceed
868 the requirements of s. 402.302(8) or (11) or s. 402.305(4), as
869 applicable, for school readiness program providers.

870 (x) Establish eligibility criteria, including limitations
871 based on income and family assets, in accordance with s. 1002.87
872 and federal law.

873 Section 17. Subsections (7) and (8) of section 1002.84,
874 Florida Statutes, are amended to read:

875 1002.84 Early learning coalitions; school readiness powers
876 and duties.—Each early learning coalition shall:

877 (7) Determine child eligibility pursuant to s. 1002.87 and
878 provider eligibility pursuant to s. 1002.88. ~~At a minimum, Child~~
879 ~~eligibility must be redetermined annually. Redetermination must~~
880 ~~also be conducted twice per year for an additional 50 percent of~~
881 ~~a coalition's enrollment through a statistically valid random~~
882 ~~sampling.~~ A coalition must document the reason ~~why~~ a child is no
883 longer eligible for the school readiness program according to
884 the standard codes prescribed by the office.



885 (8) Establish a parent sliding fee scale that provides for
886 ~~requires~~ a parent copayment that is not a barrier to families
887 receiving ~~to participate in the~~ school readiness program
888 services. Providers are required to collect the parent's
889 copayment. A coalition may, on a case-by-case basis, waive the
890 copayment for an at-risk child or temporarily waive the
891 copayment for a child whose family's income is at or below the
892 federal poverty level and whose family experiences a natural
893 disaster or an event that limits the parent's ability to pay,
894 such as incarceration, placement in residential treatment, or
895 becoming homeless, or an emergency situation such as a household
896 fire or burglary, or while the parent is participating in
897 parenting classes. A parent may not transfer school readiness
898 program services to another school readiness program provider
899 until the parent has submitted documentation from the current
900 school readiness program provider to the early learning
901 coalition stating that the parent has satisfactorily fulfilled
902 the copayment obligation.

903 Section 18. Subsections (1), (4), (5), and (6) of section
904 1002.87, Florida Statutes, are amended to read:

905 1002.87 School readiness program; eligibility and
906 enrollment.—

907 (1) ~~Effective August 1, 2013, or upon reevaluation of~~
908 ~~eligibility for children currently served, whichever is later,~~
909 Each early learning coalition shall give priority for
910 participation in the school readiness program as follows:



911 (a) Priority shall be given first to a child younger than
912 13 years of age from a family that includes a parent who is
913 receiving temporary cash assistance under chapter 414 and
914 subject to the federal work requirements.

915 (b) Priority shall be given next to an at-risk child
916 younger than 9 years of age.

917 (c) Priority shall be given next to a child from birth to
918 the beginning of the school year for which the child is eligible
919 for admission to kindergarten in a public school under s.
920 1003.21(1)(a)2. who is from a working family that is
921 economically disadvantaged, and may include such child's
922 eligible siblings, beginning with the school year in which the
923 sibling is eligible for admission to kindergarten in a public
924 school under s. 1003.21(1)(a)2. until the beginning of the
925 school year in which the sibling is eligible to begin 6th grade,
926 provided that the first priority for funding an eligible sibling
927 is local revenues available to the coalition for funding direct
928 services. ~~However, a child eligible under this paragraph ceases~~
929 ~~to be eligible if his or her family income exceeds 200 percent~~
930 ~~of the federal poverty level.~~

931 (d) Priority shall be given next to a child of a parent
932 who transitions from the work program into employment as
933 described in s. 445.032 from birth to the beginning of the
934 school year for which the child is eligible for admission to
935 kindergarten in a public school under s. 1003.21(1)(a)2.

936 (e) Priority shall be given next to an at-risk child who



937 is at least 9 years of age but younger than 13 years of age. An
938 at-risk child whose sibling is enrolled in the school readiness
939 program within an eligibility priority category listed in
940 paragraphs (a)-(c) shall be given priority over other children
941 who are eligible under this paragraph.

942 (f) Priority shall be given next to a child who is younger
943 than 13 years of age from a working family that is economically
944 disadvantaged. A child who is eligible under this paragraph
945 whose sibling is enrolled in the school readiness program under
946 paragraph (c) shall be given priority over other children who
947 are eligible under this paragraph. ~~However, a child eligible~~
948 ~~under this paragraph ceases to be eligible if his or her family~~
949 ~~income exceeds 200 percent of the federal poverty level.~~

950 (g) Priority shall be given next to a child of a parent
951 who transitions from the work program into employment as
952 described in s. 445.032 who is younger than 13 years of age.

