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| Tab 1 | CS/SB 326 by MS, Young ; (Similar to H 00179) Services for Veterans and their Families |
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| Tab 2 | SB 522 by Bean ; (Identical to H 00281) Incarcerated Parents |
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| Tab 4 | SB 590 by Garcia (CO-INTRODUCERS) Campbell ; Kinship Care |
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

CHILDREN, FAMILIES, AND ELDER AFFAIRS
Senator Garcia, Chair
Senator Torres, Vice Chair

MEETING DATE: Monday, December 4, 2017
TIME: 4:00—6:00 p.m.
PLACE: James E. "Jim" King, Jr. Committee Room, 401 Senate Office Building

MEMBERS: Senator Garcia, Chair; Senator Torres, Vice Chair; Senators Broxson, Campbell, Stargel, and Steube

| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |
|-----|--|--|----------------------------|
| 1 | CS/SB 326 Military and Veterans Affairs, Space, and Domestic Security / Young (Similar H 179) | Services for Veterans and their Families; Requiring that the Department of Children and Families establish the Florida Veterans' Care Coordination Program to provide veterans and their families with behavioral health care referral and care coordination services; requiring that the department contract with managing entities to enter into agreements with Florida 211 Network participants for such services, etc. MS 11/16/2017 Fav/CS CF 12/04/2017 Favorable AP | Favorable Yeas 5 Nays 0 |
| 2 | SB 522 Bean (Identical H 281) | Incarcerated Parents; Requiring the Department of Children and Families to obtain specified information from a facility where a parent is incarcerated under certain circumstances; requiring that a parent who is incarcerated be included in case planning and provided with a copy of the case plan; specifying that the incarcerated parent is responsible for complying with facility procedures and policies to access services or maintain contact with his or her children as provided in the case plan, etc. CF 12/04/2017 Favorable JU RC | Favorable Yeas 5 Nays 0 |
| 3 | Relative Caregiver Research and Testimony <ul style="list-style-type: none"> · Committee Staff · Dependency Judges · Relative Caregivers · Child Welfare Agency Staff | | Discussed |

COMMITTEE MEETING EXPANDED AGENDA

Children, Families, and Elder Affairs

Monday, December 4, 2017, 4:00—6:00 p.m.

| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |
|-----|-------------------------|--|-------------------------|
| 4 | SB 590 Garcia | Kinship Care; Requiring the Department of Children and Families, in collaboration with sheriffs' offices that conduct child protective investigations and community-based care lead agencies, to develop a statewide family finding program; requiring the department to provide financial assistance for kinship caregivers who meet certain requirements; providing that children living with caregivers who are receiving financial assistance are eligible for Medicaid coverage, etc. | Fav/CS Yeas 5 Nays 0 |
| | | CF 12/04/2017 Fav/CS JU AHS AP | |

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: CS/SB 326

INTRODUCER: Military and Veterans Affairs, Space, and Domestic Security Committee and Senator Young

SUBJECT: Services for Veterans and their Families

DATE: December 1, 2017 **REVISED:** _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------------|----------------|-----------|------------------|
| 1. | <u>Ryon</u> | <u>Ryon</u> | <u>MS</u> | <u>Fav/CS</u> |
| 2. | <u>Hendon</u> | <u>Hendon</u> | <u>CF</u> | <u>Favorable</u> |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 326 establishes the Florida Veterans' Care Coordination Program within the Department of Children and Families (DCF) to provide statewide referral services to veterans and their families through Florida's 211 Networks for assistance with behavioral health problems such as a substance use disorder or a mental illness. The program is modeled after a successful pilot program begun in Tampa in 2014. The bill requires DCF to contract with the state's behavioral health managing entities to work with Florida 211 Network participants to provide referral services to veterans.

The bill appropriates \$2,000,155 in recurring General Revenue to the DCF for the program and has an effective date of July 1, 2018.

II. Present Situation:

Florida Veterans

There are more than 21 million living veterans in the United States, of which, over 1.5 million reside in Florida. This makes Florida the state with the third largest veteran population, behind California and Texas.¹

¹ Florida Department of Veterans' Affairs, *About Us*, <http://floridavets.org/about-us/> (last visited Nov. 27, 2017)

Section 1.01(14), F.S., defines a “veteran” as a person who served in the active military, naval, or air service and who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions. To receive benefits as a “wartime veteran,” a veteran must have served in a campaign or expedition for which a campaign badge has been authorized or during a specified period of wartime service.² The qualifying periods of wartime service include the World War II, the Korean War, the Vietnam War, the Persian Gulf War, Operation Enduring Freedom, and Operation Iraqi Freedom.³

Veterans and Mental Health

Mental Health Among Veterans

According to the National Center for Post-Traumatic Stress Disorder, between 11 to 20 percent of veterans who served in Operations Iraqi Freedom and Enduring Freedom have Post-Traumatic Stress Disorder (PTSD) in a given year.⁴ Additionally, 12 percent of Gulf War Veterans and 15 percent of Vietnam Veterans have PTSD, and up to 30 percent of Vietnam Veterans will have PTSD in their lifetime.⁵

A 2016 U.S. Department of Veterans Affairs (USDVA) analysis on veteran suicide found that in 2014:

- An average of 20 veterans died by suicide each day. Six of the 20 were recent users of USDVA Veteran Health Administration services in 2013 or 2014; and
- Veterans accounted for 18 percent of all deaths by suicide among U.S. adults and constituted 8.5 percent of the U.S. adult population (ages 18 and older).⁶

Federal Mental Health Care Services for Veterans

An individual who served in the active military, naval, or air service, and who was not dishonorably discharged, may qualify for USDVA health care benefits.⁷ USDVA health benefits include necessary inpatient hospital care and outpatient services to promote, preserve, or restore a veteran’s health. USDVA medical facilities provide a wide range of services, including mental health services.⁸ The USDVA provides specialty inpatient and outpatient mental health services at its medical centers and community-based outpatient clinics; additionally, readjustment counseling services may be available at veteran centers across the nation.⁹ For veterans with serious mental illness, USDVA offers care tailored to help with their specific diagnosis and to promote recovery. Serious mental illnesses include a variety of diagnoses (for example,

² Section 1.01(14), F.S.

³ Id.

⁴ National Center for PTSD, *How Common is PTSD? PTSD and the Military* (Oct. 2016), available at <http://www.ptsd.va.gov/public/PTSD-overview/basics/how-common-is-ptsd.asp> (last visited Nov. 27, 2017).

⁵ Id.

⁶ U.S. Department of Veterans Affairs, Office of Suicide Prevention, *Suicide Among Veterans and Other Americans 2001-2014* (Aug. 2016), available at: <https://www.mentalhealth.va.gov/docs/2016suicidedatareport.pdf> (last visited Nov. 27, 2017).

⁷ U.S. Department of Veterans Affairs, *Federal Benefits for Veterans, Dependents and Survivors*, available at: http://www.va.gov/opa/publications/benefits_book/benefits_chap01.asp (last visited Nov. 27, 2017).

⁸ U.S. Department of Veterans Affairs, *Health Benefits*, available at: http://www.va.gov/HEALTHBENEFITS/access/medical_benefits_package.asp (last visited Nov. 27, 2017).

⁹ Id.

schizophrenia, depression or bipolar disorder, PTSD, and substance use disorders) that result in significant problems functioning in the community.¹⁰

The USDVA operates seven medical centers in Florida located in Miami, Tampa (2), West Palm Beach, Gainesville, Lake City, and Orlando.¹¹ The USDVA also operates outpatient clinics for health care and veteran centers for counseling throughout Florida.

Federal Veterans Crisis Line

The Veterans Crisis Line (VCL) is a resource for veterans developed by the USDVA to connect veterans and current service members in crisis and their families and friends with information from qualified responders through a confidential, toll-free hotline, online chat, and text messaging service.¹² The VCL was launched in 2007 and over the course of the program has answered more than 2.8 million calls, engaged in more than 332,000 online chats, responded to more than 67,000 texts, and initiated the dispatch of emergency services to callers in crisis nearly 74,000 times.¹³

Department of Children and Families

Substance Abuse and Mental Health Program

The Florida Department of Children and Families (DCF) administers a statewide system of safety-net services for substance abuse and mental health (SAMH) prevention, treatment, and recovery.¹⁴ It serves children and adults who are otherwise unable to obtain these services (such as individuals who are not covered under Medicaid or private insurance and do not have the financial ability to pay for the services themselves). SAMH programs include a range of prevention, acute interventions (such as crisis stabilization or detoxification), residential, transitional housing, outpatient treatment, and recovery support services.

Behavioral Health Managing Entities

In 2001, the Legislature authorized DCF to implement regional behavioral health managing entities to fund the delivery of local mental health and substance abuse services.¹⁵ Managing entities are nonprofit organizations under contract to the DCF to manage the day-to-day operational delivery of behavioral health services through an organized system of care.¹⁶ DCF currently contracts with seven managing entities that in turn contract with local service providers for the delivery of mental health and substance abuse providers. The managing entities are

¹⁰ U.S. Department of Veterans Affairs, *Guide to VA Mental Health Services*, at 10, available at http://www.mentalhealth.va.gov/docs/MHG_English.pdf (last visited Nov. 27, 2017).

¹¹ U.S. Department of Veterans Affairs, *VISN 8: VA Sunshine Healthcare Network*, available at: <https://www.va.gov/directory/guide/region.asp?map=1&ID=8> (last visited Nov. 27, 2017).

¹² Veterans Crisis Line, *FAQs*, available at <http://www.veteranscrisisline.net/About/FAQs.aspx> (last visited Nov. 27, 2017).

¹³ Veterans Crisis Line, *About the Veterans Crisis Line*, available at <http://www.veteranscrisisline.net/About/AboutVeteransCrisisLine.aspx> (last visited Nov. 27, 2017).

¹⁴ DCF's Substance Abuse and Mental Health Program is governed by chs. 394 and 397, F.S.

¹⁵ Ch. 2001-191, Laws of Fla.

¹⁶ The seven managing entities are Big Bend Community-Based Care (Northwest Region), Lutheran Services of Florida (Northeast Region), Central Florida Cares Health System (Central Region), Central Florida Behavioral Health Network (SunCoast Region), Southeast Florida Behavioral Health Network (Southeast Region), Broward Behavioral Health Coalition (Southeast Region), and South Florida Behavioral Health Network (Southern Region).

responsible for the development, planning, administration, implementation, and management of behavioral health care in their areas.

Florida 211 Network

Section 408.918, F.S., establishes the Florida 211 Network, authorizing the planning, development, and implementation of a statewide network to serve as the single point of coordination for information and referral for health and human services.

