

Community-Based Care Authority and Requirements Reference Guide

The provider shall be knowledgeable of and fully comply with all state and federal laws, rules, and regulations as amended from time to time, that do or may affect the subject areas of this contract. Authorities include, but are not limited to sections I-V of this attachment.

I. PROGRAMMATIC AUTHORITY (FEDERAL)

- A.** Federal foster care services: Social Security Act, Title IV-B and Title IV-E, as amended (42 U.S.C. 670-679a; 45 C.F.R. 1355-1357); , 42 C.F.R. 205.10),P.L. 96-272, Adoption Assistance and Child Welfare Act of 1980 (42 U.S.C. 670, et seq.); P.L. 100-485, Family Support Act of 1988 (42 U.S.C. 602; 42 U.S.C. 1396a; 45 C.F.R. 92.32 Uniform Requirements for Grant and Cooperative Agreements Equipment; 45 C.F.R. 95, 204-206, 233, 234, 260); P.L. 103-382, S. 551, The Multiethnic Placement Act of 1994 (MEPA);P.L.104-188, S. 1808, Removal of Barriers to Interethnic Adoption; P.L. 105-89, Adoption and Safe Families Act of 1997; P.L. 106-169, Foster Care Independence Act of 1999.
- B.** Federal child welfare services: Social Security Act, as amended; Adoption Assistance and Child Welfare Act of 1980 (42 U.S.C. 620-628a; 45 C.F.R. 1355-1357, 42 C.F.R. 205.10))
- C.** Federal family preservation and support services: Social Security Act, as amended (42 U.S.C. 629-629e; 45 C.F.R. 1355-1357, 42 C.F.R. 205.10).
- D.** The provider shall ensure compliance with Title IV-B of the Social Security Act, Title IV-E of the Social Security Act, Social Services Block Grant (SSBG), Title XIX (Medicaid), and Temporary Assistance for Needy Families (TANF).
- E.** Federal Indian Child Welfare Act of 1978, 25 U.S.C. 1901 et seq.
- F.** Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.
- G.** Title VI of the Civil Rights Act of 1964, 42 USC 2000c et.seq., 45 CFR Part 80
- H.** Section 504 of the Rehabilitation Act of 1973, 45 CFR Part 84, Part 85
- I.** Title IX of the Education Amendments of 1972, 45 CFR Part 86
- J.** Age Discrimination Act of 1975, 45 CFR Part 91
- K.** Title VII and VIII of the Public of the Public Health Services Act, 45 CFR Part 83
- L.** Health Insurance and Portability and Accountability Act 45 CFR 160 and 164

II. FLORIDA STATUTES

Applicable Florida Statutes as amended from time to time including, but not by way of limitation:

A. Child Welfare/Community-Based Care Program

- CH 39 Proceedings Relating to Children
- CH 61 Dissolution of Marriage; Support; Custody
- CH 63 Adoption
- CH 383 Maternity And Infancy Hygiene
- CH 391 Children's Medical Services
- CH 393 Developmental Disabilities

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CH 402 Health And Human Services: Miscellaneous Provisions
CH 409 Social And Economic Assistance
CH 411 Handicap Or High-Risk Condition Prevention And Early Childhood Assistance
CH 414 Family Self-Sufficiency
CH 415 Adult Protective Services
CH 435 Employment Screening
CH 455 Business And Professional Regulation: General Provisions
CH 490 Psychological Services
CH 491 Clinical, Counseling, And Psychotherapy Services
CH 743 Disability Of Nonage Of Minors Removed
CH 760 Discrimination In The Treatment Of Persons; Minority Representation
CH 827 Abuse Of Children

B. Substance Abuse and Mental Health Services

CH 381 Public Health: General Provisions
CH 386 Particular Conditions Affecting Public Health
CH 394 Mental Health
CH 397 Substance Abuse Services
CH 458 Medical Practice
CH 459 Osteopathic Medicine
CH 464 Nursing
CH 465 Pharmacy
CH 499 Drug, Cosmetic, And Household Products
CH 553 Building Construction Standards
CH 893 Drug Abuse Prevention And Control

C. Department of Management Services

Section 255.0515 Bids for state contracts; substitution of subcontractors.
CH 287 Procurement Of Personal Property and Services.

