

1 A bill to be entitled
2 An act relating to child welfare; amending ss. 39.01
3 and 39.4015, F.S.; revising definitions; amending s.
4 39.402, F.S.; requiring certain judicial orders to
5 specify that the Department of Children and Families
6 has placement and care responsibility for certain
7 children; amending s. 39.407, F.S.; authorizing
8 psychiatric nurses to prescribe psychotropic
9 medications to certain children; revising the time
10 period within which a court must review a child's
11 residential treatment plan; amending s. 39.5085, F.S.;
12 revising eligibility for the Relative Caregiver
13 Program; amending s. 39.5086, F.S.; removing a
14 definition; amending s. 39.6225, F.S.; providing a
15 definition; providing for the termination of
16 guardianship assistance benefits under certain
17 circumstances; conforming provisions to changes made
18 by the act; authorizing the department to adopt rules;
19 amending s. 39.6251, F.S.; requiring a young adult in
20 extended foster care to provide certain documentation
21 or execute a consent for release of certain records;
22 revising permanency goals for young adults in extended
23 foster care; allowing return to care through the
24 execution of a voluntary placement agreement;
25 authorizing the department to adopt rules; amending s.

26 | 39.701, F.S.; revising the determinations a court must
27 | make to return a child to the custody of his or her
28 | parents; requiring the court to make certain orders
29 | when a young adult enters extended foster care;
30 | amending s. 402.56, F.S.; revising membership of the
31 | Children and Youth Cabinet; creating s. 402.57, F.S.;
32 | directing the department to establish a direct-support
33 | organization; providing responsibilities and
34 | requirements of the direct-support organization;
35 | providing for membership and term limits; providing
36 | for future repeal; amending s. 409.1451, F.S.;
37 | authorizing certain financial awards to be disregarded
38 | when applying for other federal assistance; amending
39 | s. 409.175, F.S.; revising definitions; revising
40 | provisions related to the licensure of family foster
41 | homes and certain child-caring and child-placing
42 | agencies; requiring the department to post certain
43 | information on its website; deleting required number
44 | of training hours for foster parents; amending s.
45 | 409.903, F.S.; revising eligibility for Medicaid
46 | coverage for children eligible for the Guardianship
47 | Assistance Program; amending s. 409.991, F.S.;
48 | revising a definition; amending s. 414.045, F.S.;
49 | revising eligibility for child-only funding; amending
50 | s. 1009.25, F.S.; revising eligibility for tuition and

51 fee exemptions; providing an effective date.

52

53 Be It Enacted by the Legislature of the State of Florida:

54

55 Section 1. Subsection (37) of section 39.01, Florida
 56 Statutes, is amended to read:

57 39.01 Definitions.—When used in this chapter, unless the
 58 context otherwise requires:

59 (37) "Institutional child abuse or neglect" means
 60 situations of known or suspected child abuse or neglect in which
 61 the person allegedly perpetrating the child abuse or neglect is
 62 an employee of a public or private school, public or private day
 63 care center, residential home, institution, facility, or agency
 64 or any other person at such institution responsible for the
 65 child's welfare ~~care~~ as defined in subsection (54).

66 Section 2. Paragraph (d) of subsection (2) of section
 67 39.4015, Florida Statutes, is amended to read:

68 39.4015 Family finding.—

69 (2) DEFINITIONS.—As used in this section, the term:

70 ~~(d) "Fictive kin" means an individual who is unrelated to~~
 71 ~~the child by either birth or marriage, but has such a close~~
 72 ~~emotional relationship with the child that he or she may be~~
 73 ~~considered part of the family.~~

74 Section 3. Paragraph (h) of subsection (8) of section
 75 39.402, Florida Statutes, is amended to read:

76 | 39.402 Placement in a shelter.-

77 | (8)

78 | (h) The order for placement of a child in shelter care
79 | must identify the parties present at the hearing and must
80 | contain written findings:

81 | 1. That placement in shelter care is necessary based on
82 | the criteria in subsections (1) and (2).

83 | 2. That placement in shelter care is in the best interest
84 | of the child.

85 | 3. That continuation of the child in the home is contrary
86 | to the welfare of the child because the home situation presents
87 | a substantial and immediate danger to the child's physical,
88 | mental, or emotional health or safety which cannot be mitigated
89 | by the provision of preventive services.

90 | 4. That based upon the allegations of the petition for
91 | placement in shelter care, there is probable cause to believe
92 | that the child is dependent or that the court needs additional
93 | time, which may not exceed 72 hours, in which to obtain and
94 | review documents pertaining to the family in order to
95 | appropriately determine the risk to the child.

96 | 5. That the department has made reasonable efforts to
97 | prevent or eliminate the need for removal of the child from the
98 | home. A finding of reasonable effort by the department to
99 | prevent or eliminate the need for removal may be made and the
100 | department is deemed to have made reasonable efforts to prevent

101 or eliminate the need for removal if:

102 a. The first contact of the department with the family
103 occurs during an emergency;

104 b. The appraisal of the home situation by the department
105 indicates that the home situation presents a substantial and
106 immediate danger to the child's physical, mental, or emotional
107 health or safety which cannot be mitigated by the provision of
108 preventive services;

109 c. The child cannot safely remain at home, either because
110 there are no preventive services that can ensure the health and
111 safety of the child or because, even with appropriate and
112 available services being provided, the health and safety of the
113 child cannot be ensured; or

114 d. The parent or legal custodian is alleged to have
115 committed any of the acts listed as grounds for expedited
116 termination of parental rights in s. 39.806(1)(f)-(i).

117 6. That the department has made reasonable efforts to keep
118 siblings together if they are removed and placed in out-of-home
119 care unless such placement is not in the best interest of each
120 child. It is preferred that siblings be kept together in a
121 foster home, if available. Other reasonable efforts shall
122 include short-term placement in a group home with the ability to
123 accommodate sibling groups if such a placement is available. The
124 department shall report to the court its efforts to place
125 siblings together unless the court finds that such placement is

126 | not in the best interest of a child or his or her sibling.

127 | 7. That the court notified the parents, relatives that are
128 | providing out-of-home care for the child, or legal custodians of
129 | the time, date, and location of the next dependency hearing and
130 | of the importance of the active participation of the parents,
131 | relatives that are providing out-of-home care for the child, or
132 | legal custodians in all proceedings and hearings.

133 | 8. That the court notified the parents or legal custodians
134 | of their right to counsel to represent them at the shelter
135 | hearing and at each subsequent hearing or proceeding, and the
136 | right of the parents to appointed counsel, pursuant to the
137 | procedures set forth in s. 39.013.

138 | 9. That the court notified relatives who are providing
139 | out-of-home care for a child as a result of the shelter petition
140 | being granted that they have the right to attend all subsequent
141 | hearings, to submit reports to the court, and to speak to the
142 | court regarding the child, if they so desire.

143 | 10. That the department has placement and care
144 | responsibility for any child who is not placed in the care of a
145 | parent at the conclusion of the shelter hearing.

