

DEPARTMENT OF CHILDREN AND FAMILIES

ANNUAL REGULATORY PLAN 2023-24

PART ONE LAWS ENACTED OR AMENDED

Part One of the Plan addresses each law enacted or amended during the 2023 Legislative Session which creates or modifies the duties or authority of the Department of Children and Families. §120.74(1)(a), Fla. Stat. (2023).

Law Enacted or Modified (in last 12 months) creating or modifying Department duties or authority. Identify the Law Chapter.	Florida Statute that was modified or created.	Rule impacted.	Is rulemaking mandatory? (Yes/No)	If rulemaking is discretionary, is rulemaking necessary to implement the law? (Yes/No)	If rulemaking is necessary, provide the date the Notice of Development was/will be published in the F.A.R.	If rulemaking is necessary, provide the expected date the Notice of Proposed Rule will be published in the F.A.R.	If rulemaking not necessary, provide a concise explanation of why.
2023-77	39.3065, F.S.	65C-30.001	No	Yes	10/2023	03/2024	
2023-77	39.3065, F.S.	65C-30.002	No	Yes	10/2023	03/2024	
2023-77	39.3065, F.S.	65C-30.004	No	Yes	10/2023	03/2024	
2023-77	39.3065, F.S.	65C-30.005	No	Yes	10/2023	03/2024	
2023-77	39.3065, F.S.	65C-30.006	No	Yes	10/2023	03/2024	

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2023-77	39.3065, F.S.	65C-30.007	No	Yes	10/2023	03/2024	
2023-77	39.3065, F.S.	65C-30.009	No	Yes	10/2023	03/2024	
2023-77	39.3065, F.S.	65C-30.011	No	Yes	10/2023	03/2024	
2023-77	39.3065, F.S.	65C-30.015	No	Yes	10/2023	03/2024	
2023-77	39.3065, F.S.	65C-30.016	No	Yes	10/2023	03/2024	
2023-77	39.3065, F.S.	65C-30.018	No	Yes	10/2023	03/2024	
2023-77	39.3065, F.S.	65C-30.020	No	Yes	10/2023	03/2024	

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2023-77	39.3065, F.S.	65C-30.022	No	Yes	10/2023	03/2024	
2023-85	402.88, F.S.	65K	Yes	N/A	10/2023	02/2024	
2023-85	409.1678, F.S.	65C-46.020	Yes	N/A	10/2023	01/2024	
2023-85	409.175, F.S.	65C-46.005	Yes	N/A	10/2023	01/2024	
2023-85	394.875, F.S.	65E-9.002	Yes	N/A	10/2023	03/2024	
2023-85	394.875, F.S.	65E-9.006	Yes	N/A	10/2023	03/2024	
2023-85	394.875, F.S.	65E-9.007	Yes	N/A	10/2023	03/2024	

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2023-102	402.305, F.S.	65C-22	No	N/A	NA	NA	Requires the Department to report to the Governor and Legislature every 5 years beginning December 31, 2024. No rulemaking is required currently.
2023-178	409.996, F.S.	N/A	No	N/A	N/A	N/A	Requires the lead agency to annually provide and publish operating pursuant to contract with the Department. No rulemaking is required.
2023-184	397.335, F.S.	N/A	No	N/A	N/A	N/A	The statute establishes the Statewide Council on Opioid Abatement within the Department, and provides the purpose, membership, organization, support, and duties of the Council.

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2023-198	394.457, F.S.	N/A	No	N/A	N/A	N/A	The statute requires the Department to publish and update a Baker Act information handbook and FAQ repository. No rulemaking is needed to complete this task.
2023-247	39.4093, F.S.	N/A	No	N/A	N/A	N/A	Establishes the Task Force on the Monitoring of Children in out-of-home care under the Florida Department of Law Enforcement, to identify and address the root causes of why children go missing while in out-of-home care. Requires the Department to submit monthly reports until October 2024 to assist the task force. No rulemaking is required.
2023-248	39.4085, F.S.	N/A	No	N/A	N/A	N/A	Rulemaking not statutorily mandated.

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2023-249	402.309	N/A	No	N/A	N/A	N/A	Requires the Department to issue Provisional License or registration for initial applicants that are affiliated with the Department of Defense and have completed their training and background screening within the previous 6 months. No rulemaking required.
2023-254	39.523	N/A	No	No	N/A	N/A	The Department will amend policy to comply with the requirements of this rule chapter. No rulemaking necessary.
2023-255	409.1455	65C-28.009	Yes	N/A	10/2023	03/2024	

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2023-257	63.082, F.S.	N/A	No	N/A	N/A	N/A	Requires the Department to provide certain information to the prospective adoptive parent and file with the court an acknowledgement of receipt of such information. Requirements set forth in Statute. No rulemaking required.
2023-257	63.212, F.S.	N/A	No	N/A	N/A	N/A	Requires the Department to provide a certain list of child-caring and child-placing agencies to the Office of Program Policy Analysis and Government Accountability by a specified date. Requirements set forth in Statute. No rulemaking required.

