

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, regardless of whether listed in this Guide. Authorities include, but are not limited to sections I-V of this attachment.

I. FEDERAL LAWS AND REGULATIONS

- 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.** The Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901)
- F.** Federal Indian Child Welfare Act of 1978, 25 U.S.C. 1901 et seq.
- G.** The Fostering Connections to Success and Increasing Adoptions Act of 2008
- H.** Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.
- I.** Title VI of the Civil Rights Act of 1964, 42 USC 2000c et seq., 45 CFR Part 80
- J.** Section 504 of the Rehabilitation Act of 1973, 45 CFR Part 84, Part 85
- K.** Title IX of the Education Amendments of 1972, 45 CFR Part 86
- L.** Age Discrimination Act of 1975, 45 CFR Part 91
- M.** Title VII and VIII of the Public of the Public Health Services Act, 45 CFR Part 83
- N.** Health Insurance and Portability and Accountability Act 45 CFR 160 and 164
- O.** Protection of Human Subjects, 45 CFR Parts 46, 160, 162, and 164; 21 CFR Parts 50, 56, 312, and 812.
- P.** Cost Principles for State, Local and Indian Tribal Governments, 2 CFR, Part 225.
- Q.** Cost Principles for Non-Profit Organizations, 2 CFR, Part 230.
- R.** Audits of States, Local Governments, and Non-Profit Agencies, OMB Circular A-133.

II. FLORIDA STATUTES

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
- 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
CH 937	Missing Persons
CH 1009	Educational Scholarships and Financial Assistance

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 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
Ch. 69I-5, FAC	Schedule of Expenditures of State Financial Assistance Reference Guide to State Expenditures

D.. Statewide Requirements

Section 23.30, F.S.	Florida Customer Service Standards Act
Section 112.3185(a)	Contractual services.
CH 273	State-Owned Tangible Personal Property
CH 119	Public Records
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-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
65C-33	Child Welfare Training and Certification
65C-35	Psychotropic Medication for Children in out-of-Home Care

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, as revised from time to time.

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 60-17	Notice of Privacy Policy and Management and Protection of Personal Health Information
CFOP 60-52	Employees as Guardians Ad Litem
CFOP 175-14	Intakes and Investigative Response to Human Trafficking of Children
CFOP 175-17	Child Death Review Procedures
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 175-25	Additional and Supplemental Reports
CFOP 175-28	Allegation Matrix
CFOP 175-36	Reports and Services Involving Indian Child
CFOP 175-37	Sharing Records With Children
CFOP 175-38	Reunification
CFOP 175-42	Case Chronological Documentation
CFOP 175-44	Services to Refugee and Entrant Unaccompanied Minors

- CFOP 175-46 Duplicate and Sequence Merges
- CFOP 175-47 Termination of Services - General
- CFOP 175-49 Reports Involving Allegations of Medical Neglect of an Infant with a Life Threatening Condition
- 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 175-59 Master Trust for Benefit of Family Safety and Preservation Program Clients
- CFOP 175-60 State Institutional Claims for Damages Caused by
- 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 175-85 Prevention, Reporting and Services To Missing Children
- 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 175-91 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 Under Eleven Years of Age in Out-of-Home Care Who are Prescribed Two of More Psychotropic Medications

V. MISCELLANEOUS

A. Department of Children and Families Operating Procedures

- CFOP 15-4 Records Management
- CFOP 40-2 Vehicle Management,
- CFOP 75-1 Purchasing Policy and Procedures
- CFOP 75-5 Use of Merchant Gift Cards
- CFOP 75-8 Policies and Procedures of Contract Oversight
- CFOP 80-2 Property Management, Section 2
- 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
- CFOP 215-6 Incident Reporting and Analysis System (IRAS)

B. Information Systems Operating Procedures

- CFOP 50-2 Security of Data and Information Technology Resources
- CFOP 50-4 Computer Software Licensing and Copyright Policy
- CFOP 50-7 Policy on Enhanced Workstations and Statewide Office Automation Standards.
- CFOP 50-14 Policy on Virus Prevention, Control, Reporting, and Recovery