146 | Section 4. Subsection (3) and paragraphs (g), (h), and (i)
147 | of subsection (6) of section 39.407, Florida Statutes, are
148 | amended to read:

149 | 39.407 Medical, psychiatric, and psychological examination
150 | and treatment of child; physical, mental, or substance abuse

151 examination of person with or requesting child custody.—
152 (3) (a)1. Except as otherwise provided in subparagraph
153 (b)1. or paragraph (e), before the department provides
154 psychotropic medications to a child in its custody, the
155 prescribing physician or a psychiatric nurse, as defined in s.
156 394.455, shall attempt to obtain express and informed consent,
157 as defined in s. 394.455(15) and as described in s.
158 394.459(3) (a), from the child's parent or legal guardian. The
159 department must take steps necessary to facilitate the inclusion
160 of the parent in the child's consultation with the physician or
161 psychiatric nurse, as defined in s. 394.455. However, if the
162 parental rights of the parent have been terminated, the parent's
163 location or identity is unknown or cannot reasonably be
164 ascertained, or the parent declines to give express and informed
165 consent, the department may, after consultation with the
166 prescribing physician or psychiatric nurse, as defined in s.
167 394.455, seek court authorization to provide the psychotropic
168 medications to the child. Unless parental rights have been
169 terminated and if it is possible to do so, the department shall
170 continue to involve the parent in the decisionmaking process
171 regarding the provision of psychotropic medications. If, at any
172 time, a parent whose parental rights have not been terminated
173 provides express and informed consent to the provision of a
174 psychotropic medication, the requirements of this section that
175 the department seek court authorization do not apply to that

176 medication until such time as the parent no longer consents.

177 2. Any time the department seeks a medical evaluation to
178 determine the need to initiate or continue a psychotropic
179 medication for a child, the department must provide to the
180 evaluating physician or psychiatric nurse, as defined in s.
181 394.455, all pertinent medical information known to the
182 department concerning that child.

183 (b)1. If a child who is removed from the home under s.
184 39.401 is receiving prescribed psychotropic medication at the
185 time of removal and parental authorization to continue providing
186 the medication cannot be obtained, the department may take
187 possession of the remaining medication and may continue to
188 provide the medication as prescribed until the shelter hearing,
189 if it is determined that the medication is a current
190 prescription for that child and the medication is in its
191 original container.

192 2. If the department continues to provide the psychotropic
193 medication to a child when parental authorization cannot be
194 obtained, the department shall notify the parent or legal
195 guardian as soon as possible that the medication is being
196 provided to the child as provided in subparagraph 1. The child's
197 official departmental record must include the reason parental
198 authorization was not initially obtained and an explanation of
199 why the medication is necessary for the child's well-being.

200 3. If the department is advised by a physician licensed

201 | under chapter 458 or chapter 459 or a psychiatric nurse, as
202 | defined in s. 394.455, that the child should continue the
203 | psychotropic medication and parental authorization has not been
204 | obtained, the department shall request court authorization at
205 | the shelter hearing to continue to provide the psychotropic
206 | medication and shall provide to the court any information in its
207 | possession in support of the request. Any authorization granted
208 | at the shelter hearing may extend only until the arraignment
209 | hearing on the petition for adjudication of dependency or 28
210 | days following the date of removal, whichever occurs sooner.

211 | 4. Before filing the dependency petition, the department
212 | shall ensure that the child is evaluated by a physician licensed
213 | under chapter 458 or chapter 459 or a psychiatric nurse, as
214 | defined in s. 394.455, to determine whether it is appropriate to
215 | continue the psychotropic medication. If, as a result of the
216 | evaluation, the department seeks court authorization to continue
217 | the psychotropic medication, a motion for such continued
218 | authorization shall be filed at the same time as the dependency
219 | petition, within 21 days after the shelter hearing.

220 | (c) Except as provided in paragraphs (b) and (e), the
221 | department must file a motion seeking the court's authorization
222 | to initially provide or continue to provide psychotropic
223 | medication to a child in its legal custody. The motion must be
224 | supported by a written report prepared by the department which
225 | describes the efforts made to enable the prescribing physician

226 | or psychiatric nurse, as defined in s. 394.455, to obtain
227 | express and informed consent for providing the medication to the
228 | child and other treatments considered or recommended for the
229 | child. In addition, the motion must be supported by the
230 | prescribing physician's or psychiatric nurse's signed medical
231 | report providing:

232 | 1. The name of the child, the name and range of the dosage
233 | of the psychotropic medication, and that there is a need to
234 | prescribe psychotropic medication to the child based upon a
235 | diagnosed condition for which such medication is being
236 | prescribed.

237 | 2. A statement indicating that the physician or
238 | psychiatric nurse, as defined in s. 394.455, has reviewed all
239 | medical information concerning the child which has been
240 | provided.

241 | 3. A statement indicating that the psychotropic
242 | medication, at its prescribed dosage, is appropriate for
243 | treating the child's diagnosed medical condition, as well as the
244 | behaviors and symptoms the medication, at its prescribed dosage,
245 | is expected to address.

246 | 4. An explanation of the nature and purpose of the
247 | treatment; the recognized side effects, risks, and
248 | contraindications of the medication; drug-interaction
249 | precautions; the possible effects of stopping the medication;
250 | and how the treatment will be monitored, followed by a statement

251 | indicating that this explanation was provided to the child if
252 | age appropriate and to the child's caregiver.

253 | 5. Documentation addressing whether the psychotropic
254 | medication will replace or supplement any other currently
255 | prescribed medications or treatments; the length of time the
256 | child is expected to be taking the medication; and any
257 | additional medical, mental health, behavioral, counseling, or
258 | other services that the prescribing physician or psychiatric
259 | nurse, as defined in s. 394.455, recommends.

260 | (d)1. The department must notify all parties of the
261 | proposed action taken under paragraph (c) in writing or by
262 | whatever other method best ensures that all parties receive
263 | notification of the proposed action within 48 hours after the
264 | motion is filed. If any party objects to the department's
265 | motion, that party shall file the objection within 2 working
266 | days after being notified of the department's motion. If any
267 | party files an objection to the authorization of the proposed
268 | psychotropic medication, the court shall hold a hearing as soon
269 | as possible before authorizing the department to initially
270 | provide or to continue providing psychotropic medication to a
271 | child in the legal custody of the department. At such hearing
272 | and notwithstanding s. 90.803, the medical report described in
273 | paragraph (c) is admissible in evidence. The prescribing
274 | physician or psychiatric nurse, as defined in s. 394.455, does
275 | not need to ~~not~~ attend the hearing or testify unless the court

276 specifically orders such attendance or testimony, or a party
277 subpoenas the physician or psychiatric nurse, as defined in s.
278 394.455, to attend the hearing or provide testimony. If, after
279 considering any testimony received, the court finds that the
280 department's motion and the physician's or the psychiatric
281 nurse's medical report meet the requirements of this subsection
282 and that it is in the child's best interests, the court may
283 order that the department provide or continue to provide the
284 psychotropic medication to the child without additional
285 testimony or evidence. At any hearing held under this paragraph,
286 the court shall further inquire of the department as to whether
287 additional medical, mental health, behavioral, counseling, or
288 other services are being provided to the child by the department
289 which the prescribing physician or psychiatric nurse, as defined
290 in s. 394.455, considers to be necessary or beneficial in
291 treating the child's medical condition and which the physician
292 or psychiatric nurse, as defined in s. 394.455, recommends or
293 expects to provide to the child in concert with the medication.
294 The court may order additional medical consultation, including
295 consultation with the MedConsult line at the University of
296 Florida, if available, or require the department to obtain a
297 second opinion within a reasonable timeframe as established by
298 the court, not to exceed 21 calendar days, after such order
299 based upon consideration of the best interests of the child. The
300 department must make a referral for an appointment for a second

301 opinion with a physician or psychiatric nurse, as defined in s.
302 394.455, within 1 working day. The court may not order the
303 discontinuation of prescribed psychotropic medication if such
304 order is contrary to the decision of the prescribing physician
305 or psychiatric nurse, as defined in s. 394.455, unless the court
306 first obtains an opinion from a licensed psychiatrist, if
307 available, or, if not available, a physician licensed under
308 chapter 458 or chapter 459, stating that more likely than not,
309 discontinuing the medication would not cause significant harm to
310 the child. If, however, the prescribing psychiatrist specializes
311 in mental health care for children and adolescents, the court
312 may not order the discontinuation of prescribed psychotropic
313 medication unless the required opinion is also from a
314 psychiatrist who specializes in mental health care for children
315 and adolescents. The court may also order the discontinuation of
316 prescribed psychotropic medication if a child's treating
317 physician, licensed under chapter 458 or chapter 459, or
318 psychiatric nurse, as defined in s. 394.455, states that
319 continuing the prescribed psychotropic medication would cause
320 significant harm to the child due to a diagnosed nonpsychiatric
321 medical condition.