A 211 network is a telephone-based service offered by nonprofit and public agencies throughout Florida and the United States that provides free, confidential information and referral services 24 hours a day, 7 days a week. The network helps callers identify and connect with health and human service programs that can meet a variety of needs, including food, housing, employment, health care, crisis counseling, and more. In Florida, services are available statewide through any cell phone provider as well as through landlines in all 67 counties by dialing 2-1-1.¹⁷ In order to participate in the Florida 211 Network, a 211 provider must be fully accredited by the National Alliance of Information and Referral Services or have received approval to operate, pending accreditation, from its affiliate, the Florida Alliance of Information and Referral Services.¹⁸ There are a total of 14 Florida 211 Network certified providers.¹⁹

The Crisis Center of Tampa Bay Pilot Project

In 2014, the Legislature appropriated \$150,000 to the Crisis Center of Tampa Bay (CCTB) to create a pilot project expanding existing Florida 211 services to veterans in Hillsborough, Pasco, Pinellas, Polk, and Manatee counties.²⁰ In November 2014, the CCTB, through the pilot project, expanded services to veterans and launched the Florida Veterans Support Line (1-844-MYFLVET).²¹ By calling the Florida Veterans Support Line, veterans in the Tampa Bay region are able to speak with a fellow veteran and offered:

- Comprehensive information and referral to USDVA-funded services and other community-based services;
- Assistance and support provided by a peer who has experienced the transition from military back to civilian life; and
- Care coordination services, including system navigation, advocacy, and ongoing support.²²

During fiscal year 2016-17 and the first part of fiscal year 2017-18, the CCTB fielded a total of 7,373 calls on the Florida Veterans Support Line. Of the 7,373 calls received:

- 68 percent of callers were veterans or service members;

¹⁷ Florida Alliance of Information and Referral Services, available at <http://www.flairs.org/> (last visited Nov. 27, 2017).

¹⁸ Section 408.918(2), F.S.

¹⁹ Florida Alliance of Information & Referral Services, *Florida 2-1-1 Network Map* (Feb. 2, 2017), available at: <http://www.flairs.org/map-of-certified-2-1-1-centers/> (last visited Nov. 27, 2017).

²⁰ Line item 595, proviso, ch. 2014-51, Laws of Fla.

²¹ Crisis Center of Tampa Bay Blog, *Florida Veterans Support Line*, (Nov. 10, 2014). Available at: <https://www.crisiscenter.com/florida-veterans-support-line/> (last visited Nov. 27, 2017).

²² Crisis Center of Tampa Bay, *Florida Veterans Support Line*, available at: <https://www.crisiscenter.com/what-we-do/2-1-1-contact-center/florida-veterans-support-line/> (last visited Nov. 27, 2017).

- 27 percent of callers were the spouse, child/dependent, or a relative of a veteran or service member;
- 59 percent of callers were seeking behavioral health services;
- 40 percent of callers were seeking financial assistance; and
- 1 percent of callers were seeking employment assistance.²³

III. Effect of Proposed Changes:

CS/SB 326 creates s. 394.9087, F.S., to require the Department of Children and Families (DCF) in consultation with the Florida Alliance of Information and Referral Services to establish the Florida Veterans' Care Coordination Program (program). DCF will contract with managing entities to provide program services through Florida 211 Network participants.

The program will provide wartime veterans, as defined in s. 1.01(14), F.S., and their families dedicated behavioral healthcare referral services, especially mental health and substance abuse services, through the existing 211 infrastructure. DCF is to model the program after the pilot project conducted in 2014 by the Crisis Center of Tampa Bay and the Florida Department of Veterans' Affairs.

The bill specifies that the goals of the program are to:

- Prevent suicides by veterans;
- Increase the use of U.S. Department of Veterans Affairs (USDVA) programs and services by veterans; and
- Increase the number of veterans who use of other available community-based programs and services.

The bill requires that program services be made available statewide by program teams operated by the Florida 211 Network participants, as authorized by s. 408.918, F.S. The program teams are required to provide referral services to veterans and their families and expand the existing Florida 211 Network to include the optimal range of veterans' service organization and programs.

The bill requires the program to provide a number of services. Program services must be provided by individuals who are veterans and must provide:

- Telephonic peer support;
- Crisis intervention and referral services (available 24 hours a day, 7 days a week);
- Treatment coordination, including coordination of follow-up care;
- Suicide assessment;
- Promotion of safety and wellness of veterans and their families, including continuous support;
- Resource coordination to facilitate acceptance, enrollment, and attendance of veterans and their families in USDVA programs and services and community-based programs and services;
- Immediate needs assessments, including safety planning; and

²³ Crisis Center of Tampa Bay Presentation to the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security on October 12, 2017.

- Data analysis to improve efficiency of program services to veterans and their families.

In addition to the requirement for services, the bill also requires the program teams to take certain actions. The program teams must:

- Track the number of requests from callers who are veterans or family members of veterans;
- Follow-up with callers to determine whether they have acted on referrals or received the needed assistance, or if additional referrals or advocacy are needed;
- Develop and implement communication strategies (media promotions, public service announcements, print and internet stories, community presentations) to inform veterans and their families about available services; and
- Document all calls and capture all necessary data to improve outreach to veterans and their families.

The bill requires DCF to report on the program's implementation to the Governor, President of the Senate, and Speaker of the House of Representatives by December 15, 2019, using data provided to DCF by the Florida 211 Network participants. The contents of the report must include, but are not limited to:

- The number of calls received;
- Demographic information of callers;
- The nature of the call;
- The outcome of the call;
- Services received as a result of the call;
- Followup by the program team;
- The impact of the program on veterans' quality of life; and
- Caller satisfaction with the program.

DCF must expend a minimum of 5 percent of the funds appropriated to DCF for the program on promoting and advertising the program. DCF must use public service announcements to the greatest extent possible in its promotion and advertising of the program.

The bill appropriates \$2,000,155 million in recurring General Revenue funds to the DCF to implement the program in Fiscal Year 2018-2019.

The bill provides an effective date of July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill appropriates \$2,000,155 million in recurring General Revenue funds to the Department of Children and Families. The early treatment of veterans for behavioral health care may reduce costs to the local, state and federal government programs serving veterans.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 394.9087 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Military and Veterans Affairs, Space, and Domestic Security on November 16, 2017:

The CS:

- Requires program services to be provided by individuals who are veterans;
- Requires crisis intervention and referral services be available 24 hours a day, 7 days a week; and
- Requires DCF to expend a minimum of 5 percent of the program's annual appropriation on promoting and advertising the program.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Young

583-01510-18

2018326c1

1 A bill to be entitled
 2 An act relating to services for veterans and their
 3 families; creating s. 394.9087, F.S.; requiring that
 4 the Department of Children and Families establish the
 5 Florida Veterans' Care Coordination Program to provide
 6 veterans and their families with behavioral health
 7 care referral and care coordination services;
 8 requiring that the department contract with managing
 9 entities to enter into agreements with Florida 211
 10 Network participants for such services; providing
 11 program goals; providing for the statewide delivery of
 12 specified services by program teams; requiring Florida
 13 211 Network participants to collect certain data on
 14 the implementation of the program and submit the data
 15 to the department; requiring the department to submit
 16 a report on the program's implementation to the
 17 Governor and Legislature by a specified date;
 18 requiring a minimum percentage of funds annually
 19 appropriated for the administration of the program to
 20 be used for the promotion and advertising of the
 21 program; requiring the department to use public
 22 service announcements; providing an appropriation;
 23 providing an effective date.

24
 25 Be It Enacted by the Legislature of the State of Florida:

26
 27 Section 1. Section 394.9087, Florida Statutes, is created
 28 to read:
 29 394.9087 Florida Veterans' Care Coordination Program.—

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

583-01510-18

2018326c1

30 (1) As used in this section, the term "veteran" means a
 31 wartime veteran as defined in s. 1.01(14).
 32 (2) The Department of Children and Families, in
 33 consultation with the Florida Alliance of Information and
 34 Referral Services, shall establish the Florida Veterans' Care
 35 Coordination Program. The department shall contract with
 36 managing entities, as defined in s. 394.9082(2), to enter into
 37 agreements with Florida 211 Network participants to provide
 38 veterans and their families in this state with dedicated
 39 behavioral health care referral services, especially mental
 40 health and substance abuse services. The department shall model
 41 the program after the proof-of-concept pilot program established
 42 in Hillsborough, Pasco, Pinellas, Polk, and Manatee Counties in
 43 2014 by the Crisis Center of Tampa Bay and the Florida
 44 Department of Veterans' Affairs.
 45 (3) The goals of the program are to:
 46 (a) Prevent suicides by veterans.
 47 (b) Increase the use of United States Department of
 48 Veterans Affairs programs and services by veterans.
 49 (c) Increase the number of veterans who use other available
 50 community-based programs and services.
 51 (4) The program must be available statewide. Program
 52 services must be provided by program teams operated by Florida
 53 211 Network participants, as authorized by s. 408.918. A Florida
 54 211 Network participant may provide services in more than one
 55 managing entity's geographic area under a single contract.
 56 (5) The program teams shall provide referral and care
 57 coordination services to veterans and their families and expand
 58 the existing Florida 211 Network to include the optimal range of

Page 2 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

583-01510-18

2018326c1

59 veterans' service organizations and programs. Program services
 60 shall be provided by individuals who are veterans, as defined in
 61 s. 1.01(14), and must include:

62 (a) Telephonic peer support, crisis intervention, and
 63 referral services. Crisis intervention and referral services
 64 shall be available 24 hours a day, 7 days a week.

65 (b) Treatment coordination, including coordination of
 66 followup care.

67 (c) Suicide-risk assessment.

68 (d) Promotion of the safety and wellness of veterans and
 69 their families, including continuous support.

70 (e) Coordination of resources to facilitate acceptance,
 71 enrollment, and attendance of veterans and their families in
 72 United States Department of Veterans Affairs programs and
 73 services and other available community-based programs and
 74 services.

75 (f) Immediate needs assessments, including safety planning
 76 and support.

77 (g) Data analysis to improve the efficiency of referral and
 78 care coordination services to veterans and their families.

79 (6) To enhance program services, program teams shall:

80 (a) Track the number of requests from callers who are
 81 veterans or their family members.

82 (b) Follow up with callers or their family members to
 83 determine whether they have acted on the referrals or received
 84 the assistance needed, and if additional referral or advocacy is
 85 needed.

86 (c) Develop and implement communication strategies, such as
 87 media promotions, public service announcements, print and

583-01510-18

2018326c1

88 Internet articles, and community presentations, to inform
 89 veterans and their families about available United States
 90 Department of Veterans Affairs programs and services and other
 91 available community-based programs and services.

92 (d) Document all calls and capture all necessary data to
 93 improve outreach to veterans and their families and report such
 94 data to the managing entity.

95 (7) Florida 211 Network participants shall collect and
 96 submit data on the implementation of the program to the
 97 department in the format prescribed by the department. The
 98 department shall use such data to prepare a report for submittal
 99 to the Governor, the President of the Senate, and the Speaker of
 100 the House of Representatives by December 15, 2019. The report
 101 must include:

102 (a) The number of calls received.

103 (b) Demographic information for each caller, including, but
 104 not limited to, the caller's military affiliation, the caller's
 105 veteran status, and if the caller is receiving services through
 106 United States Department of Veterans Affairs programs and
 107 services or other available community-based programs and
 108 services.

