



State of Florida
Department of Children and Families

Ron DeSantis
Governor

Shevaun L. Harris
Secretary

DATE: March 5, 2021

TO: Regional Managing Directors
Sheriff Offices Conducting Child Protective Investigations
Community-Based Care Lead Agency CEOs

THROUGH: Patricia Babcock, Deputy Secretary *Patricia Babcock*

FROM: Patricia Medlock, Assistant Secretary for Child Welfare *Pat Medlock*
Robert Anderson, Assistant Secretary of Operations *Robert H. Anderson*

SUBJECT: Child Welfare Professionals Providing Care and Supervision for Children in a Child-Caring Agency

PURPOSE: The purpose of this memorandum is to provide guidance when child welfare professionals provide care or supervision to children and youth placed in a child-caring agency (group home).

BACKGROUND: Per s. 39.302(3), Florida Statutes (F.S.):

“the restrictive actions described in subsection (2), in cases of institutional abuse, abandonment, or neglect in which the removal of a subject of a report will result in the closure of the facility, and when requested by the owner of the facility, the department may provide appropriate personnel to assist in maintaining the operation of the facility. The department may provide assistance when it can be demonstrated by the owner that there are no reasonable alternatives to such action. The length of the assistance shall be agreed upon by the owner and the department; however, the assistance shall not be for longer than the course of the restrictive action imposed.”

The recently declared pandemic of COVID-19 resulted in hardship to child-caring agencies that serve dependent children. Child-caring agencies have seen a reduction in staff availability and limited volunteer resources to provide adequate care and supervision. Due to the hardship, child-caring agencies have partnered with the department and Community-Based Care Lead Agencies (CBCs) to allow for child welfare professionals to provide supervision and care for the children placed at the child-caring agency.

With the expiration of the Title IV-E waiver, the department must ensure that all background screening requirements are met. To claim Title IV-E for children placed in a child-caring agency, all staff and volunteers are required to receive background screenings under the federal and state requirements. This includes direct care staff and non-direct care staff.

All child welfare professionals providing care or supervision to a child or youth in a child-caring agency fall into the caregiver role and must comply with the following federal background screening requirements:

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

Mission: Work in Partnership with Local Communities to Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

- 1) NCIC and FCIC fingerprinting under Chapter 435, F.S.;
- 2) NCIC and FCIC fingerprinting under Chapter 39, F.S.;
- 3) Florida abuse and neglect checks; and
- 4) Out-of-state abuse and neglect checks, if having lived in another state within the past five years.

Currently, child protective investigators are screened under Chapter 435, F.S., and receive Florida abuse and neglect checks; the current screenings do not align with the federal requirements.

Case managers receive background screenings under Chapters 435 and 39, F.S.; the current screenings do not align with the federal requirements.

ACTION REQUIRED: Effective immediately, a child welfare professional must receive approval from the department's Regional Managing Director or department designee to provide care or supervision to children in a child-caring agency. Child welfare professionals providing care or supervision to children in a child-caring agency for more than 30 calendar days, or in the case of multiple child welfare professionals alternating shifts for more than 30 calendar days, shall be required to have an approved background screening through fingerprint submission under Chapters 435 and 39, F.S., Florida abuse history check, and out-of-state abuse history check if having lived in another state within the past five years.

All background screenings must be approved before the end of the 30 calendar days. A copy of the background screening results must be provided to the department regional licensing teams and uploaded into the provider file cabinet.

Please disseminate this memorandum to all CBCs, case management organizations, child protective investigators, sheriff offices conducting child protective investigations, and all parties completing tasks associated with placement, care, and supervision of children in out-of-home care.

CONTACT INFORMATION: If you have any questions regarding this process, please contact Yanin Schaffer, Child Caring and Child Placing Statewide Licensing Specialist, at Yanin.Schaffer@myflfamilies.com or 407-317-7101, or Vanessa Snoddy, Practice and Policy Manager for Case Management and Well Being, at Vanessa.Snoddy@myflfamilies.com or 850-717-4769.

cc: Regional Family and Community Services Directors
Center for Child Welfare