322 2. The burden of proof at any hearing held under this
323 paragraph shall be by a preponderance of the evidence.

324 (e)1. If the child's prescribing physician or psychiatric
325 nurse, as defined in s. 394.455, certifies in the signed medical

326 report required in paragraph (c) that delay in providing a
327 prescribed psychotropic medication would more likely than not
328 cause significant harm to the child, the medication may be
329 provided in advance of the issuance of a court order. In such
330 event, the medical report must provide the specific reasons why
331 the child may experience significant harm and the nature and the
332 extent of the potential harm. The department must submit a
333 motion seeking continuation of the medication and the
334 physician's or psychiatric nurse's medical report to the court,
335 the child's guardian ad litem, and all other parties within 3
336 working days after the department commences providing the
337 medication to the child. The department shall seek the order at
338 the next regularly scheduled court hearing required under this
339 chapter, or within 30 days after the date of the prescription,
340 whichever occurs sooner. If any party objects to the
341 department's motion, the court shall hold a hearing within 7
342 days.

343 2. Psychotropic medications may be administered in advance
344 of a court order in hospitals, crisis stabilization units, and
345 in statewide inpatient psychiatric programs. Within 3 working
346 days after the medication is begun, the department must seek
347 court authorization as described in paragraph (c).

348 (f)1. The department shall fully inform the court of the
349 child's medical and behavioral status as part of the social
350 services report prepared for each judicial review hearing held

351 for a child for whom psychotropic medication has been prescribed
352 or provided under this subsection. As a part of the information
353 provided to the court, the department shall furnish copies of
354 all pertinent medical records concerning the child which have
355 been generated since the previous hearing. On its own motion or
356 on good cause shown by any party, including any guardian ad
357 litem, attorney, or attorney ad litem who has been appointed to
358 represent the child or the child's interests, the court may
359 review the status more frequently than required in this
360 subsection.

361 2. The court may, in the best interests of the child,
362 order the department to obtain a medical opinion addressing
363 whether the continued use of the medication under the
364 circumstances is safe and medically appropriate.

365 (g) The department shall adopt rules to ensure that
366 children receive timely access to clinically appropriate
367 psychotropic medications. These rules must include, but need not
368 be limited to, the process for determining which adjunctive
369 services are needed, the uniform process for facilitating the
370 prescribing physician's or psychiatric nurse's ability to obtain
371 the express and informed consent of a child's parent or
372 guardian, the procedures for obtaining court authorization for
373 the provision of a psychotropic medication, the frequency of
374 medical monitoring and reporting on the status of the child to
375 the court, how the child's parents will be involved in the

376 treatment-planning process if their parental rights have not
377 been terminated, and how caretakers are to be provided
378 information contained in the physician's or psychiatric nurse's
379 signed medical report. The rules must also include uniform forms
380 to be used in requesting court authorization for the use of a
381 psychotropic medication and provide for the integration of each
382 child's treatment plan and case plan. The department must begin
383 the formal rulemaking process within 90 days after the effective
384 date of this act.

385 (6) Children who are in the legal custody of the
386 department may be placed by the department, without prior
387 approval of the court, in a residential treatment center
388 licensed under s. 394.875 or a hospital licensed under chapter
389 395 for residential mental health treatment only pursuant to
390 this section or may be placed by the court in accordance with an
391 order of involuntary examination or involuntary placement
392 entered pursuant to s. 394.463 or s. 394.467. All children
393 placed in a residential treatment program under this subsection
394 must have a guardian ad litem appointed.

395 (g)1. The department must submit, at the beginning of each
396 month, to the court having jurisdiction over the child, a
397 written report regarding the child's progress toward achieving
398 the goals specified in the individualized plan of treatment.

399 2. The court must conduct a hearing to review the status
400 of the child's residential treatment plan no later than 60 days

401 ~~3 months~~ after the child's admission to the residential
402 treatment program. An independent review of the child's progress
403 toward achieving the goals and objectives of the treatment plan
404 must be completed by a qualified evaluator and submitted to the
405 court before its 60-day ~~3-month~~ review.

406 3. For any child in residential treatment at the time a
407 judicial review is held pursuant to s. 39.701, the child's
408 continued placement in residential treatment must be a subject
409 of the judicial review.

410 4. If at any time the court determines that the child is
411 not suitable for continued residential treatment, the court
412 shall order the department to place the child in the least
413 restrictive setting that is best suited to meet his or her
414 needs.

415 (h) After the initial 60-day ~~3-month~~ review, the court
416 must conduct a review of the child's residential treatment plan
417 every 90 days.

418 (i) The department must adopt rules for implementing
419 timeframes for the completion of suitability assessments by
420 qualified evaluators and a procedure that includes timeframes
421 for completing the 60-day ~~3-month~~ independent review by the
422 qualified evaluators of the child's progress toward achieving
423 the goals and objectives of the treatment plan which review must
424 be submitted to the court. The Agency for Health Care
425 Administration must adopt rules for the registration of

426 qualified evaluators, the procedure for selecting the evaluators
427 to conduct the reviews required under this section, and a
428 reasonable, cost-efficient fee schedule for qualified
429 evaluators.

430 Section 5. Paragraph (a) of subsection (1) and paragraph
431 (a) of subsection (2) of section 39.5085, Florida Statutes, are
432 amended to read:

433 39.5085 Relative Caregiver Program.—

434 (1) It is the intent of the Legislature in enacting this
435 section to:

436 (a) Provide for the establishment of procedures and
437 protocols that serve to advance the continued safety of children
438 by acknowledging the valued resource uniquely available through
439 grandparents, relatives of children, and specified nonrelatives
440 of children pursuant to subparagraph (2) (a)3.

441 (2) (a) The Department of Children and Families shall
442 establish, operate, and implement the Relative Caregiver Program
443 by rule of the department. Relatives and nonrelatives who are
444 caring for a child and do not meet the eligibility requirements
445 for Level I licensure under s. 409.175 may apply for the
446 Relative Caregiver Program. The Relative Caregiver Program
447 shall, within the limits of available funding, provide financial
448 assistance to:

449 1. Relatives who are within the fifth degree by blood or
450 marriage to the parent or stepparent of a child and who are

451 caring full-time for that dependent child in the role of
452 substitute parent as a result of a court's determination of
453 child abuse, neglect, or abandonment and subsequent placement
454 with the relative under this chapter.

455 2. Relatives who are within the fifth degree by blood or
456 marriage to the parent or stepparent of a child and who are
457 caring full-time for that dependent child, and a dependent half-
458 brother or half-sister of that dependent child, in the role of
459 substitute parent as a result of a court's determination of
460 child abuse, neglect, or abandonment and subsequent placement
461 with the relative under this chapter.