109 (c) The nature of each call, including, but not limited to,
 110 the concerns prompting the call and the services requested.

111 (d) The outcome of each call, including, but not limited
 112 to, the service referrals made and the organizations to which
 113 the caller was referred.

114 (e) Services received as a result of each call.

115 (f) Followup by the program team, including, but not
 116 limited to, the percentage of calls receiving followup and the

583-01510-18

2018326c1

117 amount of time between initial contact and followup.
118 (g) The program's impact on each caller's quality of life
119 and on the avoidance of negative outcomes, including arrest and
120 suicide.
121 (h) Each caller's satisfaction with program services.
122 (8) A minimum of 5 percent of the funds appropriated
123 annually by the Legislature to the department for the
124 administration of the program shall be used for the promotion
125 and advertising of the program. The department shall use public
126 service announcements to the greatest extent possible in its
127 promotion and advertising of the program.
128 Section 2. For the 2018-2019 fiscal year, the sum of
129 \$2,000,155 in recurring funds is appropriated from the General
130 Revenue Fund to the Department of Children and Families for the
131 purpose of implementing this act.
132 Section 3. This act shall take effect July 1, 2018.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

December 4, 2017

Meeting Date

326

Bill Number (if applicable)

Topic Services for Veterans and Their Families

Amendment Barcode (if applicable)

Name Jill Gran

Job Title Policy Director

Address 2868 Mahan Dr

Street

Phone 850-878-2196

Tallahassee

FL

32308

Email jill@myfbha.org

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Behavioral Health Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/4/17

Meeting Date

326

Bill Number (if applicable)

Topic Service for Veterans & their Families

Amendment Barcode (if applicable)

Name TRAVIS MITCHELL

Job Title Lobbyist

Address PO Box 274108

Phone 3862997298

Tampa FL 33688

City

State

Zip

Email travismitchell6@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing Crisis Center of Tampa Bay

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
COMMITTEE VOTE RECORD

COMMITTEE: Children, Families, and Elder Affairs
ITEM: CS/SB 326
FINAL ACTION: Favorable
MEETING DATE: Monday, December 4, 2017
TIME: 4:00—6:00 p.m.
PLACE: 401 Senate Office Building

| FINAL VOTE | | SENATORS | | | | | | |
|------------|------------|--------------------|------------|------------|------------|------------|------------|------------|
| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay |
| X | | Broxson | | | | | | |
| X | | Campbell | | | | | | |
| X | | Stargel | | | | | | |
| X | | Steube | | | | | | |
| X | | Torres, VICE CHAIR | | | | | | |
| | | Garcia, CHAIR | | | | | | |
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| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay |

CODES: FAV=Favorable RCS=Replaced by Committee Substitute TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable RE=Replaced by Engrossed Amendment VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered RS=Replaced by Substitute Amendment VC=Vote Change After Roll Call AV=Abstain from Voting

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: SB 522

INTRODUCER: Senator Bean

SUBJECT: Incarcerated Parents

DATE: December 1, 2017

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|------------------|
| 1. | Preston | Hendon | CF | Favorable |
| 2. | _____ | _____ | JU | _____ |
| 3. | _____ | _____ | RC | _____ |

I. Summary:

SB 522 provides additional specificity to the case planning process when a parent of a dependent child is incarcerated or becomes incarcerated. The bill requires that:

- The Department of Children and Families (DCF or department) must include incarcerated parents in case planning and develop case plans that give some consideration to limitations posed by the correctional facility where the parent is incarcerated;
- The department must determine what services and resources may be available to incarcerated parents;
- Case plans must be amended if appropriate if parents become incarcerated or are released from incarceration; and
- Incarcerated parents are responsible for complying with case plan requirements and the requirements of their correctional facilities.

The bill is anticipated to have no fiscal impact on state or local government.

The bill has an effective date of July 1, 2018.

II. Present Situation:

Incarcerated Parents and Their Children

The disruption of family relationships when parents are incarcerated can have a serious impact on children. When children or youth are separated from their parents due to incarceration, possibly being coupled with out-of-home care, they may experience a variety of negative

outcomes. The children's caregivers during this time are also affected by the parental incarceration.¹

Although the number of children and youth placed in foster care as a result of their parent's incarceration is not clearly identified through current data collection systems, estimates suggest that tens of thousands of children in foster care may have incarcerated parents.

- More than half of all inmates have children and nine out of 10 incarcerated parents are fathers. Nearly half (48 percent) of parents incarcerated in prisons lived with their children one month prior to their arrests or incarceration. More than half (54 percent) of parents incarcerated in prisons reported providing the primary financial support for their children prior to their incarceration. On average, prison inmates are incarcerated for more than one year.²
- National data found that one in every three children who are subjects of maltreatment reports and are living at home have a primary caregiver who had been arrested at least once. While this does not indicate that the parent was incarcerated while the child was involved with the child welfare system, it highlights that there is a strong connection between the child welfare and criminal justice systems.³

Incarceration of a parent is not, in and of itself, sufficient grounds for the termination of parental rights. However, the incarceration of one or more parents can present significant challenges to the timely and appropriate permanency of children. Among these challenges are limited visitation schedules, communication restrictions, and a shortage of inmate support services. Current law provides circumstances under which an incarcerated parent's parental rights can be terminated.⁴

Case Plans

Most, if not all, of Florida's case plan requirements for children in the dependency system have originated from federal law. Since the passage of the Adoption Assistance and Child Welfare Act in 1980, federal law requires the development of a written case plan for any child receiving foster care maintenance payments under title IV-E.⁵ States require a case plan when a child welfare agency places a child in out-of-home care, including foster care, placement with a relative, group homes, and residential placement. Many states, including Florida, also require a case plan when a child and his or her family are receiving any kind of in-home services to prevent out-of-home placement.⁶

¹ Child Welfare Information Gateway. Child Welfare Practice With families affected by Parental Incarceration (October 2015), U.S. Department of Health and Human Services, Children's Bureau, *available at* https://www.childwelfare.gov/pubPDFs/parental_incarceration.pdf. (last visited November 25, 2017).

² *Id.*

³ *Id.*

⁴ Section 39.806, F.S.

⁵ P.L. 96-272 and the Adoption and Safe Families Act (ASFA) of 1997, P.L. 105-89.

⁶ Child Welfare Information Gateway. Case Planning for Families Involved With Child Welfare Agencies. (April 2014), U.S. Department of Health and Human Services, Children's Bureau, *available at* <https://www.childwelfare.gov/pubPDFs/caseplanning.pdf>. (last visited November 25, 2017).

Throughout the dependency process, the department must develop and update a case plan with input from all parties to the dependency case that details the problems being addressed as well as the goals, tasks, services, and responsibilities required to ameliorate the concerns of the state.⁷ The case plan follows the child from the provision of voluntary services through dependency, or termination of parental rights.⁸ Once a child is found dependent, the court reviews the case plan, and if accepted, orders the case plan to be followed.⁹ To support the permanency goal, the court continues to monitor a parent's efforts to comply with the tasks assigned in the case plan.

- Section 39.6011, F.S., specifies the development of the case plan and who must be involved, such as the parent, guardian ad litem, and if appropriate, the child. This section also specifies what must be in the case plan, such as descriptions of the identified problems, the permanency goal, timelines, and notice requirements.
-
- Section 39.6012, F.S., details the types of tasks and services that must be provided to the parents as well as the type of care that must be provided to the child. The services must be designed to improve the conditions in the home, facilitate the child's safe return to the home, ensure proper care of the child, and facilitate permanency. The case plan must describe each task with which the parent must comply and the services provided that address the identified problem in the home and all available information that is relevant to the child's care.
-
- Section 39.602, F.S., delineates the case planning process required when parents cannot or will not participate due to the physical, emotional, or mental condition or physical location of the parent. These case planning requirements currently include incarcerated parents.

The Department of Corrections

The Florida Department of Corrections (DOC) is the third largest state prison system in the country with approximately 98,000 inmates incarcerated. The DOC has 148 facilities statewide, and provides inmates with access to a range of educational and vocational services that may help an incarcerated parent meet select goals attached to his/her case plan. Among the relevant resources offered by the DOC are substance abuse treatment, anger management programs, and parenting classes. The DOC also provides high school diploma programs, literacy programs, and occupational training in fields such as carpentry, masonry, plumbing, and automotive technology. The DOC identifies which services are available at each facility in published annual reports and also on the department webpage for each facility.¹⁰

The Florida Department of Corrections (DOC) currently allows DCF staff access to inmates for relevant meetings and interviews. The DOC also contributes by approving transfers, when appropriate, for incarcerated parents to facilities which meet the inmate's programming needs; and by allowing incarcerated parents to have routine visits with their children, when appropriate.¹¹

⁷ Sections, 39.6011 and 39.6012, F.S.

⁸ Section 39.01(11), F.S.

⁹ Section 39.521, F.S.

¹⁰ Florida Department of Corrections, available at: <http://www.dc.state.fl.us/about.html>. (last visited November 25, 2017).

¹¹ Department of Corrections, Agency Legislative Bill Analysis, HB 281, November 1, 2017. HB 281 is identical to SB 522.

III. Effect of Proposed Changes:

Section 1 creates s. 39.6021, F.S., relating to case plan development involving an incarcerated parent. The bill provides additional specificity to the case planning process when a parent of a dependent child is incarcerated or becomes incarcerated. The bill requires that:

- The department must include incarcerated parents in case planning and develop case plans that give some consideration to limitations posed by the correctional facility where the parent is incarcerated;
- The department must determine what services and resources may be available to incarcerated parents;
- Case plans must be amended if appropriate if parents become incarcerated or are released from incarceration; and
- Incarcerated parents are responsible for complying with case plan requirements and the requirements of their correctional facilities.

Section 2 provides for an effective date of July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill will not likely have a fiscal impact to the state for several reasons. First, DCF currently includes incarcerated parents in case planning for dependent children. Second, the bill states that it is not the intent to require additional obligations to the Department of Corrections beyond what is currently provided to inmates who are parents. Services such as substance abuse treatment, anger management, and parenting classes are available to inmates, however; demand for these services exceeds their availability. For example,

during FY 2015-2016, 12,234 inmates received institutional-based substance abuse treatment, which only represents approximately 20% of the inmate population assessed as needing treatment.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The department is currently required to include incarcerated parents in the dependency case planning process. With the exception of specifically requiring the department to attach a list of services available at a correctional facility, all other provisions in the bill mirror provisions in current law.¹² The department is required to explain a parent's nonparticipation in case planning and that could include an explanation that services are unavailable at the parent's correctional facility.

VIII. Statutes Affected:

This bill creates s. 39.6021 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

¹² Section 39.602, F.S.

