



Improve System Accountability & Protect Children

Children's Home Society of Florida requests legislative consideration to modify statute and ensure parties involved in the child welfare system are held responsible for their own actions by prohibiting lead agencies from shifting their liability to child-service providers by contract.

Original legislative intent and current statute require ALL participants in the child welfare system -- lead agencies (CBCs) and child-service providers -- to have sufficient liability insurance coverage in the event that children are harmed by an entity's actions or inactions. State agencies like the Department of Children and Families (DCF) are protected through sovereign immunity.

Current contract practice is not aligned with this. Currently, CBCs shift liability from themselves and DCF through contract language to their child-service providers.

This shifting of responsibility doesn't protect children and perpetuates a lack of accountability, and it is also threatening the future of child-service providers -- the organizations delivering the care -- as they are at greater risk for increased insurance premiums and even non-renewals.

Additionally, monies spent on more insurance coverage would be better used helping children in the foster care system. Both scenarios can affect children in care, as they jeopardize system stability and the ability for quality providers to deliver critical services to vulnerable children and families.



This policy change is necessary to better protect Florida's children and increase accountability for all who serve children in foster care. We need legislation to ensure whoever causes harm to children in the state's foster care system is held responsible -- and that a contract doesn't shift the responsibility away.

This is a critical, urgent issue, and we must act now.