462 3. Nonrelatives who are willing to assume custody and care
463 of a dependent child in the role of substitute parent as a
464 result of a court's determination of child abuse, neglect, or
465 abandonment and subsequent placement with the nonrelative
466 caregiver under this chapter. The court must find that a
467 proposed placement under this subparagraph is in the best
468 interest of the child.

469 4. A relative or nonrelative caregiver, but the relative
470 or nonrelative caregiver may not receive a Relative Caregiver
471 Program payment if the parent or stepparent of the child resides
472 in the home. However, a relative or nonrelative may receive the
473 Relative Caregiver Program payment for a minor parent who is in
474 his or her care, as well as for the minor parent's child, if
475 both children have been adjudicated dependent and meet all other

476 eligibility requirements. If the caregiver is currently
477 receiving the payment, the Relative Caregiver Program payment
478 must be terminated no later than the first of the following
479 month after the parent or stepparent moves into the home,
480 allowing for 10-day notice of adverse action.

481
482 The placement may be court-ordered temporary legal custody to
483 the relative or nonrelative under protective supervision of the
484 department pursuant to s. 39.521(1)(c)3., or court-ordered
485 placement in the home of a relative or nonrelative as a
486 permanency option under s. 39.6221 or s. 39.6231 or under former
487 s. 39.622 if the placement was made before July 1, 2006. The
488 Relative Caregiver Program shall offer financial assistance to
489 caregivers who would be unable to serve in that capacity without
490 the caregiver payment because of financial burden, thus exposing
491 the child to the trauma of placement in a shelter or in foster
492 care.

493 Section 6. Subsection (1) of section 39.5086, Florida
494 Statutes, is amended to read:

495 39.5086 Kinship navigator programs.—

496 (1) DEFINITIONS.—As used in this section, the term:

497 ~~(a) "Fictive kin" has the same meaning as provided in s.~~
498 ~~39.4015(2)(d).~~

499 (a) ~~(b)~~ "Kinship care" means the full-time care of a child
500 placed in out-of-home care by the court in the home of a

501 relative or fictive kin.

502 (b)~~(e)~~ "Kinship navigator program" means a program
 503 designed to ensure that kinship caregivers are provided with
 504 necessary resources for the preservation of the family.

505 (c)~~(d)~~ "Relative" means an individual who is caring full
 506 time for a child placed in out-of-home care by the court and
 507 who:

- 508 1. Is related to the child within the fifth degree by
- 509 blood or marriage to the parent or stepparent of the child; or
- 510 2. Is related to a half-sibling of that child within the
- 511 fifth degree by blood or marriage to the parent or stepparent.

512 Section 7. Subsection (1), paragraph (b) of subsection
 513 (2), and subsections (6) and (10) of section 39.6225, Florida
 514 Statutes, are amended, and subsection (15) is added to that
 515 section, to read:

516 39.6225 Guardianship Assistance Program.—

517 (1) The department shall establish and operate the
 518 Guardianship Assistance Program to provide guardianship
 519 assistance payments to relatives, ~~next of kin, and fictive kin~~
 520 who meet the eligibility requirements established in this
 521 section. For purposes of administering the program, the term:

522 (a) "Child" means an individual who has not attained 21
 523 years of age.

524 (b) "Relative" means fictive kin, relative, or next of kin
 525 as those terms are defined in s. 39.01.

526 ~~(c) (b)~~ "Young adult" means an individual who has attained
 527 18 years of age but who has not attained 21 years of age.

528 (2) To approve an application for the program, the
 529 department shall determine that all of the following
 530 requirements have been met:

531 (b) The court has granted legal custody to the guardian
 532 pursuant to s. 39.6221 ~~s. 39.521~~ or ~~s. 39.522~~.

533 (6) Guardianship assistance benefits shall be terminated
 534 if:

535 (a) The child has attained 18 years of age, or the child
 536 has attained 21 years of age if he or she meets the requirements
 537 of subsection (9); ~~is absent from the home of the guardian for a~~
 538 ~~period of at least 60 consecutive calendar days, unless the~~
 539 ~~child:~~

540 ~~1. Is absent due to medical care, school attendance,~~
 541 ~~runaway status, or detention in a Department of Juvenile Justice~~
 542 ~~facility; and~~

543 ~~2. Continues to be under the care and custody of the~~
 544 ~~guardian.~~

545 (b) The child has not attained 18 years of age and the
 546 guardian is no longer legally responsible for the support of the
 547 child; or ~~The court modifies the placement of the child and the~~
 548 ~~guardian is no longer eligible to receive guardianship~~
 549 ~~assistance benefits~~

550 (c) The child no longer receives support from the

551 guardian.

552 (10) The case plan must describe the following for each
553 child with a permanency goal of permanent guardianship in which
554 the guardian is pursuing ~~in receipt of~~ guardianship assistance
555 ~~payments:~~

556 (a) The manner in which the child meets program
557 eligibility requirements.

558 (b) The manner in which the department determined that
559 reunification or adoption is not appropriate.

560 (c) Efforts to discuss adoption with the child's permanent
561 guardian.

562 (d) Efforts to discuss guardianship assistance with the
563 child's parent or the reasons why efforts were not made.

564 (e) The reasons why a permanent placement with the
565 prospective guardian is in the best interest of the child.

566 (f) The reasons why the child is separated from his or her
567 siblings during placement, if applicable.

568 (g) Efforts to consult the child, if the child is 14 years
569 of age or older, regarding the permanent guardianship
570 arrangement.

571 (15) The department may adopt rules necessary to
572 administer this section.

573 Section 8. Subsections (2) and (3), paragraph (a) of
574 subsection (4), and subsection (6) of section 39.6251, Florida
575 Statutes, are amended, and subsection (10) is added to that

576 section, to read:

577 39.6251 Continuing care for young adults.—

578 (2) The primary goal for a child in care is permanency. A
579 child who is living in licensed care on his or her 18th birthday
580 and who has not achieved permanency under s. 39.621 is eligible
581 to remain in licensed care under the jurisdiction of the court
582 and in the care of the department. A child is eligible to remain
583 in licensed care if he or she is:

584 (a) Completing secondary education or a program leading to
585 an equivalent credential;

586 (b) Enrolled in an institution that provides postsecondary
587 or vocational education;

588 (c) Participating in a program or activity designed to
589 promote or eliminate barriers to employment;

590 (d) Employed for at least 80 hours per month; or

591 (e) Unable to participate in programs or activities listed
592 in paragraphs (a)-(d) full time due to a physical, intellectual,
593 emotional, or psychiatric condition that limits participation.

594 Any such barrier to participation must be supported by
595 documentation in the child's case file or school or medical
596 records of a physical, intellectual, or psychiatric condition
597 that impairs the child's ability to perform one or more life
598 activities.

599

600 The young adult must furnish documentation to the department or

601 lead agency of his or her participation in one of the programs
602 or activities listed in paragraphs (a)-(d), or his or her
603 inability to participate in one of the programs or activities as
604 provided in paragraph (e), or authorize the release of his or
605 her records to the department or lead agency.

