

## CHAPTER 2023-248

### Committee Substitute for Committee Substitute for Senate Bill No. 272

An act relating to children and young adults in out-of-home care; providing a short title; amending s. 39.4085, F.S.; requiring a case manager or other staff to provide a child with verbal and written information about certain topics; deleting limitations on the type of questions a child may ask; establishing the Office of the Children's Ombudsman within the Department of Children and Families; specifying responsibilities of the office; requiring the department to consult with specified children and young adults when creating or revising certain print or digital written information; conforming provisions to changes made by the act; amending s. 409.1454, F.S.; revising eligibility criteria for certain youth to participate in a specified program covering certain costs for a driver license and motor vehicle insurance; providing an effective date.

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

Section 1. This act may be cited as the "Nancy C. Detert Champion for Children Act."

Section 2. Paragraph (a) of subsection (3) of section 39.4085, Florida Statutes, is amended, and subsections (4) and (5) are added to that section, to read:

39.4085 Goals for dependent children; responsibilities; education; Office of the Children's Ombudsman.—

(3)(a) The case manager or other staff shall, at a minimum, provide verbal and written:

1. Instructions to a child entering shelter or foster care to educate the child on identifying and reporting abuse, abandonment, or neglect; and

2. Information to a child about laws and requirements relating to the topics of nurturing care, personal safety, and protection from abuse, abandonment, and neglect; normalcy and what that means for a child in out-of-home care; education; participation in court proceedings; participation in permanency planning, transition planning, and other case planning; placement, visitation, and contact with siblings, family, and other individuals who are important to the child; and access to food, clothing, shelter, and health care.

The ~~verbal and written~~ instructions and information must use words and phrasing that each child can understand and must occur in a manner that is most effective for each child. The written instructions and information are only required if the child is of a sufficient age and understanding to receive

such instructions and information. The case manager or other staff shall ~~must~~ give each child the opportunity to ask questions and ~~about his or her~~ rights and how to identify and report abuse, abandonment, or neglect. The ~~case manager or other staff~~ shall document in court reports and case notes the date the instructions and information were ~~was~~ provided to the child. The case manager or other staff shall ~~must~~ review the instructions and information with the child every 6 months and upon every placement change until the child leaves shelter or foster care.

(4) The Office of the Children’s Ombudsman is established within the department. To the extent permitted by available resources, the office shall, at a minimum:

(a) Receive complaints from children and young adults about placement, care, and services and assist in mediating such concerns.

(b) Be a resource to identify and explain relevant polices or procedures to children, young adults, and their caregivers.

(c) Provide recommendations to the department to address systemic problems that are leading to complaints from children and young adults.

(5) The department shall consult with children and young adults who are currently or have formerly been in out-of-home care when creating or revising any print or digital written information used in implementing this section and shall use any responses or feedback to ensure that such print or digital written information is understandable by and appropriate and useful for the children and young adults of the ages for which such print or digital written information is intended.

Section 3. Subsection (4) of section 409.1454, Florida Statutes, is amended to read:

409.1454 Motor vehicle insurance and driver licenses for children in care and certified unaccompanied homeless youth.—

(4) Payment must be made to eligible recipients in the order of eligibility until available funds are exhausted. If a child determined to be eligible reaches permanency status or turns 18 years of age, the program may pay for that child to complete a driver education program and obtain a driver license for up to 6 months after the date the child reaches permanency status or 6 months after the date the child turns 18 years of age. A child may be eligible to have the costs of and incidental to licensure paid if he or she demonstrates that such costs are creating barriers to obtaining employment or completing educational goals, if the child meets any of the following criteria:

(a) Is continuing in care under s. 39.6251;

~~(b) Was in licensed care when the child reached 18 years of age and~~ Is currently receiving postsecondary education services and support under s. 409.1451(2); or

(c) Is an unaccompanied homeless youth certified under s. 743.067 who is a citizen of the United States or legal resident of this state and is:

1. Completing secondary education;
2. Employed at least part time;
3. Attending any postsecondary education program at least part time; or
4. Has a disability that precludes full-time work or education.

Section 4. This act shall take effect July 1, 2023.

Approved by the Governor June 16, 2023.

Filed in Office Secretary of State June 16, 2023.