D. Department of Financial Services

Section 112.061 Per diem and travel expenses of public officers, employees, and authorized persons.
Section 215.422 Warrants, vouchers, and invoices; processing time limits; dispute resolution; agency or judicial branch compliance.
Section 17.04 To audit and adjust accounts of officers and those indebted to the state.
Section 215.97 Single Audit Act
Chapter 69I-5, FAC Schedule of Expenditures of State Financial Assistance
Reference Guide to State Expenditures

E. Statewide Requirements

Section 23.30, F.S. Florida Customer Service Standards Act
Section 112.3185(a) Contractual services.
CH 119 Public Records
CH 120 Administrative Procedures Act.
CH 282 Communications and Data Processing
CH 815 Computer-Related Crimes

III. FLORIDA ADMINISTRATIVE CODE (RULES)

A. Child Welfare/Community-Based Care Program

- 65-2.042. Applicant/Recipient Fair Hearings
- 65C-6 Domestic Violence
- 65C-7 Specific Standards For Child Protection Teams
- 65C-8 Sexual Abuse Treatment Program
- 65C-9 Alien Children
- 65C-10 Child Protective Investigations
- 65C-11 Protective Services
- 65C-12 Emergency Shelter Care
- 65C-13 Substitute Care Of Children
- 65C-14 Group Care
- 65C-15 Child-Placing Agencies
- 65C-16 Adoptions
- 65C-17 Master Trust
- 65C-20 Family Day Care Standards and Large Family Child Care Homes
- 65C-21 Subsidized Child Care
- 65C-22 Child Care Standards
- 65C-23 WAGES Hardship Exemption and Prevention Services
- 65C-24 Relative Caregiver
- 65C-25 Specialized Child Care Facilities for the Care of Mildly-Ill Children
- 65C-28 Out of Home Care
- 65C-29 Protective Investigations
- 65C-30 General Child Welfare Provisions
- 65C-31 Services to Young Adults Formerly in the Custody of the Department

B. Substance Abuse and Mental Health Services

- 65E-4 Community Mental Health Regulation
- 65E-5 Mental Health Act Regulation
- 65E-10 Psychotic and Emotionally Disturbed Children - Purchase of Residential Service Rules
- 65E-12 Public Mental Health, Crisis Stabilization Units, Short-Term Residential Treatment Programs
- 65E-14 Community Alcohol, Drug Abuse and Mental Health Services - Financial Rules
- 65E-15 Continuity of Care Case Management
- 65E-20 Forensic Client Services Act Regulation

IV. CHILD WELFARE/COMMUNITY-BASED CARE OPERATING PROCEDURES:

The provider may develop operating procedures to be approved by the department equivalent to the following subjects. In the interim, the provider must follow the department's equivalent operating procedures.

- CFOP 15-12 Procedures for Releasing Selected Information Pertaining to an Abuse, Neglect, Abandonment or Exploitation Report
- CFOP 30-5 Cases Requiring Entry of a Final Order
- CFOP 60-11 Policy On Domestic Violence, Chapter 1
- CFOP 60-52 Employees as Guardians Ad Litem
- CFOP 175-15 Child Welfare Legal Services
- CFOP 175-16 Avoiding Unnecessary Placements Through the Use of Substitute Care Funds
- CFOP 175-17 Child Death Review Procedures