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2023-270	394.461, F.S.	65E-5.353	No	Yes	10/2023	3/2024	
2023-298	397.403, F.S.	65D-30.0036	No	Yes	10/2023	01/2024	
2023-298	397.411, F.S.	65D-30.0038	No	Yes	07/2023	07/2023	
2023-298	397.4873, F.S.	65D-30.004	No	Yes	10/2023	03/2024	
2023-310	402.57, F.S.	TBD	No	Yes	10/2023	03/2024	

PART TWO
LAWS EXPECTED TO BE IMPLEMENTED THROUGH RULEMAKING

Part Two of this plan addresses those laws which the Department of Children and Families intends to implement through rulemaking by July 1, 2024, that are otherwise not covered pursuant to Part One of this Plan. This Part does not include emergency rulemaking or any other rulemaking that may become

necessary that was not evident at the time of the submission of this plan. Additionally, the listing of a law to be implemented does not mean the rule will necessarily be adopted or effective by July 1, 2024. §120.74(1)(b), Fla. Stat. (2023).

Rule Number	Statute Implemented	Adoption/ Amendment/ Repeal	Intended Purpose of Rulemaking*
65C-20	402.302, 402.305, 402.309, 402.313, 402.3131	Amendment	The rulemaking is intended to simplify, clarify, increase efficiency, delete obsolete, unnecessary, or redundant rules
65C-29.008	39.407	Amendment	Clarify, Increase Efficiency
65C-46.001	409.175	Amendment	Updates to definition to align with new QRTP-CCA license type
65C-46.0211	409.175	Create	Creation of QRTP-CCA
65D-30.004	397.321, 397.4014, 397.4073, 397.4075, 397.410, 397.4103, 397.411 FS.	Amendment	Clarify and Increase efficiency
65D-30.0142	397.311(26), 397.321,	Amendment	Clarify and Increase efficiency
65E-4.016	394.875, 394.876, 394.877, 394.879, 394.90, 394.902, 394.903 FS.	Amendment	Clarify, Increase efficiency, Reduce regulatory costs.

Rule Number	Statute Implemented	Adoption/ Amendment/ Repeal	Intended Purpose of Rulemaking*
65E-5.350	394	Amendment	The rulemaking is intended to simplify, clarify, increase efficiency, delete obsolete, unnecessary, or redundant rules
65E-12.103	394.455, 394.459, 394.463, 394.67, 394.875, 394.907 FS.	Amendment	Clarify; Increase efficiency
65E-12.105	394.455, 394.879 FS.	Amendment	Clarify; Increase efficiency
65E-12.107	394.459(2), 394.463, 394.875, 394.879(1) FS.	Amendment	Clarify; Improve coordination with other agencies
65E-12.108	394.875 FS.	Amendment	Clarify
65E-12.109	394.875 FS.	Amendment	Clarify; Improve coordination with other agencies
65E-12.110	394.4612, 394.499 FS.	Amendment	Clarify

*State whether the rulemaking is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.

PART THREE
UPDATES TO PRIOR YEAR'S PLAN

Part Three of the Plan addresses whether there are any updates to the prior year's regulatory plan pursuant to §120.74(1)(c), Fla. Stat. (2023).

Rules where Rulemaking was not initiated prior to July 1, 2023, for laws previously reported as required on the 2022 Regulatory Plan.

Rule Number	Law	Notice of Rule Development Citation	If the Agency determined that rulemaking is unnecessary, explanation of reason why the law may be implemented without rulemaking.
65C-28.021	2022-55	10/31/2022, Vol 48/212	Due to the complexity of the rule, additional time was needed to ensure compliance with both state and federal requirements.

PART FOUR
OTHER UPDATES TO PRIOR YEAR'S PLAN

Part Four of the plan includes any desired update to the prior year's regulatory plan or supplement published.

Rules where Rulemaking was not initiated prior to July 1, 2023.

Rule Number
65A-1.701, .703, .712, .716

Rule Number
65A-2.022, .036
65A-4.201, .203, .207, .208, .209, .210, .2131, .214, .215, .216, .220
65C-20.008
65C-22.001, .008
65D-30.0037, .0141
65E-4.016
65H-1.011, .018

PART FIVE
CERTIFICATION PURSUANT TO §120.74(1)(d)

I, Shevaun Harris, Secretary, hereby certify that I have reviewed the Department's annual regulatory plan and that all agency rules have been reviewed as of July 2023, to determine if the rules remain consistent with the Department's rulemaking authority and laws implemented.

Signature: 
Shevaun Harris, Secretary

Date: September 29, 2023

I, Andrew McGinley, General Counsel, hereby certify that I have reviewed the Department's annual regulatory plan and that all agency rules have been reviewed as of July 2023, to determine if the rules remain consistent with the Department's rulemaking authority and laws implemented.

Signature: 
Andrew McGinley, General Counsel

Date: September 29, 2023