By Senator Bean

4-00372A-18

2018522__

A bill to be entitled

An act relating to incarcerated parents; creating s. 39.6021, F.S.; requiring the Department of Children and Families to obtain specified information from a facility where a parent is incarcerated under certain circumstances; providing an exception; requiring that a parent who is incarcerated be included in case planning and provided with a copy of the case plan; providing requirements for case plans; specifying that the incarcerated parent is responsible for complying with facility procedures and policies to access services or maintain contact with his or her children as provided in the case plan; requiring the parties to the case plan to move to amend the case plan if a parent becomes incarcerated after a case plan has been developed and the parent's incarceration has an impact on permanency for the child; requiring that the case plan include certain information if the incarcerated parent is released before it expires; requiring the department to include certain information in the case plan if the incarcerated parent does not participate in its preparation; providing construction; providing an effective date.

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

Section 1. Section 39.6021, Florida Statutes, is created to read:
39.6021 Case planning when parents are incarcerated or

Page 1 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

4-00372A-18

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become incarcerated.

(1) In a case in which the parent is incarcerated, the department shall obtain information from the facility where the parent is incarcerated to determine how the parent can participate in the preparation and completion of the case plan and receive the services that are available to the parent at the facility. This subsection does not apply if the department has determined that a case plan for reunification with the incarcerated parent will not be offered.

(2) A parent who is incarcerated must be included in case planning and must be provided a copy of any case plan that is developed.

(3) A case plan for a parent who is incarcerated must comply with ss. 39.6011 and 39.6012 to the extent possible, and must give consideration to the regulations of the facility where the parent is incarcerated and to services available at the facility. The department shall attach a list of services available at the facility to the case plan. If the facility does not have a list of available services, the department must note the unavailability of the list in the case plan.

(4) The incarcerated parent is responsible for complying with the facility's procedures and policies to access services or maintain contact with his or her children as provided in the case plan.

(5) If a parent becomes incarcerated after a case plan has been developed, the parties to the case plan must move to amend the case plan if the parent's incarceration has an impact on permanency for the child, including, but not limited to:

(a) Modification of provisions regarding visitation and

Page 2 of 3

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59 contact with the child;

60 (b) Identification of services within the facility; or

61 (c) Changing the permanency goal or establishing a
62 concurrent case plan goal.

63 (6) If an incarcerated parent is released before the case
64 plan expires, the case plan must include tasks that must be
65 completed by the parent and services that must be accessed by
66 the parent upon the parent's release.

67 (7) If the parent does not participate in preparation of
68 the case plan, the department must include in the case plan a
69 full explanation of the circumstances surrounding his or her
70 nonparticipation and must state the nature of the department's
71 efforts to secure the incarcerated parent's participation.

72 (8) This section does not prohibit the department or the
73 court from revising a permanency goal after a parent becomes
74 incarcerated or from determining that a case plan with a goal of
75 reunification may not be offered to a parent. This section may
76 not be interpreted as creating additional obligations for a
77 facility which do not exist in the statutes or regulations
78 governing that facility.

79 Section 2. This act shall take effect July 1, 2018.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12-4-17

Meeting Date

522

Bill Number (if applicable)

Topic Incarceration Bill

Amendment Barcode (if applicable)

Name ALAN ABRAMOWITZ

Job Title Executive Director

Address 600 Calhoun St.

Phone 850-241-3232

Street

City

Tulsa AL

State

32501

Zip

Email

Speaking: [X] For [] Against [] Information

Waive Speaking: [X] In Support [] Against (The Chair will read this information into the record.)

Representing GAL Program

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [X] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/4/17

Meeting Date

522

Bill Number (if applicable)

Topic INCARCERATED PARENTS CASE PLAN

Amendment Barcode (if applicable)

Name GARY MONTGOMERY

Job Title PASTOR

Address 1341 CROSS CREEK CIRCLE

Phone 765-0320

Street

TALLAHASSEE

City

State

Zip

Email GARY.MONTGOMERY@LIVINGSTONES.ORG

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing LIVING STONES INTERNATIONAL

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
COMMITTEE VOTE RECORD

COMMITTEE: Children, Families, and Elder Affairs
ITEM: SB 522
FINAL ACTION: Favorable
MEETING DATE: Monday, December 4, 2017
TIME: 4:00—6:00 p.m.
PLACE: 401 Senate Office Building

| FINAL VOTE | | SENATORS | | | | | | |
|------------|------------|--------------------|------------|------------|------------|------------|------------|------------|
| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay |
| X | | Broxson | | | | | | |
| X | | Campbell | | | | | | |
| X | | Stargel | | | | | | |
| X | | Steube | | | | | | |
| X | | Torres, VICE CHAIR | | | | | | |
| | | Garcia, CHAIR | | | | | | |
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| 5 | 0 | TOTALS | | | | | | |
| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay |

CODES: FAV=Favorable RCS=Replaced by Committee Substitute TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable RE=Replaced by Engrossed Amendment VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered RS=Replaced by Substitute Amendment VC=Vote Change After Roll Call AV=Abstain from Voting

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: CS/SB 590

INTRODUCER: Senator Garcia

SUBJECT: Kinship Care

DATE: December 5, 2017 REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|---------------|
| 1. | Preston | Hendon | CF | Fav/CS |
| 2. | | | JU | |
| 3. | | | AHS | |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 590 makes a number of changes to the laws relating to relative and nonrelative caregivers for children in out-of-home care.

The bill requires the Department of Children and Families (DCF or the department), the sheriff's offices that conduct child protective investigations and each community-based care lead agency to establish family finding programs in order to identify relatives that may become caregivers for children of family members who are placed in out-of-home care.

The bill also requires payments at the current relative caregiver rate for both relatives and nonrelatives under s. 39.5085, F.S., to begin when the child comes into their care. It also requires each community-based care lead agency to establish a kinship navigator program to provide support and assistance to relative and nonrelative caregivers

The bill requires the court to make a determination relating to family finding by the department and community-based care lead agency at each judicial hearing.

The bill clarifies a provision in the Rilya Wilson Act, relating to enrollment requirement in childcare programs for children under school age who are in out-of-home care. Options to fulltime enrollment are provided for caregivers of children in out-of-home care who are under three years of age who stay at home all day or work less than fulltime.

The bill requires that children under the age of three and children who are ages 3 to 5 years who are victims of substantiated child abuse or neglect be referred for an early intervention assessment by Early Steps or FDLRS Child Find as appropriate. The bill also provides for the appointment of a surrogate parent if appropriate, and provides for educational stability and transitions.

The bill is expected to have both a negative and positive fiscal impact on state government.

Sections 1 and 2 of the bill have an effective date of January 1, 2019 and the remainder of the bill has an effective date of July 1, 2018.

II. Present Situation:

Relative and Nonrelative Caregivers

When children cannot remain safely with their parents, placement with relatives is preferred over placement in foster care with nonrelatives. Caseworkers try to identify and locate a relative or relatives who can safely care for the children while parents receive services to help them address the issues that brought the children to the attention of child welfare. Placement with relatives—or kinship care—provides permanency for children and helps them maintain family connections. Kinship care is the raising of children by grandparents, other extended family members, and adults with whom they have a close family-like relationship such as godparents and close family friends because biological parents are unable to do so for whatever reason.¹

Kinship care may be formal and involve a training and licensure process for the caregivers, monthly payments to help defray the costs of caring for the child, and support services. Kinship care also may be informal and involve only an assessment process to ensure the safety and suitability of the home along with supportive services for the child and caregivers. Approximately one-fourth of the children in out-of-home care are living with relatives.²

Nearly 3 million American children are cared for by relatives other than their parents. Child welfare agencies in many states rely on extended families, primarily grandparents, to provide homes for children who cannot safely remain with their parents. In fact, relatives care for 27 percent of children in foster care—about 107,000—according to the Adoption and Foster Care Analysis and Reporting System.³

In Florida, a point in time count as of June 30, 2017, showed there were 24, 076 children in out-of-home care. Of those children, 13,622 were in kinship care foster care placements and 10,454 were in licensed foster care placements.⁴

¹ U.S. Department of Health & Human Services, Administration for Children & Families, Children's Bureau, Child Welfare Information Gateway, *About Kinship Care*, available at: <https://www.childwelfare.gov/topics/outofhome/kinship/about/> (last visited October 24, 2017).

² *Id.*

³ National Conference of State Legislatures, *Supporting Relative Caregivers of Children*, available at <http://www.ncsl.org/research/human-services/relative-caregivers.aspx>. (last visited November 25, 2017).

⁴ Foster care includes all children who have been removed from their homes due to abuse, neglect or abandonment. Kinship foster care is a subset that includes children who are placed with relatives or other person(s) deemed to be a significant person

Relative Caregiver Program

The Relative Caregiver Program was established in 1998⁵ for the purpose of recognizing the importance of family relationships and providing additional placement options and incentives to help achieve permanency and stability for many children who are otherwise at risk of foster care placement. The program provides financial assistance to qualified relatives. Within available funding, the Relative Caregiver Program is also required to provide caregivers with family support and preservation services, school readiness assistance, and other available services in order to support the child’s safety, growth, and healthy development. Children living with caregivers who are receiving assistance under the program are also eligible for Medicaid coverage.⁶

In 2014,⁷ the legislature expanded the program to include nonrelatives who a child may have a close relationship with who are not a blood relative or a relative by marriage. Those nonrelatives are eligible for financial assistance if they are able and willing to care for the child and provide a safe, stable home environment. The court must find that a proposed placement is in the best interest of the child.⁸

Current law provides that the statewide average monthly rate for children placed by the court with relatives or nonrelatives who are not licensed as foster homes may not exceed 82 percent of the statewide average foster care rate, and the cost of providing the assistance to any caregiver in the program may not exceed the cost of providing out-of-home care in emergency shelter or foster care.⁹

This program provides monthly cash assistance to relatives who meet eligibility rules and have custody of a child under age 18 who has been court ordered dependent by a Florida court and placed in their home by the Department of Children and Families Child Welfare/Community Based Care (CW/CBC) contracted provider. The monthly cash assistance amount is higher than the Temporary Cash Assistance for one child, but less than the amount paid for a child in the foster care program.

Financial Assistance

Current financial assistance for types of out-of-home placements are shown in the chart below:

| Age of Child | Relative and Nonrelative Caregivers | Foster Parents | Residential Group Home Placement |
|--------------|-------------------------------------|----------------|----------------------------------|
| | | | |

in the child’s life. Licensed foster care is a subset that includes traditional family foster homes, therapeutic foster homes, group homes, residential placements and other settings requiring a license.

⁵ Chapter 98-78, L.O.F.

⁶ Section 39.5085, F.S.

⁷ Chapter 2014-224, L.O.F.

⁸ Section 39.5085, F.S.

⁹ *Id.*

| | | | |
|--|-------|-------|------------------------------|
| Age 0 through 5 years | \$242 | \$429 | \$3,800 per month average |
| Age 6 through 12 years | \$249 | \$440 | |
| Age 13 through 18 years | \$298 | \$515 | |
| These are monthly benefit amounts per child | | | |

The monthly benefit payment for relative and nonrelative caregivers does not begin until the child in their care has been adjudicated dependent. Adjudication typically takes 2 months to a year. During this time a nonrelative caregiver receives no benefit and a relative caregiver is eligible for a temporary cash assistance payment as follows:

| Number of Children | Monthly Benefit |
|---|-----------------|
| 1 | \$180 |
| 2 | \$241 |
| 3 | \$303 |
| These are monthly benefit amounts per total number of children | |

When the child in care has been adjudicated dependent, the relative becomes eligible for the full relative caregiver program benefit amount. Reimbursement for children in care with foster parents or in residential group homes begins at the time the child is placed.