CFOP 175-18	Child Care Training
CFOP 175-19	Administrative Fines for False Reporting of Abuse, Neglect and Abandonment
CFOP 175-20	Child Protection Teams and Sexual Abuse Treatment Programs
CFOP 175-21	Investigative Response
HRSOP 175-22	Diligent Search
CFOP 175-23	Case Supervision in Initial Responses/Assessments Involving Shelter Care
CFOP 175-24	Predisposition Study
CFOP 175-25	Additional and Supplemental Reports
HRSOP 175-26	Confidentiality of Children and Families Records
CFOP 175-28	Allegation Matrix
CFOP 175-29	Temporary Assistance for Needy Families (TANF) Funding for Services
HRSOP 175-33	Out-Of-Town Inquiries
CFOP 175-34	Removal and Placement of Children
CFOP 175-36	Reports and Services Involving Indian Child
CFOP 175-37	Sharing Records With Children
CFOP 175-38	Reunification
CFSOP 175-39	Change of Custody
CFOP 175-40	Consent for Medical Screening, Examination, and Treatment of Children in Physical or Legal Custody of the Department
CFOP 175-41	Family Assessment
CFOP 175-42	Case Chronological Documentation
CFOP 175-43	Courtesy Supervision
CFOP 175-44	Services to Refugee and Entrant Unaccompanied Minors
CFOP 175-45	Assessment of Florida Abuse Hotline Information Referrals
CFOP 175-46	Duplicate and Sequence Merges
CFOP 175-47	Termination of Services - General
CFOP 175-48	Transfer of Cases Within and Between Districts
CFOP 175-49	Reports Involving Allegations of Medical Neglect of an Infant with a Life Threatening Condition
CFOP 175-50	Visitation and Other Contact with Children in Shelter
CFOP 175-51	Manual Expunction of Florida Abuse Hotline Information System Records
CFOP 175-52	Relicensing Child-Placing Agencies
CFOP 175-54	Interstate Compact on the Placement of Children
CFOP 175-55	Priority Placement under the Interstate Compact on the Placement of Children
CFOP 175-56	Reports Involving Families Residing on Federal Property
CFOP 175-57	Caller Identification
CFOP 175-58	Relicensing of Family Foster Homes and Emergency Shelter Care Homes
CFOP 175-59	Master Trust for Benefit of Family Safety and Preservation Program Clients
CFOP 175-60	State Institutional Claims for Damages Caused by Shelter or Foster Child
CFOP 175-61	Exit Interviews for Children in Shelter/Foster Care
CFOP 175-62	Expediting Permanency for Abandoned Infants
CFOP 175-64	Family Foster Home Waivers
CFOP 175-67	Finalized Adoption Cases and Automated System Client Identifiers
CFOP 175-69	Hospital/Emergency Room Child Abuse Reports
CFOP 175-70	Funeral Arrangements for Children in Foster Care
CFOP 175-71	Title IV-E Foster Care and Adoption Subsidy
CFOP 175-72	New Children In Families With Active Investigations Or Case Services Or Where Involuntary Termination Of Parental Rights Has Occurred In The Past
CFOP 175-76	Employees Involved In Reports Of Abuse, Neglect, Abandonment Or Exploitation
CFOP 175-77	WAGES/Hardship Exemption - Substitute Care Review
CFOP 175-79	Relative Caregiver Program

CFOP 175-80	Independent Living Services (Ages 16 to 21)
CFOP 175-81	Subsidized Independent Living (SIL)
CFOP 175-83	Identification of Children
CFOP 175-85	Prevention, Reporting and Services To Missing Children
CFOP 175-86	Dependency Court Intervention In Cases Of Abuse Or Neglect By Non-Custodial Parents
CFOP 175-88	The Prevention And Placement Of Child Victims And Aggressors Involved In Child-On-Child Sexual Abuse, Sexual Assault, Seduction Or Exploitation In Substitute Care
CFOP 175-89	Filing Of Petition For Release Of Abuse Records To The Public
CFOP 175-90	“Extraordinary Circumstances” For Extension Of Case Plans
CFOP 175-91	Abuse And Neglect Clearance Of Informal Child Care Providers
CFOP 175-93	TANF Uses in Family Safety
CFOP 175-94	Direct Access To Information for Background or Criminal History Checks for Investigations, Emergency Placements, and Out of the Ordinary Circumstances
CFOP 175-96	Coordination of Services Including Mental Health and Substance Abuse Services for Youth in the Care and Custody of DCF and Served by the DJJ
CFOP 175-97	Interstate Compact on Adoption and Medical Assistance.
CFOP 175-98	Pre-Consent Review for Psychotropic Medication Treatment Plans for Children Birth Through Age 5 in Out-of-Home Placement.

V. MISCELLANEOUS

A. Department of Children and Families Operating Procedures

CFOP 15-4	Records Management
CFOP 75-1	Purchasing Policy and Procedures
CFOP 75-2	Contract Management System for Contractual Services
CFOP 75-5	Use of Merchant Gift Cards
CFOP 75-8	Contract Monitoring
CFOP 75-10	Guide to Competitive Procurement - ITB/RFP/ITN
CFOP 125-1	Community Resources/Volunteer Management
CFOP 155-10	Mental Health Services for Children in the Custody of the Department
CFOP 180-2	Policies and Procedures of the Office of Inspector General
CFOP 180-4	Mandatory Reporting Requirements to the Office of the Inspector General

B. Information Systems Operating Procedures

CFOP 50-2	Security of Data and Information Technology Resources
CFOP 50-6	Security
CFOP 50-7	Policy on Enhanced Workstations and Statewide Office Automation Standards.

C. Federal Cost Principles (www.whitehouse/omb/circulars/index)

OMB Circular A-87	Cost Principles for State, Local and Indian Tribal Governments
OMB Circular A-122	Cost Principles for Non-Profit Organizations
OMB Circular A-133, as amended	Audits of States, Local Governments, and Non-Profit Agencies