953 (h) Priority shall be given next to a child who has
954 special needs, has been determined eligible as a student with a
955 disability, has a current individual education plan with a
956 Florida school district, and is not younger than 3 years of age.
957 A special needs child eligible under this paragraph remains
958 eligible until the child is eligible for admission to
959 kindergarten in a public school under s. 1003.21(1)(a)2.

960 (i) Notwithstanding paragraphs (a)-(d), priority shall be
961 given last to a child who otherwise meets one of the eligibility
962 criteria in paragraphs (a)-(d) but who is also enrolled



963 concurrently in the federal Head Start Program and the Voluntary
964 Prekindergarten Education Program.

965 (4) The parent of a child enrolled in the school readiness
966 program must notify the coalition or its designee within 10 days
967 after any change in employment status, income, or family size or
968 failure to maintain attendance at a job training or educational
969 program in accordance with program requirements. ~~Upon~~
970 ~~notification by the parent, the child's eligibility must be~~
971 ~~reevaluated.~~

972 (5) A child whose eligibility priority category requires
973 the child to be from a working family ceases to be eligible for
974 the school readiness program if a parent with whom the child
975 resides does not reestablish employment or resume attendance at
976 a job training or educational program within 90 ~~60~~ days after
977 becoming unemployed or ceasing to attend a job training or
978 educational program.

979 (6) Eligibility for each child must be reevaluated
980 annually. Upon reevaluation, a child may not continue to receive
981 school readiness program services if he or she has ceased to be
982 eligible under this section. A child who is ineligible due to a
983 parent's job loss or cessation of education or job training
984 shall continue to receive school readiness program services for
985 at least 3 months to enable the parent to obtain employment.

986 Section 19. Paragraphs (c), (d), and (e) of subsection (1)
987 of section 1002.88, Florida Statutes, are amended to read:

988 1002.88 School readiness program provider standards;



989 eligibility to deliver the school readiness program.—

990 (1) To be eligible to deliver the school readiness
991 program, a school readiness program provider must:

992 (c) Provide basic health and safety of its premises and
993 facilities and compliance with requirements for age-appropriate
994 immunizations of children enrolled in the school readiness
995 program.

996 1. For a provider that is licensed child care facility, a
997 large family child care home, or a licensed family day care
998 home, compliance with s. 402.305, s. 402.3131, or s. 402.313 and
999 this subsection, as verified pursuant to s. 402.311, satisfies
1000 this requirement.

1001 2. For a provider that is a registered family day care
1002 home or is not subject to licensure or registration by the
1003 Department of Children and Families, compliance with this
1004 subsection, as verified pursuant to s. 402.311, satisfies this
1005 requirement. Upon verification pursuant to s. 402.311, the
1006 provider ~~For a public or nonpublic school, compliance with s.~~
1007 ~~402.3025 or s. 1003.22 satisfies this requirement. A faith-based~~
1008 ~~child care provider, an informal child care provider, or a~~
1009 ~~nonpublic school, exempt from licensure under s. 402.316 or s.~~
1010 ~~402.3025,~~ shall annually post ~~complete~~ the health and safety
1011 checklist adopted by the office, ~~post the checklist~~ prominently
1012 on its premises in plain sight for visitors and parents, and
1013 shall annually submit the checklist ~~it annually~~ to its local
1014 early learning coalition.



1015 (d) Provide an appropriate group size and staff-to-
 1016 children ratio, ~~pursuant to s. 402.305(4) or s. 402.302(8) or~~
 1017 ~~(11), as applicable, and as verified pursuant to s. 402.311.~~

1018 (e) Employ child care personnel, as defined in s.
 1019 402.302(3), who have satisfied the screening requirements of
 1020 chapter 402 and fulfilled the training requirements of the
 1021 office ~~Provide a healthy and safe environment pursuant to s.~~
 1022 ~~402.305(5), (6), and (7), as applicable, and as verified~~
 1023 ~~pursuant to s. 402.311.~~