606 (3) The permanency goal for a young adult who chooses to
607 remain in care past his or her 18th birthday is to transition to
608 independence ~~from licensed care to independent living.~~

609 (4) (a) The young adult must reside in a supervised living
610 environment that is approved by the department or a community-
611 based care lead agency. The young adult shall live
612 independently, but in an environment in which he or she is
613 provided supervision, case management, and supportive services
614 by the department or lead agency. Such an environment must offer
615 developmentally appropriate freedom and responsibility to
616 prepare the young adult for adulthood. For the purposes of this
617 subsection, a supervised living arrangement may include a
618 licensed foster home, licensed group home, college dormitory,
619 shared housing, apartment, or another housing arrangement if the
620 arrangement is approved by the community-based care lead agency
621 and is acceptable to the young adult, ~~with first choice being a~~
622 ~~licensed foster home.~~ A young adult may continue to reside with
623 the same licensed foster family or group care provider with whom
624 he or she was residing at the time he or she reached the age of
625 18 years.

626 (6) A young adult who is between the ages of 18 and 21 and
627 who has left care may return to care by applying to the
628 community-based care lead agency for readmission through the
629 execution of a voluntary placement agreement. The community-
630 based care lead agency shall readmit the young adult if he or
631 she continues to meet the eligibility requirements in this
632 section.

633 (a) The department shall develop a standard procedure and
634 application packet for readmission to care to be used by all
635 community-based care lead agencies.

636 (b) Within 30 days after the young adult has been
637 readmitted to care, the community-based care lead agency shall
638 assign a case manager to update the case plan and the transition
639 plan and to arrange for the required services. Updates to the
640 case plan and the transition plan and arrangements for the
641 required services shall be undertaken in consultation with the
642 young adult. The department shall petition the court to
643 reinstate jurisdiction over the young adult. Notwithstanding s.
644 39.013(2), the court shall resume jurisdiction over the young
645 adult if the department establishes that he or she continues to
646 meet the eligibility requirements in this section.

647 (10) The department shall adopt rules to administer this
648 section.

649 Section 9. Paragraph (d) of subsection (2) of section
650 39.701, Florida Statutes, is amended, and paragraphs (f) and (g)

651 are added to subsection (4) of that section, to read:

652 39.701 Judicial review.—

653 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
654 AGE.—

655 (d) Orders.—

656 1. Based upon the criteria set forth in paragraph (c) and
657 the recommended order of the citizen review panel, if any, the
658 court shall determine whether ~~or not~~ the social service agency
659 shall initiate proceedings to have a child declared a dependent
660 child, return the child to the parent, continue the child in
661 out-of-home care for a specified period of time, or initiate
662 termination of parental rights proceedings for subsequent
663 placement in an adoptive home. Amendments to the case plan must
664 be prepared as provided ~~prescribed~~ in s. 39.6013. If the court
665 finds that the prevention or reunification efforts of the
666 department will allow the child to remain safely at home or be
667 safely returned to the home, the court shall allow the child to
668 remain in or return to the home after making a specific finding
669 of fact that the reasons for the creation of the case plan have
670 been remedied to the extent that the child's safety, well-being,
671 and physical, mental, and emotional health will not be
672 endangered.

673 2. The court shall return the child to the custody of his
674 or her ~~the~~ parents at any time it determines that the
675 circumstances that caused the out-of-home placement, and any

676 issues subsequently identified, have been remedied to the extent
677 that returning the child to the home with an in-home safety plan
678 prepared or approved by the department ~~they have substantially~~
679 ~~complied with the case plan, if the court is satisfied that~~
680 ~~reunification~~ will not be detrimental to the child's safety,
681 well-being, and physical, mental, and emotional health.

682 3. If, in the opinion of the court, the social service
683 agency has not complied with its obligations as specified in the
684 written case plan, the court may find the social service agency
685 in contempt, shall order the social service agency to submit its
686 plans for compliance with the agreement, and shall require the
687 social service agency to show why the child could not safely be
688 returned to the home of the parents.

689 4. If, at any judicial review, the court finds that the
690 parents have failed to substantially comply with the case plan
691 to the degree that further reunification efforts are without
692 merit and not in the best interest of the child, on its own
693 motion, the court may order the filing of a petition for
694 termination of parental rights, regardless of whether ~~or not~~ the
695 time period as contained in the case plan for substantial
696 compliance has expired.

697 5. Within 6 months after the date that the child was
698 placed in shelter care, the court shall conduct a judicial
699 review hearing to review the child's permanency goal as
700 identified in the case plan. At the hearing the court shall make

701 findings regarding the likelihood of the child's reunification
702 with the parent or legal custodian. In making such findings, the
703 court shall consider the level of the parent or legal
704 custodian's compliance with the case plan and demonstrated
705 change in protective capacities compared to that necessary to
706 achieve timely reunification within 12 months after the removal
707 of the child from the home. The court shall also consider the
708 frequency, duration, manner, and level of engagement of the
709 parent or legal custodian's visitation with the child in
710 compliance with the case plan. If the court makes a written
711 finding that it is not likely that the child will be reunified
712 with the parent or legal custodian within 12 months after the
713 child was removed from the home, the department must file with
714 the court, and serve on all parties, a motion to amend the case
715 plan under s. 39.6013 and declare that it will use concurrent
716 planning for the case plan. The department must file the motion
717 within 10 business days after receiving the written finding of
718 the court. The department must attach the proposed amended case
719 plan to the motion. If concurrent planning is already being
720 used, the case plan must document the efforts the department is
721 taking to complete the concurrent goal.

722 6. The court may issue a protective order in assistance,
723 or as a condition, of any other order made under this part. In
724 addition to the requirements included in the case plan, the
725 protective order may set forth requirements relating to

726 reasonable conditions of behavior to be observed for a specified
727 period of time by a person or agency who is before the court;
728 and the order may require any person or agency to make periodic
729 reports to the court containing such information as the court in
730 its discretion may prescribe.

731 7. If, at any judicial review, the court determines that
732 the child shall remain in out-of-home care in a placement other
733 than with a parent, the court shall order that the department
734 has placement and care responsibility for the child.

735 (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—
736 During each period of time that a young adult remains in foster
737 care, the court shall review the status of the young adult at
738 least every 6 months and must hold a permanency review hearing
739 at least annually.

740 (f) If the young adult elects to voluntarily leave
741 extended foster care for the sole purpose of ending a removal
742 episode and immediately thereafter executes a voluntary
743 placement agreement with the department to reenroll in extended
744 foster care, the court shall enter an order finding that the
745 prior removal episode has ended. Under these circumstances, the
746 court maintains jurisdiction and a petition to reinstate
747 jurisdiction as provided in s. 39.6251(6)(b) is not required.

748 (g)1. When a young adult enters extended foster care by
749 executing a voluntary placement agreement, the court shall enter
750 an order within 180 days after execution of the agreement that

751 determines whether the placement is in the best interest of the
752 young adult. For purposes of this paragraph, a placement may
753 include a licensed foster home, licensed group home, college
754 dormitory, shared housing, apartment, or another housing
755 arrangement, if the arrangement is approved by the community-
756 based care lead agency and is acceptable to the young adult.

757 2. When a young adult is in extended foster care, each
758 judicial review order shall provide that the department has
759 placement and care responsibility for the young adult.

760 3. When a young adult is in extended foster care, the
761 court shall enter an order at least every 12 months that
762 includes a finding of whether the department has made reasonable
763 efforts to finalize the permanency plan currently in effect.