Child Care Assistance

The cost of participating in the school readiness program is subsidized in part or fully by the funding of the local early learning coalition for eligible children. Criteria have been established for the children who are to receive priority for participating in the program at no cost or at a subsidized rate. The cost of child care shall be assumed by the relative caregiver to the extent that subsidized child care is unavailable.¹⁰

Additional Information

Committee staff conducted telephone/video conferences with dependency judges statewide who identified the following issues related to the use of relative caregivers for children placed in out-of-home care:

- **Unexpected caregiving responsibility** – foster parents are licensed, trained, and expect to take children into their homes, whereas relatives are more often than not asked to take in children of family members suddenly and without time or help for any preparation.
- **Lack of knowledge about trauma** – while foster parents receive training, relative caregivers don’t typically know how to deal with the trauma the children may have been exposed to.
- **Dysfunctional family dynamics** – relatives have additional stress and issues due to the fact that they are caring for children of other family members.
- **Increased use of family finding in order to identify family members earlier in the process** – in circuits where it’s used, family finding works well to identify more family members and identify them earlier in the process either during investigations or at the shelter

¹⁰ Chapter 65C-13.030, L.O.F.

hearing. In some circuits use of family finding is sporadic and not utilized throughout the life of the dependency case. Parents are often embarrassed and don't want family members to know they are involved with the child welfare system. Older children know who their relatives are and are often overlooked as a source of contact information.

- **Delays in process** – delays in getting the results from home studies and fingerprint submissions is problematic. Also, delays in the Interstate Compact for the Placement of Children (ICPC) process which establishes procedures for ensuring the safety and stability of placements of children across state lines, cause delays in children being placed with out of state relatives. Judicial decisions with interstate placement implications must comply with the Compact.
- **Lack of services and support for families** – Inadequate support of caregivers in some areas of the state due to a lack of formal programs designed to provide information, referral, training, legal services, and other follow-up services to grandparents and other relatives raising children to link them to the benefits and supports that they or the children in their care need.
- **Fewer benefits for children in care** – children in out-of-home care are only eligible for some benefits if they are or have been in a licensed placement. For example, children in relative care are eligible for tuition and fee exemptions for postsecondary education¹¹ but they are not typically eligible for independent living financial support and services.¹²
- **Caseworker “neglect”** – refers to the fact that when a relative will not or cannot immediately commit to becoming a fulltime caregiver, the caseworker forgets the caregiver. There is little or no effort made to include the relative in other aspects of the child's life or improve the home so that the relative may be able to become a fulltime caregiver.
- **Lack of time and skill to effectively engage with relatives** – a number of circuits reported that while caseworkers generally do a good job they frequently do not have the time due to large caseloads or have the appropriate skills to effectively deal with relatives who may become caregivers for children. Caseworkers often feel that placement with a relative is a “safe placement” and pay less attention to those placements.
- **Access to services should be same regardless of placement** – currently services and supports and access to them for a child in out-of-home care vary depending on what type of placement the child is in.

In addition to speaking with judges around the state, committee staff spoke with leadership, program staff and relative caregivers with community-based care lead agencies across the state. Four major issues affecting the ability of relatives and nonrelatives to care for children placed in their care were identified:

- Sporadic and ineffective use of family finding which is defined as an intensive relative search and engagement techniques to identify family and other close adults for children in foster care, and to involve them in developing and carrying out a plan for the emotional and legal permanency of a child
- Inadequate support of caregivers in some areas of the state due to a lack of formal kinship navigator programs designed to provide information, referral, and follow-up services to grandparents and other relatives raising children to link them to the benefits and supports that they or the children in their care need.

¹¹ Section 1009.25, F.S.

¹² Section 409.1451, F.S.

- Inadequate financial support and delays in receiving that support.
- The obligation for relative caregivers to assume what may be a large portion of child care/early education expenses for the child in their care.

Provisions of the bill address these four issues.

| Circuit | Lead Agency |
|--|---|
| Shaded rows indicate community-based care lead agencies that committee staff communicated with. | |
| 1 Escambia, Okaloosa, Santa Rosa, and Walton Counties | Lakeview Center, Families First Network |
| 2 & 14 Franklin, Gadsden, Jefferson, Leon, Liberty, Wakulla Counties and Bay, Calhoun, Gulf, Holmes, Jackson, Washington Counties | Big Bend Community Based Care, Inc. |
| 3 & 8 Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, Taylor Counties and Alachua, Baker, Bradford, Gilchrist, Levy, Union Counties | Partnership for Strong Families |
| 4 Duval and Nassau Counties | Family Support Services of North Florida Inc. |
| 4 Clay County | Kids First of Florida, Inc |
| 7 St. Johns County | St Johns County Board of County Commissioners |
| 7 Flagler, Volusia, and Putnam Counties | Community Partnership for Children, Inc |
| 12 DeSoto, Manatee, and Sarasota Counties | Sarasota Family YMCA, Inc. |
| 6 Pasco and Pinellas Counties | Eckerd Community Alternatives |
| 13 Hillsborough County | Eckerd Community Alt., |
| 20 Charlotte, Collier, Glades, Hendry and Lee Counties | Children's Network of SW Florida |
| 5 Citrus, Hernando, Lake, Marion and Sumter Counties | Kids Central, Inc |
| 9 & 18 Orange, Osceola County and Seminole Counties | Community Based Care of Central Florida |
| 18 Brevard County | Brevard Family Partnership |
| 10 Hardee, Highlands, and Polk Counties | Heartland For Children |
| 19 Indian River, Martin, Okeechobee, and St. Lucie Counties | Devereux CBC |
| 15 & 17 Palm Beach County and Broward County | ChildNet Inc. |
| 11 & 16 Miami-Dade County and Monroe County | Our Kids of Miami-Dade/Monroe, Inc |

Judicial Hearings and Review

When the department removes a child from his or her home, a series of dependency court proceedings must occur to adjudicate the child dependent and place him or her in out-of-home care, as indicated by the chart below:

| Proceeding | | Reference |
|-----------------------------|--|-----------------|
| Shelter Hearing | A shelter hearing occurs within 24 hours after removal. The court determines whether the child is to remain in out-of-home care. | s. 39.402, F.S. |
| Arraignment Hearing | An arraignment hearing occurs within 28 days of the shelter hearing. This allows the parent to admit, deny, or consent to the allegations within the petition for dependency and allows the court to review any shelter placement. | s. 39.506, F.S. |
| Adjudicatory Hearing | An adjudicatory trial is held within 30 days of arraignment, to determine whether a child is dependent. | s. 39.507, F.S. |
| Disposition Hearing | Disposition occurs within 15 days of arraignment or 30 days of adjudication. The judge reviews and orders the case plan for the family and the appropriate placement of the child. | s. 39.521, F.S. |
| Review Hearing | The court must review the case plan and placement every 6 months, or upon motion of a party. | s. 39.701, F.S. |

Current law provides for specific findings and determinations to be made the court at each hearing.

The Rilya Wilson Act

Rilya Wilson disappeared from state custody in January 2001. The child's caregiver maintained that someone from the Department of Children and Families (DCF or department) removed Rilya from her home sometime in January 2001. The department was unaware that the child was missing until April 2002 due to casework failures. While her caregiver was sentenced to 55 years in prison in 2013 for her disappearance, Rilya remains missing.¹³

With the disappearance of Rilya Wilson, the responsibility of the state to ensure the safety of the children while in the state's care received heightened attention. Frequent and continuous face-to-face contact with children who are in the custody or under the supervision of the state has been identified as a mechanism for ensuring the children's safety and well-being. The current requirement that each child in the custody or supervision of the state receive a monthly home visit offers child protection staff a regular opportunity to check on the well-being of the child.

¹³ The Miami Herald, GERALYN GRAHAM GET 55 YEARS IN RILYA WILSON FOSTER CHILD ABUSE CASE, *available at*: <http://www.miamiherald.com/latest-news/article1947207.html>. (last visited November 26, 2017).

For a number of children, the increased visibility that participation in early education and child care programs provides can minimize further abuse, neglect, or abandonment. Participation in these programs can also be an important ingredient in reversing the developmental effects that abuse, neglect, and abandonment can have on children. Early education and child care programs are provided in Florida through the school readiness program under ss. 1001.213 and 1002.82 F.S. With the establishment of the school readiness program, the different early education and child care programs and their funding sources were merged for the delivery of a comprehensive program of school readiness services to be designed and administered through local early learning coalitions.¹⁴ The school readiness program is housed with the Office of Early Learning.

Historically, children who have been abused, neglected, or abandoned and are being served through the dependency system have received one of the highest priorities for child care service. This is due, at least in part, to the interpretation of earlier statutory language that these children were to be provided the highest priority. Current law requires each early learning coalition to give priority for participation in the school readiness program according to specified criteria with an at-risk child being second on the priority list.¹⁵ An at-risk child is defined as meaning:¹⁶

- A child from a family under investigation by the Department of Children and Families or a designated sheriff's office for child abuse, neglect, abandonment, or exploitation.
- A child who is in a diversion program provided by the Department of Children and Families or its contracted provider and who is from a family that is actively participating and complying in department-prescribed activities, including education, health services, or work.
- A child from a family that is under supervision by the Department of Children and Families or a contracted service provider for abuse, neglect, abandonment, or exploitation.
- A child placed in court-ordered, long-term custody or under the guardianship of a relative or nonrelative after termination of supervision by the Department of Children and Families or its contracted provider.
- A child in the custody of a parent who is a victim of domestic violence residing in a certified domestic violence center.
- A child in the custody of a parent who is considered homeless as verified by a Department of Children and Families certified homeless shelter.

Notwithstanding s. 39.604, F.S., a school readiness program provider, regardless of whether the provider is licensed, shall comply with the reporting requirements of the Rilya Wilson Act for each at-risk child under the age of school entry who is enrolled in the school readiness program.¹⁷

The cost of participating in the school readiness program is subsidized in part or fully by the funding of the coalition for eligible children. Criteria have been established for the children who are to receive priority for participating in the program at no cost or at a subsidized rate. The cost

¹⁴ Section 1002.83, F.S.

¹⁵ Section 1002.87, F.S.

¹⁶ Section 1002.81, F.S.