1024 Section 20. Subsections (6) and (7) of section 1002.89,
 1025 Florida Statutes, are amended to read:

1026 1002.89 School readiness program; funding.—

1027 (6) Costs shall be kept to the minimum necessary for the
 1028 efficient and effective administration of the school readiness
 1029 program with the highest priority of expenditure being direct
 1030 services for eligible children. However, no more than 5 percent
 1031 of the funds described in subsection (5) may be used for
 1032 administrative costs and no more than 22 percent of the funds
 1033 described in subsection (5) may be used in any fiscal year for
 1034 any combination of administrative costs, quality activities, and
 1035 nondirect services as follows:

1036 (a) Administrative costs as described in 45 C.F.R. s.
 1037 98.52, which shall include monitoring providers using the
 1038 standard methodology adopted under s. 1002.82 to improve
 1039 compliance with state and federal regulations and law pursuant
 1040 to the requirements of the statewide provider contract adopted



CS/HB 7053, Engrossed 2

2016

1041 under s. 1002.82(2)(m).

1042 (b) Activities to improve the quality of child care as
1043 described in 45 C.F.R. s. 98.51, which shall be limited to the
1044 following:

1045 1. Developing, establishing, expanding, operating, and
1046 coordinating resource and referral programs specifically related
1047 to the provision of comprehensive consumer education to parents
1048 and the public to promote informed child care choices specified
1049 in 45 C.F.R. s. 98.33 ~~regarding participation in the school~~
1050 ~~readiness program and parental choice.~~

1051 2. Awarding grants and providing financial support to
1052 school readiness program providers and their staff to assist
1053 them in meeting applicable state requirements for child care
1054 performance standards, implementing developmentally appropriate
1055 curricula and related classroom resources that support
1056 curricula, providing literacy supports, and providing continued
1057 professional development and training. Any grants awarded
1058 pursuant to this subparagraph shall comply with ~~the requirements~~
1059 ~~of~~ ss. 215.971 and 287.058.

1060 3. Providing training, ~~and~~ technical assistance, and
1061 financial support to ~~for~~ school readiness program providers,
1062 staff, and parents on standards, child screenings, child
1063 assessments, child development research and best practices,
1064 developmentally appropriate curricula, character development,
1065 teacher-child interactions, age-appropriate discipline
1066 practices, health and safety, nutrition, first aid,



1067 cardiopulmonary resuscitation, the recognition of communicable
 1068 diseases, and child abuse detection, ~~and~~ prevention, and
 1069 reporting.

1070 4. Providing, from among the funds provided for the
 1071 activities described in subparagraphs 1.-3., adequate funding
 1072 for infants and toddlers as necessary to meet federal
 1073 requirements related to expenditures for quality activities for
 1074 infant and toddler care.

1075 5. Improving the monitoring of compliance with, and
 1076 enforcement of, applicable state and local requirements as
 1077 described in and limited by 45 C.F.R. s. 98.40.

1078 6. Responding to Warm-Line requests by providers and
 1079 parents ~~related to school readiness program children~~, including
 1080 providing developmental and health screenings to school
 1081 readiness program children.

1082 (c) Nondirect services as described in applicable Office
 1083 of Management and Budget instructions are those services not
 1084 defined as administrative, direct, or quality services that are
 1085 required to administer the school readiness program. Such
 1086 services include, but are not limited to:

- 1087 1. Assisting families to complete the required application
 1088 and eligibility documentation.
- 1089 2. Determining child and family eligibility.
- 1090 3. Recruiting eligible child care providers.
- 1091 4. Processing and tracking attendance records.
- 1092 5. Developing and maintaining a statewide child care



1093 information system.

1094

1095 As used in this paragraph, the term "nondirect services" does
1096 not include payments to school readiness program providers for
1097 direct services provided to children who are eligible under s.
1098 1002.87, administrative costs as described in paragraph (a), or
1099 quality activities as described in paragraph (b).

1100 (7) Funds appropriated for the school readiness program
1101 may not be expended for the purchase or improvement of land; for
1102 the purchase, construction, or permanent improvement of any
1103 building or facility; or for the purchase of buses. However,
1104 funds may be expended for minor remodeling and upgrading of
1105 child care facilities which is necessary for the administration
1106 of the program and to ensure that providers meet state and local
1107 child care standards, including applicable health and safety
1108 requirements.