764 Section 10. Paragraph (a) of subsection (4) of section
765 402.56, Florida Statutes, is amended to read:

766 402.56 Children's cabinet; organization; responsibilities;
767 annual report.—

768 (4) MEMBERS.—The cabinet shall consist of 16 members
769 including the Governor and the following persons:

770 (a)1. The Secretary of Children and Families;

771 2. The Secretary of Juvenile Justice;

772 3. The director of the Agency for Persons with
773 Disabilities;

774 4. The director of the Office of Early Learning;

775 5. The State Surgeon General;

- 776 6. The Secretary of Health Care Administration;
- 777 7. The Commissioner of Education;
- 778 8. The director of the Statewide Guardian Ad Litem Office;
- 779 9. A representative ~~The director~~ of the Office of Adoption
- 780 and Child Protection;
- 781 10. A superintendent of schools, appointed by the
- 782 Governor; and
- 783 11. Five members who represent children and youth advocacy
- 784 organizations and who are not service providers, appointed by
- 785 the Governor.

786 Section 11. Section 402.57, Florida Statutes, is created

787 to read:

788 402.57 Direct-support organization.-

789 (1) The Department of Children and Families shall

790 establish a direct-support organization to assist the Children

791 and Youth Cabinet established in s. 402.56 in carrying out its

792 purposes and responsibilities, primarily regarding fostering

793 public awareness of children and youth issues and developing new

794 partners in the effort to serve children and youth by raising

795 money; submitting requests for and receiving grants from the

796 Federal Government, the state or its political subdivisions,

797 private foundations, and individuals; and making expenditures to

798 or for the benefit of the cabinet. The sole purpose for the

799 direct-support organization is to support the cabinet. The

800 direct-support organization must be:

801 (a) Incorporated under chapter 617 and approved by the
802 Department of State as a Florida corporation not for profit.

803 (b) Organized and operated to make expenditures to or for
804 the benefit of the cabinet.

805 (c) Approved by the department to be operating for the
806 benefit of and in a manner consistent with the goals of the
807 cabinet and in the best interest of the state.

808 (2) The board of directors of the direct-support
809 organization shall consist of seven members appointed by the
810 Governor. Each member of the board of directors shall be
811 appointed to a 4-year term. However, for the purpose of
812 providing staggered terms, the initial appointments shall be for
813 either 2 years or 4 years, as determined by the Governor.

814 (3) The direct-support organization shall operate under a
815 written contract with the department.

816 (4) All moneys received by the direct-support organization
817 must be deposited into an account of the direct-support
818 organization and shall be used in a manner consistent with the
819 goals of the cabinet.

820 (5) This section is repealed October 1, 2024, unless
821 reviewed and saved from repeal by the Legislature.

822 Section 12. Subsections (9) and (10) of section 409.1451,
823 Florida Statutes, are renumbered as subsections (10) and (11),
824 respectively, paragraph (b) of subsection (2) is amended, and a
825 new subsection (9) is added to that section, to read:

826 | 409.1451 The Road-to-Independence Program.—

827 | (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

828 | (b) The amount of the financial assistance shall be as
829 | follows:

830 | 1. For a young adult who does not remain in foster care
831 | and is attending a postsecondary school as provided in s.
832 | 1009.533, the amount is \$1,256 monthly.

833 | 2. For a young adult who remains in foster care, is
834 | attending a postsecondary school, as provided in s. 1009.533,
835 | and continues to reside in a licensed foster home, the amount is
836 | the established room and board rate for foster parents. This
837 | takes the place of the payment provided for in s. 409.145(4).

838 | 3. For a young adult who remains in foster care, but
839 | temporarily resides away from a licensed foster home for
840 | purposes of attending a postsecondary school as provided in s.
841 | 1009.533, the amount is \$1,256 monthly. This takes the place of
842 | the payment provided for in s. 409.145(4).

843 | 4. For a young adult who remains in foster care, is
844 | attending a postsecondary school as provided in s. 1009.533, and
845 | continues to reside in a licensed group home, the amount is
846 | negotiated between the community-based care lead agency and the
847 | licensed group home provider.

848 | 5. For a young adult who remains in foster care, but
849 | temporarily resides away from a licensed group home for purposes
850 | of attending a postsecondary school as provided in s. 1009.533,

851 the amount is \$1,256 monthly. This takes the place of a
852 negotiated room and board rate.

853 ~~6. The amount of the award may be disregarded for purposes~~
854 ~~of determining the eligibility for, or the amount of, any other~~
855 ~~federal or federally supported assistance.~~

856 6.7. A young adult is eligible to receive financial
857 assistance during the months when he or she is enrolled in a
858 postsecondary educational institution.

859 (9) FINANCIAL ASSISTANCE FOR YOUNG ADULTS RECEIVING
860 SERVICES.—Financial awards to young adults receiving services
861 under subsections (2) and (3) and s. 39.6251 may be disregarded
862 for purposes of determining the eligibility for, or the amount
863 of, any other federal or federally supported assistance for
864 which the department is required to determine eligibility for
865 the program.

866 Section 13. Paragraphs (e), (j), and (m) of subsection
867 (2), paragraph (b) of subsection (5), paragraphs (b) and (c) of
868 subsection (6), subsection (7), paragraph (b) of subsection (9),
869 paragraphs (b) and (c) of subsection (12), and paragraphs (b)
870 and (d) of subsection (14) of section 409.175, Florida Statutes,
871 are amended to read:

872 409.175 Licensure of family foster homes, residential
873 child-caring agencies, and child-placing agencies; public
874 records exemption.—

875 (2) As used in this section, the term:

876 (e) "Family foster home" means a ~~private~~ residence
877 licensed by the department in which children who are unattended
878 by a parent or legal guardian are provided 24-hour care. The
879 term does not include an adoptive home that has been approved by
880 the department or approved by a licensed child-placing agency
881 for children placed for adoption.

882 (j) "Personnel" means all owners, operators, employees,
883 and volunteers working in a child-placing agency, ~~family foster~~
884 ~~home,~~ or residential child-caring agency who may be employed by
885 or do volunteer work for a person, corporation, or agency that
886 holds a license as a child-placing agency or a residential
887 child-caring agency, but the term does not include those who do
888 not work on the premises where child care is furnished and have
889 no direct contact with a child or have no contact with a child
890 outside of the presence of the child's parent or guardian. For
891 purposes of screening, the term includes any member, over the
892 age of 12 years, of the family of the owner or operator or any
893 person other than a client, over the age of 12 years, residing
894 with the owner or operator if the agency ~~or family foster home~~
895 is located in or adjacent to the home of the owner or operator
896 or if the family member of, or person residing with, the owner
897 or operator has any direct contact with the children. Members of
898 the family of the owner or operator, or persons residing with
899 the owner or operator, who are between the ages of 12 years and
900 18 years are not required to be fingerprinted, but must be

901 screened for delinquency records. For purposes of screening, the
902 term also includes owners, operators, employees, and volunteers
903 working in summer day camps, or summer 24-hour camps providing
904 care for children. A volunteer who assists on an intermittent
905 basis for less than 10 hours per month shall not be included in
906 the term "personnel" for the purposes of screening if a person
907 who meets the screening requirement of this section is always
908 present and has the volunteer in his or her line of sight.

909 (m) "Screening" means the act of assessing the background
910 of personnel or level II through level V family foster homes and
911 includes, but is not limited to, employment history checks as
912 provided in chapter 435, using the level 2 standards for
913 screening set forth in that chapter.

914 (5) The department shall adopt and amend rules for the
915 levels of licensed care associated with the licensure of family
916 foster homes, residential child-caring agencies, and child-
917 placing agencies. The rules may include criteria to approve
918 waivers to licensing requirements when applying for a child-
919 specific license.