¹⁷ Section 1002.87, F.S.

of child care shall be assumed by the licensed out-of-home caregiver to the extent that subsidized child care is unavailable.¹⁸

Currently, the Rilya Wilson Act which requires children from birth to the age of school entry who have been abused, neglected, or abandoned and who are enrolled in early education and child care programs as a result of being in the care of the state pursuant to ch. 39, F.S., to participate in the program 5 days a week. This participation must be reflected in the case plan required by ch. 39, F.S. The court in approving or revising the case plan may grant a waiver of the requirement to participate 5 days a week. The act also provides that:

- Withdrawal from the program is prohibited unless prior written approval is provided by the department or the community-based lead agency.
- The person with whom the child is living is required to report any absence to the program on the day of the absence. Failure to report an absence results in the absence being considered unexcused, and the early education or child care program is required to report any unexcused absence or seven consecutive excused absences to the department or community-based lead agency.
- Reports of two consecutive unexcused absences or seven consecutive excused absences are to result in a site visit to the child's residence. Children who are found missing during the site visit are to be reported as missing to law enforcement and the procedures for locating missing children initiated. If the children are not found to be missing, the parent or caregiver is to be informed that it is a violation of the case plan if the child does not attend the early education or child care program.
- After two such site visits, action to notify the court of the parent or caregiver's non-compliance with the care plan is to be initiated.

Federal law under the Child Abuse Prevention and Treatment Act (CAPTA)¹⁹ and the Individuals with Disabilities Education Act (IDEA)²⁰ requires states to have provisions and procedures for the referral of children under the age of three who are involved in substantiated cases of child abuse or neglect or are affected by substance abuse or withdrawal symptoms from prenatal drug exposure to early intervention services. These are often called CAPTA referrals.

In 2008, the department and the Early Steps Program within Children's Medical Services at the Department of Health (DOH) entered into an interagency agreement for the purpose of ensuring that children under the age of three who are involved in substantiated cases of child abuse or neglect and are potentially eligible for early intervention services are referred to the local Early Steps office within their region when warranted. The agreement describes referral procedures for early intervention services provided through Part C under IDEA and provides that the local Early Steps will screen or evaluate all children referred by the DCF or its contracted agencies.^{21,22}

¹⁸ Chapter 65C-13.030, L.O.F.

¹⁹ P.L. 108-36.

²⁰ P.L. 108-446.

²¹ Interagency Agreement, The Florida Department of Children and Families and the Florida Department of Health, Children's Medical Services, Early Steps, available at: http://www.floridahealth.gov/alternatesites/cms-kids/home/resources/es_policy/Attachments/11_DOH_DCF_CAPTA_Agreement.pdf. (last visited November 8, 2017).

²² The DOH reported that the only CAPTA referrals they receive from the department are for those children who are referred to a Child Protection Team. (Telephone conversation with DOH staff on November 15, 2017).

Federal law under the IDEA also requires states to develop a comprehensive Child Find system to locate children who are potentially eligible for services, including children who are involved in substantiated cases of child abuse or neglect, and link them to early intervention services. In Florida, children from ages 3-5 suspected of having delays are screened and provided services if necessary through the Florida Diagnostics and Learning Resources System (FDLRS) Child Find.²³

III. Effect of Proposed Changes:

Section 1 creates s. 39.4015, F.S., relating to family finding, to require the department, in collaboration with sheriffs' offices that conduct child protective investigations and community-based care lead agencies, to develop a formal family finding program to be implemented statewide by child protective investigators and community-based care lead agencies. Family finding is required as soon as a child comes to the attention of the department and throughout the duration of the case. The department or community-based care lead agency must specifically document strategies taken to locate and engage relatives and kin. Strategies of engagement are provided in the bill.

The department and the community-based care lead agencies must use diligent efforts in family finding, must continue those efforts until multiple relatives and kin are identified, and must go beyond basic searching tools by exploring alternative tools and methodologies. Efforts to be used by the department and the community-based care lead agency are provided in the bill.

The court is required to inquire and make a determination regarding family finding at each stage of the case, including the shelter care hearing pursuant to s. 39.402. The court is to place its determinations on the record as to whether the department or community-based care lead agency has reasonably engaged in family finding. The level of reasonableness is to be determined by the length of the case and time the department or community-based care lead agency has had to begin or continue the process.

Section 2 amends s. 39.402, F.S., relating to placement in a shelter, to require educational records of children under the age of school entry to be provided, to require a judge rather than a school superintendent to appoint a surrogate parent for a child under the age of school entry if necessary and to require the court to make a determination relating to family finding.

Section 3 amends s. 39.506, F.S., relating to arraignment hearings, to require the court to make a determination relating to family finding.

Section 4 amends s. 39.507, F.S., relating to adjudicatory hearings and orders of adjudication, to require the court to make a determination relating to family finding.

Section 5 amends s. 39.5085, F.S., relating to the Kinship Care Program to provide that both relative and nonrelative caregivers receive financial assistance in the amount currently required

²³ The Florida Diagnostic and Learning Resources System (FDLRS) is a discretionary project of the Florida Department of Education (FLDOE) Bureau of Exceptional Education and Student Services.

for the Relative Caregiver Program with the payments to begin at the time a child comes into their care.

The bill also requires each community-based care lead agency to establish a kinship navigator program that must:

- Be coordinated with other state or local agencies that promote service coordination or provide information and referral services;
- Be planned and operated in consultation with kinship caregivers and organizations representing them, youth raised by kinship caregivers, relevant governmental agencies, and relevant community-based or faith-based organizations;
- Establish a toll-free telephone hotline to provide information to link kinship caregivers to specified entities.
- Provide outreach to kinship care families; and
- Promote partnerships between public and private agencies and relevant governmental agencies to increase their knowledge of the needs of kinship care families to promote better services for those families.

Section 6 amends s. 39.521, F.S., relating to disposition hearings and powers of disposition, to require the court to make a determination relating to family finding and to require educational records of children under the age of school entry to be provided.

Section 7 amends s. 39.6012, F.S., relating to case plan tasks and services, to require documentation of case plan requirements under s. 39.604, F.S.

Section 8 amends s. 39.604, F.S., relating to the Rilya Wilson Act, to clarify attendance and reporting requirements related to children in out-of-home care who are attending a child care or early education program and to require that children under the age of three and children who are ages 3 to 5 years who are victims of substantiated child abuse or neglect to be referred for an early intervention assessment by Early Steps or FDLRS Child Find as appropriate.

The bill also provides for the appointment of a surrogate parent if appropriate, and provides for educational stability and transitions.

Section 9 amends s. 39.701, relating to judicial review, requiring the court to appoint a surrogate parent if the child is under the age of school entry and requiring the court to determine if the department and community-based lead agency has reasonably engaged in family finding.

Section 10 amends s. 414.045, F.S., relating to the cash assistance program, to conform a provision to changes made by the bill.

Section 11 amends s. 1009.25, F.S., relating to fee exemptions, to conform a provision to changes made by the bill.

Section 12 provides that except as otherwise expressly provided in the bill, the effective date of the bill is July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill would increase some costs to the state and could result in a decrease in other costs. The bill will increase the cost of relative and non-relative care giver payments by beginning at placement rather than when the child is later adjudicated dependent. DCF estimates the cost of such increases to be \$3.6 million each year. Some community based care lead agencies may be required to improve their family finding efforts and their support of relative and non-relative care givers. Other community based care lead agencies are currently using these best practices. The result of these changes would be an increase in relative and non-relative caregiver placements. The cost of placing a child with a relative or non-relative care giver under the bill would be approximately \$2,904 per year while placement in group care averages \$45,625 per year. An increase in relative and non-relative care givers would lead to a decrease in expenditures on foster care and group care.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill substantially amends ss. 39.402, 39.506, 39.507, 39.5085, 39.521, 39.6012, 39.604, 39.701, 414.045, and 1009.25 of the Florida Statutes.

The bill creates s. 39.4015 of the Florida Statutes.

IX. Additional Information:**CS by Children, Families, and Elder affairs on December 4, 2017:**

- Amends ss. 39.402, 39.506, 39.507, 39.521, and 39.701, F.S., relating to judicial hearings, to require a determination by the court relating to family finding.
- Adds a task to the case plan requirements required under s. 39.604, F.S.
- Requires that children under the age of three and children ages 3 to 5 years who are victims of substantiated child abuse or neglect be referred for an early intervention assessment by Early Steps or FDLRS Child Find as appropriate.
- Provides for the appointment of a surrogate parent if appropriate, and provides for educational stability and transitions in child care and early education program settings.

A. Amendments:

None.



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LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 12/04/2017 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Children, Families, and Elder Affairs (Garcia) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Effective January 1, 2019, section 39.4015,
Florida Statutes, is created to read:

39.4015 Family finding.—

(1) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature finds that every child who is in out-
of-home care has the goal of finding a permanent home, whether



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11 achieved by reunifying the child with his or her parents or
12 finding another permanent connection, such as adoption or legal
13 guardianship with a relative or nonrelative who has a
14 significant relationship with the child.

15 (b) The Legislature finds that while legal permanency is
16 important to a child in out-of-home care, emotional permanency
17 helps increase the likelihood that children will achieve
18 stability and well-being and successfully transition to
19 independent adulthood.

20 (c) The Legislature also finds that research has
21 consistently shown that placing a child within his or her own
22 family reduces the trauma of being removed from his or her home,
23 is less likely to result in placement disruptions, and enhances
24 prospects for finding a permanent family if the child cannot
25 return home.

26 (d) The Legislature further finds that the primary purpose
27 of family finding is to facilitate legal and emotional
28 permanency for children who are in out-of-home care by finding
29 and engaging their relatives.

30 (e) It is the intent of the Legislature that every child in
31 out-of-home care be afforded the advantages that can be gained
32 from the use of family finding to establish caring and long-term
33 or permanent connections and relationships for children and
34 youth in out-of-home care, as well as to establish a long-term
35 emotional support network with family members and other adults
36 who may not be able to take the child into their home but who
37 want to stay connected with the child.

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

39 (a) "Diligent efforts" means the use of methods and



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40 techniques including, but not limited to, interviews with
41 immediate and extended family and kin, genograms, eco-mapping,
42 case mining, cold calls, and specialized computer searches.

43 (b) "Family finding" means an intensive relative search and
44 engagement technique used in identifying family and other close
45 adults for children in out-of-home care and involving them in
46 developing and carrying out a plan for the emotional and legal
47 permanency of a child.

48 (c) "Family group decisionmaking" is a generic term that
49 includes a number of approaches in which family members and
50 fictive kin are brought together to make decisions about how to
51 care for their children and develop a plan for services. The
52 term includes family team conferencing, family team meetings,
53 family group conferencing, family team decisionmaking, family
54 unity meetings, and team decisionmaking, which may consist of
55 several phases and employ a trained facilitator or coordinator.

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

60 (3) FAMILY-FINDING PROGRAM.—The department, in
61 collaboration with sheriffs' offices that conduct child
62 protective investigations and community-based care lead
63 agencies, shall develop a formal family-finding program to be
64 implemented statewide by child protective investigators and
65 community-based care lead agencies.

