



State of Florida
Department of Children and Families

Ron DeSantis
Governor

Chad Poppell
Secretary

DATE: September 16, 2020

TO: Regional Managing Directors
Sheriff's Offices Conducting Child Protective Investigations

THROUGH: Patricia Babcock, Deputy Secretary *Patricia Babcock*

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

SUBJECT: Chapter 2020-31, Laws of Florida (Senate Bill 698) and Implications for Child Protection Teams Services and Examinations

PURPOSE: The purpose of this memorandum is to provide notification of Chapter 2020-31, Laws of Florida (Senate Bill 698), effective July 1, 2020, which has significant implications on services and examinations provided by the Child Protection Team (CPT).

BACKGROUND: The Florida Legislature recently passed a law expanding many health care providers' obligation to obtain additional parietal consent prior to the provision of a wide range of health care services. Effective July 1, 2020, the law requires health care practitioners (a category which includes CPT providers) to obtain written informed consent to perform pelvic examinations. These examinations are part of procedures conducted by CPT providers during the provision of CPT services related to physical and sexual abuse investigations.

ACTION REQUIRED: Effective immediately, CPT providers will require written informed consent from parent/legal guardian prior to the execution of CPT services involving intrusive procedures or examinations of the pelvic area (typically necessary in cases of sexual abuse and some physical abuse). This requirement applies to males and females.

In cases where the parent/legal guardian is not the alleged perpetrator and is present at the CPT appointment, CPT will discuss the procedures and obtain consent prior to the examination. If the parent/legal guardian is not present at the appointment but is willing and able to provide consent, the Child Protection Investigator (CPI) will need to contact CPT for the provider to discuss the procedures; and the CPI can have the parent/legal guardian sign the consent form provided by the local CPT agency.

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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

MEMO: Chapter 2020-31, Laws of Florida (SB 698) and Implications for Child Protection Teams Services and Examinations
September 16, 2020
Page 2

In cases where the parent/legal guardian is the alleged perpetrator or in the absence of a protective or non-offending parent/guardian, and written informed consent cannot be obtained, the CPI shall consult with CPT for consideration of options for a visual exam. In addition, the CPI is required to escalate decision making to the Program Administrator and/or Operations Manager to determine if a legal staffing is warranted to ensure child safety during evidence collection.

Please distribute this memorandum to all child protective investigations staff and leadership.

CONTACT INFORMATION: If you have any questions regarding these procedures, please contact Brooke Bass, CPI Practice & Policy Manager, at Brooke.Bass@myflfamilies.com or 850-717-4643.

cc: Regional Family and Community Services Directors
Grainnie O'Sullivan, Director of Children's Legal Services
The Center for Child Welfare