1109 Section 21. Paragraph (c) of subsection (2) of section
1110 402.3025, Florida Statutes, is amended to read:

1111 402.3025 Public and nonpublic schools.—For the purposes of
1112 ss. 402.301-402.319, the following shall apply:

1113 (2) NONPUBLIC SCHOOLS.—

1114 (c) Programs for children who are at least 3 years of age,
1115 but under 5 years of age, shall not be deemed to be child care
1116 and shall not be subject to the provisions of ss. 402.301-
1117 402.319 relating to child care facilities, provided the programs
1118 in the schools are operated and staffed directly by the schools,



CS/HB 7053, Engrossed 2

2016

1119 provided a majority of the children enrolled in the schools are
1120 5 years of age or older, and provided there is compliance with
1121 the screening requirements for personnel pursuant to s. 402.305
1122 ~~or s. 402.3057~~. A nonpublic school may designate certain
1123 programs as child care, in which case these programs shall be
1124 subject to the provisions of ss. 402.301-402.319.

1125 Section 22. Subsections (1) and (2) of section 413.092,
1126 Florida Statutes, are amended to read:

1127 413.092 Blind Babies Program.—

1128 (1) The Blind Babies Program is created within the
1129 Division of Blind Services of the Department of Education to
1130 provide community-based early-intervention education to children
1131 from birth through 5 years of age who are blind or visually
1132 impaired, and to their parents, families, and caregivers,
1133 through community-based provider organizations. The division
1134 shall enlist parents, ophthalmologists, pediatricians, schools,
1135 the Early Steps Program ~~Infant and Toddlers Early Intervention~~
1136 ~~Programs~~, and therapists to help identify and enroll blind and
1137 visually impaired children, as well as their parents, families,
1138 and caregivers, in these educational programs.

1139 (2) The program is not an entitlement but shall promote
1140 early development with a special emphasis on vision skills to
1141 minimize developmental delays. The education shall lay the
1142 groundwork for future learning by helping a child progress
1143 through normal developmental stages. It shall teach children to
1144 discover and make the best use of their skills for future



CS/HB 7053, Engrossed 2

2016

1145 success in school. It shall seek to ensure that visually
1146 impaired and blind children enter school as ready to learn as
1147 their sighted classmates. The program shall seek to link these
1148 children, and their parents, families, and caregivers, to other
1149 available services, training, education, and employment programs
1150 that could assist these families in the future. This linkage may
1151 include referrals to the school districts and the Early Steps
1152 ~~Infants and Toddlers Early Intervention~~ Program for assessments
1153 to identify any additional services needed which are not
1154 provided by the Blind Babies Program. The division shall develop
1155 a formula for eligibility based on financial means and may
1156 create a means-based matrix to set a copayment fee for families
1157 having sufficient financial means.

1158 Section 23. Subsection (1) of section 1003.575, Florida
1159 Statutes, is amended to read:

1160 1003.575 Assistive technology devices; findings;
1161 interagency agreements.—Accessibility, utilization, and
1162 coordination of appropriate assistive technology devices and
1163 services are essential as a young person with disabilities moves
1164 from early intervention to preschool, from preschool to school,
1165 from one school to another, and from school to employment or
1166 independent living. If an individual education plan team makes a
1167 recommendation in accordance with State Board of Education rule
1168 for a student with a disability, as defined in s. 1003.01(3), to
1169 receive an assistive technology assessment, that assessment must
1170 be completed within 60 school days after the team's



CS/HB 7053, Engrossed 2

2016

1171 recommendation. To ensure that an assistive technology device
1172 issued to a young person as part of his or her individualized
1173 family support plan, individual support plan, or an individual
1174 education plan remains with the individual through such
1175 transitions, the following agencies shall enter into interagency
1176 agreements, as appropriate, to ensure the transaction of
1177 assistive technology devices:

1178 (1) The Early Steps ~~Florida Infants and Toddlers Early~~
1179 ~~Intervention~~ Program in the Division of Children's Medical
1180 Services of the Department of Health.

1181
1182 Interagency agreements entered into pursuant to this section
1183 shall provide a framework for ensuring that young persons with
1184 disabilities and their families, educators, and employers are
1185 informed about the utilization and coordination of assistive
1186 technology devices and services that may assist in meeting
1187 transition needs, and shall establish a mechanism by which a
1188 young person or his or her parent may request that an assistive
1189 technology device remain with the young person as he or she
1190 moves through the continuum from home to school to postschool.

1191 Section 24. This act shall take effect July 1, 2016.