920 (b) The requirements for licensure and operation of family
921 foster homes, residential child-caring agencies, and child-
922 placing agencies shall include:

923 1. The operation, conduct, and maintenance of these homes
924 and agencies and the responsibility which they assume for
925 children served and the evidence of need for that service.

926 2. The provision of food, clothing, educational
927 opportunities, services, equipment, and individual supplies to
928 assure the healthy physical, emotional, and mental development
929 of the children served.

930 3. The appropriateness, safety, cleanliness, and general
931 adequacy of the premises, including fire prevention and health
932 standards, to provide for the physical comfort, care, and well-
933 being of the children served.

934 4. The ratio of staff to children required to provide
935 adequate care and supervision of the children served and, in the
936 case of family foster homes, the maximum number of children in
937 the home.

938 5. The good moral character based upon screening,
939 education, training, and experience requirements for personnel
940 and family foster homes.

941 6. The department may grant exemptions from
942 disqualification from working with children or the
943 developmentally disabled as provided in s. 435.07.

944 7. The provision of preservice and inservice training for
945 all foster parents and agency staff.

946 8. Satisfactory evidence of financial ability to provide
947 care for the children in compliance with licensing requirements.

948 9. The maintenance by the agency of records pertaining to
949 admission, progress, health, and discharge of children served,
950 including written case plans and reports to the department.

951 10. The provision for parental involvement to encourage
952 preservation and strengthening of a child's relationship with
953 the family.

954 11. The transportation safety of children served.

955 12. The provisions for safeguarding the cultural,
956 religious, and ethnic values of a child.

957 13. Provisions to safeguard the legal rights of children
958 served.

959 (6)

960 (b) Upon application, the department shall conduct a
961 licensing study based on its licensing rules; shall inspect the
962 home or the agency and the records, including financial records,
963 of the agency; and shall interview the applicant. The department
964 may authorize a licensed child-placing agency to conduct the
965 licensing study of a family foster home to be used exclusively
966 by that agency and to verify to the department that the home
967 meets the licensing requirements established by the department.
968 The department shall post on its website a list of the agencies
969 authorized to conduct such studies. Upon certification by a
970 licensed child-placing agency that a family foster home meets
971 the licensing requirements and upon receipt of a letter from a
972 community-based care lead agency in the service area where the
973 home will be licensed which indicates that the family foster
974 home meets the criteria established by the lead agency, the
975 department shall issue the license. A letter from the lead

976 agency is not required if the lead agency where the proposed
977 home is located is directly supervising foster homes in the same
978 service area.

979 (c) A licensed family foster home, child-placing agency,
980 or residential child-caring agency which applies for renewal of
981 its license shall submit to the department a list of personnel
982 or household members who have worked or resided on a continuous
983 basis at the applicant family foster home or agency since
984 submitting fingerprints to the department, identifying those for
985 whom a written assurance of compliance was provided by the
986 department and identifying those personnel or household members
987 who have recently begun working or residing at the family foster
988 home or agency and are awaiting the results of the required
989 fingerprint check, along with the date of the submission of
990 those fingerprints for processing. The department shall by rule
991 determine the frequency of requests to the Department of Law
992 Enforcement to run state criminal records checks for such
993 personnel or household members except for those personnel or
994 household members awaiting the results of initial fingerprint
995 checks for employment at the applicant family foster home or
996 agency.

997 (7)~~(a)~~ The department may extend a license expiration date
998 once for a period of up to 30 days. However, the department may
999 not extend a license expiration date more than once during a
1000 licensure period. ~~The department may issue a provisional license~~

1001 ~~to an applicant who is unable to conform to the licensing~~
1002 ~~requirements at the time of the study, but who is believed able~~
1003 ~~to meet the licensing requirements within the time allowed by~~
1004 ~~the provisional license. The issuance of a provisional license~~
1005 ~~shall be contingent upon the submission to the department of an~~
1006 ~~acceptable written plan to overcome the deficiency by the~~
1007 ~~expiration date of the provisional license.~~

1008 ~~(b) A provisional license may be issued when the applicant~~
1009 ~~fails to meet licensing requirements in matters that are not of~~
1010 ~~immediate danger to the children and the agency has submitted a~~
1011 ~~corrective action plan which is approved by the department. A~~
1012 ~~provisional license may be issued if the screening material has~~
1013 ~~been timely submitted; however, a provisional license may not be~~
1014 ~~issued unless the applicant is in compliance with the~~
1015 ~~requirements in this section for screening of personnel.~~

1016 ~~(c) A provisional license shall not be issued for a period~~
1017 ~~in excess of 1 year and shall not be subject to renewal; and it~~
1018 ~~may be suspended if periodic inspection by the department~~
1019 ~~indicates that insufficient progress has been made toward~~
1020 ~~compliance with the requirements.~~

1021 (9)

1022 (b) Any of the following actions by a family foster home
1023 or its household members or an agency or its personnel is a
1024 ground for denial, suspension, or revocation of a license:

1025 1. An intentional or negligent act materially affecting

1026 | the health or safety of children in the home or agency.

1027 | 2. A violation of ~~the provisions of~~ this section or of

1028 | licensing rules adopted ~~promulgated~~ pursuant to this section.

1029 | 3. Noncompliance with the requirements for good moral

1030 | character as specified in paragraph (5) (b).

1031 | 4. Failure to dismiss personnel or remove a household

1032 | member found in noncompliance with requirements for good moral

1033 | character.

1034 | 5. Failure to comply with the requirements of ss. 63.0422

1035 | and 790.335.

1036 | (12)

1037 | (b) It is unlawful for any person, agency, family foster

1038 | home, summer day camp, or summer 24-hour camp providing care for

1039 | children to:

1040 | 1. Willfully or intentionally fail to comply with the

1041 | requirements for the screening of personnel and family foster

1042 | homes or the dismissal of personnel or removal of household

1043 | members found not to be in compliance with the requirements for

1044 | good moral character as specified in paragraph (5) (b).

1045 | 2. Use information from the criminal records obtained

1046 | under this section for any purpose other than screening a person

1047 | for employment as specified in this section or to release such

1048 | information to any other person for any purpose other than

1049 | screening for employment as specified in this section.

1050 | (c) It is unlawful for any person, agency, family foster

1051 home, summer day camp, or summer 24-hour camp providing care for
1052 children to use information from the juvenile records of any
1053 person obtained under this section for any purpose other than
1054 screening for employment as specified in this section or to
1055 release information from such records to any other person for
1056 any purpose other than screening for employment as specified in
1057 this section.

1058 (14)

1059 (b) As a condition of licensure, foster parents shall
1060 successfully complete ~~a minimum of 21 hours of~~ preservice
1061 training. The preservice training shall be uniform statewide and
1062 shall include, but not be limited to, such areas as:

- 1063 1. Orientation regarding agency purpose, objectives,
1064 resources, policies, and services;
- 1065 2. Role of the foster parent as a treatment team member;
- 1066 3. Transition of a child into and out of foster care,
1067 including issues of separation, loss, and attachment;
- 1068 4. Management of difficult child behavior that can be
1069 intensified by placement, by prior abuse or neglect, and by
1070 prior placement disruptions;
- 1071 5. Prevention of placement disruptions;
- 1072 6. Care of children at various developmental levels,
1073 including appropriate discipline; and
- 1074 7. Effects of foster parenting on the family of the foster
1075 parent.