66 (a) Family finding is required as soon as a child comes to
67 the attention of the department and throughout the duration of
68 the case, and finding and engaging with as many family members



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69 and fictive kin as possible for each child who may help with
70 care or support for the child is considered a best practice. The
71 department or community-based care lead agency must specifically
72 document strategies taken to locate and engage relatives and
73 kin. Strategies of engagement may include, but are not limited
74 to, asking the relatives and kin to:

- 75 1. Participate in a family group decisionmaking conference,
76 family team conferencing, or other family meetings aimed at
77 developing or supporting the family service plan;
- 78 2. Attend visitations with the child;
- 79 3. Assist in transportation of the child;
- 80 4. Provide respite or child care services; or
- 81 5. Provide actual kinship care.

82 (b) The department and the community-based care lead
83 agencies must use diligent efforts in family finding, must
84 continue those efforts until multiple relatives and kin are
85 identified, and must go beyond basic searching tools by
86 exploring alternative tools and methodologies. Efforts by the
87 department and the community-based care lead agency may include,
88 but are not limited to:

- 89 1. Searching for and locating adult relatives and kin.
- 90 2. Identifying and building positive connections between
91 the child and the child's relatives and fictive kin.
- 92 3. Supporting the engagement of relatives and fictive kin
93 in social service planning and delivery of services and creating
94 a network of extended family support to assist in remedying the
95 concerns that led to the child becoming involved with the child
96 welfare system, when appropriate.
- 97 4. Maintaining family connections, when possible.



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98 5. Keeping siblings together in care, when in the best
99 interest of each child and when possible.

100 (c) A basic computer search using the Internet or attempts
101 to contact known relatives at a last known address or telephone
102 number do not constitute effective family finding.

103 (d) The court's inquiry and determination regarding family
104 finding should be made at each stage of the case, including a
105 shelter hearing conducted pursuant to s. 39.402. The court shall
106 place its determinations on the record as to whether the
107 department or community-based care lead agency has reasonably
108 engaged in family finding. The level of reasonableness is to be
109 determined by the length of the case and the amount of time the
110 department or community-based care lead agency has had to begin
111 or continue the process.

112 (4) RULEMAKING.—The department shall adopt rules to
113 implement this section.

114 Section 2. Paragraphs (c) and (d) of subsection (11) of
115 section 39.402, Florida Statutes, and subsection (17) of that
116 section are amended to read:

117 39.402 Placement in a shelter.—

118 (11)

119 (c) The court shall request that the parents consent to
120 provide access to the child's child care records, early
121 education program records, or other educational records and
122 provide information to the court, the department or its contract
123 agencies, and any guardian ad litem or attorney for the child.
124 If a parent is unavailable or unable to consent or withholds
125 consent and the court determines access to the records and
126 information is necessary to provide services to the child, the



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127 court shall issue an order granting access.

128 (d) The court may appoint a surrogate parent or may refer
129 the child to the district school superintendent for appointment
130 of a surrogate parent if the child has or is suspected of having
131 a disability and the parent is unavailable pursuant to s.
132 39.0016(3) (b). If the child is under the age of school entry,
133 the court must make the appointment.

134 (17) At the shelter hearing, the court shall inquire of the
135 parent whether the parent has relatives who might be considered
136 as a placement for the child. The parent shall provide to the
137 court and all parties identification and location information
138 regarding the relatives. The court shall advise the parent that
139 the parent has a continuing duty to inform the department of any
140 relative who should be considered for placement of the child.
141 The court shall place its determinations on the record as to
142 whether the department or community-based care lead agency has
143 reasonably engaged in family finding. The level of
144 reasonableness is to be determined by the length of the case and
145 amount of time the department or community-based care lead
146 agency has had to begin or continue the process.

147 Section 3. Present subsection (9) of section 39.506,
148 Florida Statutes, is redesignated as subsection (10), and a new
149 subsection (9) is added to that section, to read:

150 39.506 Arraignment hearings.—

151 (9) The court shall review whether the department or
152 community-based care lead agency has reasonably engaged in
153 family finding and make a written determination as to its
154 findings. The level of reasonableness is determined by the
155 length of the case and amount of time the department or



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156 community-based care lead agency has had to begin or continue
157 the process.

158 Section 4. Paragraphs (c) and (d) of subsection (7) of
159 section 39.507, Florida Statutes, are amended to read:

160 39.507 Adjudicatory hearings; orders of adjudication.—

161 (7)

162 (c) If a court adjudicates a child dependent and the child
163 is in out-of-home care, the court shall inquire of the parent or
164 parents whether the parents have relatives who might be
165 considered as a placement for the child. ~~The court shall advise~~
166 ~~the parents that, if the parents fail to substantially comply~~
167 ~~with the case plan, their parental rights may be terminated and~~
168 ~~that the child's out-of-home placement may become permanent.~~ The
169 parent or parents shall provide to the court and all parties
170 identification and location information of the relatives. The
171 court shall review whether the department or community-based
172 care lead agency has reasonably engaged in family finding and
173 make a written determination as to its findings. The level of
174 reasonableness is determined by the length of the case and
175 amount of time the department or community-based care lead
176 agency has had to begin or continue the process.

177 (d) The court shall advise the parents that, if they fail
178 to substantially comply with the case plan, their parental
179 rights may be terminated and that the child's out-of-home
180 placement may become permanent.

181 Section 5. Effective January 1, 2019, section 39.5085,
182 Florida Statutes, is amended to read:

183 39.5085 Kinship Care Relative Caregiver Program.—

184 (1) LEGISLATIVE FINDINGS AND INTENT.—



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185 (a) The Legislature finds that an increasing number of
186 relatives and fictive kin are assuming the responsibility of
187 raising children because the parents of these children are
188 unable to care for them.

189 (b) The Legislature also finds that these kinship
190 caregivers perform a vital function by providing homes for
191 children who would otherwise be at risk of foster care placement
192 and that kinship care is a crucial option in the spectrum of
193 out-of-home care available to children in need.

194 (c) The Legislature finds that children living with kinship
195 caregivers experience increased placement stability, are less
196 likely to reenter care if they are reunified with their parents,
197 and have better behavioral and mental health outcomes.

198 (d) The Legislature further finds that these kinship
199 caregivers may face a number of difficulties and need assistance
200 to support the health and well-being of the children they care
201 for. These needs include, but are not limited to, financial
202 assistance, legal assistance, respite care, child care,
203 specialized training, and counseling.

204 (e) It is the intent of the Legislature to provide for the
205 establishment and implementation of procedures and protocols
206 that are likely to increase and adequately support appropriate
207 and safe kinship care placements.

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

209 (a) "Fictive kin" means an individual who is unrelated to
210 the child by either birth or marriage, but has such a close
211 emotional relationship with the child that he or she may be
212 considered part of the family.

213 (b) "Kinship care" means the full-time care of a child



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214 placed in out-of-home care by the court in the home of a
215 relative or fictive kin.

216 (c) "Kinship navigator program" means a statewide program
217 designed to ensure that kinship caregivers are provided with
218 necessary resources for the preservation of the family.

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

221 1. Is related to the child within the fifth degree by blood
222 or marriage to the parent or stepparent of the child; or

223 2. Is related to a half-sibling of that child within the
224 fifth degree by blood or marriage to the parent or stepparent.

225 (3) FINANCIAL ASSISTANCE.—The department shall provide
226 financial assistance to all caregivers who qualify under this
227 subsection.

228 (a) Relatives or fictive kin caring for a child who has
229 been placed with them by the court shall receive a monthly
230 caregiver benefit, beginning when the child is placed with them.

231 The amount of the benefit payment is based on the child's age
232 within a payment schedule established by rule of the department.

233 The cost of providing the assistance described in this section
234 to any caregiver may not exceed the cost of providing out-of-
235 home care in emergency shelter or foster care.

236 (b) Caregivers who receive assistance under this section
237 must be capable, as determined by a home study, of providing a
238 physically safe environment and a stable, supportive home for
239 the children under their care and must assure that the
240 children's well-being is met, including, but not limited to, the
241 provision of immunizations, education, and mental health
242 services, as needed.



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243 (c) Caregivers who qualify for and receive assistance under
244 this section are not required to meet foster care licensing
245 requirements under s. 409.175.

246 (d) Children receiving cash benefits under this section are
247 not eligible to simultaneously receive WAGES cash benefits under
248 chapter 414.

249 (d) A caregiver may not receive a benefit payment if the
250 parent or stepparent of the child resides in the home. However,
251 a caregiver may receive the benefit payment for a minor parent
252 who is in his or her care, as well as for the minor parent's
253 child, if both children have been adjudicated dependent and meet
254 all other eligibility requirements. If the caregiver is
255 receiving a benefit payment when a parent, other than an
256 eligible minor parent, or stepparent moves into the home, the
257 payment must be terminated no later than the first day of the
258 month following the move, allowing for 10-day notice of adverse
259 action.

260 (e) Children living with caregivers who are receiving
261 assistance under this section are eligible for Medicaid
262 coverage.

263 (4) ADDITIONAL ASSISTANCE AND SERVICES.—

264 (a) The purpose of a kinship navigator program is to help
265 relative caregivers and fictive kin in the child welfare system
266 to navigate the broad range of services available to them and
267 the children from public, private, community, and faith-based
268 organizations.

269 (b) By January 1, 2019, each community-based care lead
270 agency shall establish a kinship navigator program. In order to
271 meet the requirements of a kinship navigator program, the



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272 program must:

273 1. Be coordinated with other state or local agencies that
274 promote service coordination or provide information and referral
275 services, including any entities that participate in the Florida
276 211 Network, to avoid duplication or fragmentation of services
277 to kinship care families;

278 2. Be planned and operated in consultation with kinship
279 caregivers and organizations representing them, youth raised by
280 kinship caregivers, relevant governmental agencies, and relevant
281 community-based or faith-based organizations;

282 3. Establish a toll-free telephone hotline to provide
283 information to link kinship caregivers, kinship support group
284 facilitators, and kinship service providers to:

285 a. One another;

286 b. Eligibility and enrollment information for federal,
287 state, and local benefits;

288 c. Relevant training to assist kinship caregivers in
289 caregiving and in obtaining benefits and services; and

290 d. Relevant knowledge related to legal options available
291 for child custody, other legal assistance, and help in obtaining
292 legal services.

293 4. Provide outreach to kinship care families, including by
294 establishing, distributing, and updating a kinship care website,
295 or other relevant guides or outreach materials; and

296 5. Promote partnerships between public and private
297 agencies, including schools, community-based or faith-based
298 organizations, and relevant governmental agencies, to increase
299 their knowledge of the needs of kinship care families to promote
300 better services for those families.



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301 (5) RULEMAKING.—The department shall adopt rules to
302 implement this section.