1076 (d) Before ~~Prior to~~ licensure renewal, each ~~level II~~
1077 ~~through level V~~ foster parent must ~~shall~~ successfully complete ~~8~~
1078 ~~hours of~~ inservice training. ~~Each level I foster parent shall~~
1079 ~~successfully complete 4 hours of inservice training.~~ Periodic
1080 time-limited training courses shall be made available for
1081 selective use by foster parents. Such inservice training shall
1082 include subjects affecting the daily living experiences of
1083 foster parenting as a foster parent. For a foster parent
1084 participating in the required inservice training, the department
1085 shall reimburse such parent for travel expenditures and, if both
1086 parents in a home are attending training or if the absence of
1087 the parent would leave the children without departmentally
1088 approved adult supervision, the department shall make provision
1089 for child care or shall reimburse the foster parents for child
1090 care purchased by the parents for children in their care.

1091 Section 14. Subsection (4) of section 409.903, Florida
1092 Statutes, is amended to read:

1093 409.903 Mandatory payments for eligible persons.—The
1094 agency shall make payments for medical assistance and related
1095 services on behalf of the following persons who the department,
1096 or the Social Security Administration by contract with the
1097 Department of Children and Families, determines to be eligible,
1098 subject to the income, assets, and categorical eligibility tests
1099 set forth in federal and state law. Payment on behalf of these
1100 Medicaid eligible persons is subject to the availability of

1101 moneys and any limitations established by the General
 1102 Appropriations Act or chapter 216.

1103 (4) A child who is eligible under Title IV-E of the Social
 1104 Security Act for subsidized board payments, foster care, or
 1105 adoption subsidies, and a child for whom the state has assumed
 1106 temporary or permanent responsibility and who does not qualify
 1107 for Title IV-E assistance but is in foster care, shelter or
 1108 emergency shelter care, or subsidized adoption. This category
 1109 includes:

1110 (a) A young adult who is eligible to receive services
 1111 under s. 409.1451, until the young adult reaches 21 years of
 1112 age, without regard to any income, resource, or categorical
 1113 eligibility test that is otherwise required.

1114 (b) ~~This category also includes~~ A person who as a child
 1115 was eligible under Title IV-E of the Social Security Act for
 1116 foster care or the state-provided foster care and who is a
 1117 participant in the Road-to-Independence Program.

1118 (c) A child who is eligible for the Guardianship
 1119 Assistance Program as provided in s. 39.6225.

1120 Section 15. Paragraph (a) of subsection (1) of section
 1121 409.991, Florida Statutes, is amended to read:

1122 409.991 Allocation of funds for community-based care lead
 1123 agencies.—

1124 (1) As used in this section, the term:

1125 (a) "Core services funds" means all funds allocated to

1126 community-based care lead agencies operating under contract with
 1127 the department pursuant to s. 409.987, with the following
 1128 exceptions:

- 1129 1. Funds appropriated for independent living;
- 1130 2. Funds appropriated for maintenance adoption subsidies;
- 1131 3. Funds allocated by the department for protective
 1132 investigations training;
- 1133 4. Nonrecurring funds;
- 1134 5. Designated mental health wrap-around services funds;

1135 ~~and~~

1136 6. Funds for special projects for a designated community-
 1137 based care lead agency; and

1138 7. Funds appropriated for the Guardianship Assistance
 1139 Program under s. 39.6225.

1140 Section 16. Paragraph (b) of subsection (1) of section
 1141 414.045, Florida Statutes, is amended to read:

1142 414.045 Cash assistance program.—Cash assistance families
 1143 include any families receiving cash assistance payments from the
 1144 state program for temporary assistance for needy families as
 1145 defined in federal law, whether such funds are from federal
 1146 funds, state funds, or commingled federal and state funds. Cash
 1147 assistance families may also include families receiving cash
 1148 assistance through a program defined as a separate state
 1149 program.

1150 (1) For reporting purposes, families receiving cash

1151 assistance shall be grouped into the following categories. The
1152 department may develop additional groupings in order to comply
1153 with federal reporting requirements, to comply with the data-
1154 reporting needs of the board of directors of CareerSource
1155 Florida, Inc., or to better inform the public of program
1156 progress.

1157 (b) Child-only cases.—Child-only cases include cases that
1158 do not have an adult or teen head of household as defined in
1159 federal law. Such cases include:

1160 1. Children in the care of caretaker relatives, if the
1161 caretaker relatives choose to have their needs excluded in the
1162 calculation of the amount of cash assistance.

1163 2. Families in the Relative Caregiver Program as provided
1164 in s. 39.5085.

1165 3. Families in which the only parent in a single-parent
1166 family or both parents in a two-parent family receive
1167 supplemental security income (SSI) benefits under Title XVI of
1168 the Social Security Act, as amended. To the extent permitted by
1169 federal law, individuals receiving SSI shall be excluded as
1170 household members in determining the amount of cash assistance,
1171 and such cases shall not be considered families containing an
1172 adult. Parents or caretaker relatives who are excluded from the
1173 cash assistance group due to receipt of SSI may choose to
1174 participate in work activities. An individual whose ability to
1175 participate in work activities is limited who volunteers to

1176 participate in work activities shall be assigned to work
1177 activities consistent with such limitations. An individual who
1178 volunteers to participate in a work activity may receive child
1179 care or support services consistent with such participation.

1180 4. Families in which the only parent in a single-parent
1181 family or both parents in a two-parent family are not eligible
1182 for cash assistance due to immigration status or other
1183 limitation of federal law. To the extent required by federal
1184 law, such cases shall not be considered families containing an
1185 adult.

1186 5. To the extent permitted by federal law and subject to
1187 appropriations, special needs children who have been adopted
1188 pursuant to s. 409.166 and whose adopting family qualifies as a
1189 needy family under the state program for temporary assistance
1190 for needy families. Notwithstanding any provision to the
1191 contrary in s. 414.075, s. 414.085, or s. 414.095, a family
1192 shall be considered a needy family if:

1193 a. The family is determined by the department to have an
1194 income below 200 percent of the federal poverty level;

1195 b. The family meets the requirements of s. 414.095(2) and
1196 (3) related to residence, citizenship, or eligible noncitizen
1197 status; and

1198 c. The family provides any information that may be
1199 necessary to meet federal reporting requirements specified under
1200 Part A of Title IV of the Social Security Act.

1201 6. Families in the Guardianship Assistance Program as
 1202 provided in s. 39.6225.

1203
 1204 Families described in subparagraph 1., subparagraph 2., or
 1205 subparagraph 3. may receive child care assistance or other
 1206 supports or services so that the children may continue to be
 1207 cared for in their own homes or in the homes of relatives. Such
 1208 assistance or services may be funded from the temporary
 1209 assistance for needy families block grant to the extent
 1210 permitted under federal law and to the extent funds have been
 1211 provided in the General Appropriations Act.

1212 Section 17. Paragraph (d) of subsection (1) of section
 1213 1009.25, Florida Statutes, is amended to read:

1214 1009.25 Fee exemptions.—

1215 (1) The following students are exempt from the payment of
 1216 tuition and fees, including lab fees, at a school district that
 1217 provides workforce education programs, Florida College System
 1218 institution, or state university:

1219 (d) A student who is or was at the time he or she reached
 1220 18 years of age in the custody of a relative or nonrelative
 1221 under s. 39.5085 or s. 39.6225 or who was adopted from the
 1222 Department of Children and Families after May 5, 1997. Such
 1223 exemption includes fees associated with enrollment in applied
 1224 academics for adult education instruction. The exemption remains
 1225 valid until the student reaches 28 years of age.

1226 | Section 18. This act shall take effect July 1, 2019. |