303 ~~(1) It is the intent of the Legislature in enacting this~~
304 ~~section to:~~

305 ~~(a) Provide for the establishment of procedures and~~
306 ~~protocols that serve to advance the continued safety of children~~
307 ~~by acknowledging the valued resource uniquely available through~~
308 ~~grandparents, relatives of children, and specified nonrelatives~~
309 ~~of children pursuant to subparagraph (2) (a)3.~~

310 ~~(b) Recognize family relationships in which a grandparent~~
311 ~~or other relative is the head of a household that includes a~~
312 ~~child otherwise at risk of foster care placement.~~

313 ~~(c) Enhance family preservation and stability by~~
314 ~~recognizing that most children in such placements with~~
315 ~~grandparents and other relatives do not need intensive~~
316 ~~supervision of the placement by the courts or by the department.~~

317 ~~(d) Recognize that permanency in the best interests of the~~
318 ~~child can be achieved through a variety of permanency options,~~
319 ~~including permanent guardianship under s. 39.6221 if the~~
320 ~~guardian is a relative, by permanent placement with a fit and~~
321 ~~willing relative under s. 39.6231, by a relative, guardianship~~
322 ~~under chapter 744, or adoption, by providing additional~~
323 ~~placement options and incentives that will achieve permanency~~
324 ~~and stability for many children who are otherwise at risk of~~
325 ~~foster care placement because of abuse, abandonment, or neglect,~~
326 ~~but who may successfully be able to be placed by the dependency~~
327 ~~court in the care of such relatives.~~

328 ~~(e) Reserve the limited casework and supervisory resources~~
329 ~~of the courts and the department for those cases in which~~



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330 ~~children do not have the option for safe, stable care within the~~
331 ~~family.~~

332 ~~(f) Recognize that a child may have a close relationship~~
333 ~~with a person who is not a blood relative or a relative by~~
334 ~~marriage and that such person should be eligible for financial~~
335 ~~assistance under this section if he or she is able and willing~~
336 ~~to care for the child and provide a safe, stable home~~
337 ~~environment.~~

338 ~~(2)(a) The Department of Children and Families shall~~
339 ~~establish, operate, and implement the Relative Caregiver Program~~
340 ~~by rule of the department. The Relative Caregiver Program shall,~~
341 ~~within the limits of available funding, provide financial~~
342 ~~assistance to:~~

343 ~~1. Relatives who are within the fifth degree by blood or~~
344 ~~marriage to the parent or stepparent of a child and who are~~
345 ~~caring full-time for that dependent child in the role of~~
346 ~~substitute parent as a result of a court's determination of~~
347 ~~child abuse, neglect, or abandonment and subsequent placement~~
348 ~~with the relative under this chapter.~~

349 ~~2. Relatives who are within the fifth degree by blood or~~
350 ~~marriage to the parent or stepparent of a child and who are~~
351 ~~caring full-time for that dependent child, and a dependent half-~~
352 ~~brother or half-sister of that dependent child, in the role of~~
353 ~~substitute parent as a result of a court's determination of~~
354 ~~child abuse, neglect, or abandonment and subsequent placement~~
355 ~~with the relative under this chapter.~~

356 ~~3. Nonrelatives who are willing to assume custody and care~~
357 ~~of a dependent child in the role of substitute parent as a~~
358 ~~result of a court's determination of child abuse, neglect, or~~



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359 ~~abandonment and subsequent placement with the nonrelative~~
360 ~~caregiver under this chapter. The court must find that a~~
361 ~~proposed placement under this subparagraph is in the best~~
362 ~~interest of the child.~~

363 ~~4. A relative or nonrelative caregiver, but the relative or~~
364 ~~nonrelative caregiver may not receive a Relative Caregiver~~
365 ~~Program payment if the parent or stepparent of the child resides~~
366 ~~in the home. However, a relative or nonrelative may receive the~~
367 ~~Relative Caregiver Program payment for a minor parent who is in~~
368 ~~his or her care, as well as for the minor parent's child, if~~
369 ~~both children have been adjudicated dependent and meet all other~~
370 ~~eligibility requirements. If the caregiver is currently~~
371 ~~receiving the payment, the Relative Caregiver Program payment~~
372 ~~must be terminated no later than the first of the following~~
373 ~~month after the parent or stepparent moves into the home,~~
374 ~~allowing for 10-day notice of adverse action.~~

375
376 ~~The placement may be court-ordered temporary legal custody to~~
377 ~~the relative or nonrelative under protective supervision of the~~
378 ~~department pursuant to s. 39.521(1)(c)3., or court-ordered~~
379 ~~placement in the home of a relative or nonrelative as a~~
380 ~~permanency option under s. 39.6221 or s. 39.6231 or under former~~
381 ~~s. 39.622 if the placement was made before July 1, 2006. The~~
382 ~~Relative Caregiver Program shall offer financial assistance to~~
383 ~~caregivers who would be unable to serve in that capacity without~~
384 ~~the caregiver payment because of financial burden, thus exposing~~
385 ~~the child to the trauma of placement in a shelter or in foster~~
386 ~~care.~~

387 ~~(b) Caregivers who receive assistance under this section~~



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388 ~~must be capable, as determined by a home study, of providing a~~
389 ~~physically safe environment and a stable, supportive home for~~
390 ~~the children under their care and must assure that the~~
391 ~~children's well-being is met, including, but not limited to, the~~
392 ~~provision of immunizations, education, and mental health~~
393 ~~services as needed.~~

394 ~~(c) Relatives or nonrelatives who qualify for and~~
395 ~~participate in the Relative Caregiver Program are not required~~
396 ~~to meet foster care licensing requirements under s. 409.175.~~

397 ~~(d) Relatives or nonrelatives who are caring for children~~
398 ~~placed with them by the court pursuant to this chapter shall~~
399 ~~receive a special monthly caregiver benefit established by rule~~
400 ~~of the department. The amount of the special benefit payment~~
401 ~~shall be based on the child's age within a payment schedule~~
402 ~~established by rule of the department and subject to~~
403 ~~availability of funding. The statewide average monthly rate for~~
404 ~~children judicially placed with relatives or nonrelatives who~~
405 ~~are not licensed as foster homes may not exceed 82 percent of~~
406 ~~the statewide average foster care rate, and the cost of~~
407 ~~providing the assistance described in this section to any~~
408 ~~caregiver may not exceed the cost of providing out-of-home care~~
409 ~~in emergency shelter or foster care.~~

410 ~~(e) Children receiving cash benefits under this section are~~
411 ~~not eligible to simultaneously receive WAGES cash benefits under~~
412 ~~chapter 414.~~

413 ~~(f) Within available funding, the Relative Caregiver~~
414 ~~Program shall provide caregivers with family support and~~
415 ~~preservation services, flexible funds in accordance with s.~~
416 ~~409.165, school readiness, and other available services in order~~



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417 ~~to support the child's safety, growth, and healthy development.~~
418 ~~Children living with caregivers who are receiving assistance~~
419 ~~under this section shall be eligible for Medicaid coverage.~~

420 ~~(g) The department may use appropriate available state,~~
421 ~~federal, and private funds to operate the Relative Caregiver~~
422 ~~Program. The department may develop liaison functions to be~~
423 ~~available to relatives or nonrelatives who care for children~~
424 ~~pursuant to this chapter to ensure placement stability in~~
425 ~~extended family settings.~~

426 Section 6. Paragraph (e) of subsection (1) of section
427 39.521, Florida Statutes, is amended to read:

428 39.521 Disposition hearings; powers of disposition.—

429 (1) A disposition hearing shall be conducted by the court,
430 if the court finds that the facts alleged in the petition for
431 dependency were proven in the adjudicatory hearing, or if the
432 parents or legal custodians have consented to the finding of
433 dependency or admitted the allegations in the petition, have
434 failed to appear for the arraignment hearing after proper
435 notice, or have not been located despite a diligent search
436 having been conducted.

437 (e) The court shall, in its written order of disposition,
438 include all of the following:

- 439 1. The placement or custody of the child.
- 440 2. Special conditions of placement and visitation.
- 441 3. Evaluation, counseling, treatment activities, and other
442 actions to be taken by the parties, if ordered.
- 443 4. The persons or entities responsible for supervising or
444 monitoring services to the child and parent.
- 445 5. Continuation or discharge of the guardian ad litem, as



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446 appropriate.

447 6. The date, time, and location of the next scheduled
448 review hearing, which must occur within the earlier of:

449 a. Ninety days after the disposition hearing;

450 b. Ninety days after the court accepts the case plan;

451 c. Six months after the date of the last review hearing; or

452 d. Six months after the date of the child's removal from
453 his or her home, if no review hearing has been held since the
454 child's removal from the home.

455 7. If the child is in an out-of-home placement, child
456 support to be paid by the parents, or the guardian of the
457 child's estate if possessed of assets which under law may be
458 disbursed for the care, support, and maintenance of the child.
459 The court may exercise jurisdiction over all child support
460 matters, shall adjudicate the financial obligation, including
461 health insurance, of the child's parents or guardian, and shall
462 enforce the financial obligation as provided in chapter 61. The
463 state's child support enforcement agency shall enforce child
464 support orders under this section in the same manner as child
465 support orders under chapter 61. Placement of the child shall
466 not be contingent upon issuance of a support order.

467 8.a. If the court does not commit the child to the
468 temporary legal custody of an adult relative, legal custodian,
469 or other adult approved by the court, the disposition order must
470 ~~shall~~ include the reasons for such a decision and ~~shall include~~
471 a written determination as to whether ~~diligent efforts were made~~
472 by the department and the community-based care lead agency
473 reasonably engaged in family finding in attempting to locate an
474 adult relative, legal custodian, or other adult willing to care



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475 for the child in order to present that placement option to the
476 court instead of placement with the department. The level of
477 reasonableness is determined by the length of the case and
478 amount of time the department or community-based care lead
479 agency has had to begin or continue the process.

480 b. If no suitable relative is found and the child is placed
481 with the department or a legal custodian or other adult approved
482 by the court, both the department and the court shall consider
483 transferring temporary legal custody to an adult relative
484 approved by the court at a later date, but neither the
485 department nor the court is obligated to so place the child if
486 it is in the child's best interest to remain in the current
487 placement.

488
489 ~~For the purposes of this section, "diligent efforts to locate an~~
490 ~~adult relative" means a search similar to the diligent search~~
491 ~~for a parent, but without the continuing obligation to search~~
492 ~~after an initial adequate search is completed.~~

493 9. Other requirements necessary to protect the health,
494 safety, and well-being of the child, to preserve the stability
495 of the child's child care, early education program, or any other
496 educational placement, and to promote family preservation or
497 reunification whenever possible.

498 Section 7. Paragraph (b) of subsection (2) and paragraph
499 (a) of subsection (3) of section 39.6012, Florida Statutes, are
500 amended to read:

501 39.6012 Case plan tasks; services.—

502 (2) The case plan must include all available information
503 that is relevant to the child's care including, at a minimum:



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504 (b) A description of the plan for ensuring that the child
505 receives safe and proper care and that services are provided to
506 the child in order to address the child's needs. To the extent
507 available and accessible, the following health, mental health,
508 and education information and records of the child must be
509 attached to the case plan and updated throughout the judicial
510 review process:

511 1. The names and addresses of the child's health, mental
512 health, and educational providers;

513 2. The child's grade level performance;

514 3. The child's school record or, if the child is under the
515 age of school entry, any records from a child care program,
516 early education program, or preschool program;

517 4. Documentation of compliance or noncompliance with the
518 attendance requirements under s. 39.604, if the child is
519 enrolled in a child care program, early education program, or
520 preschool program;

521 ~~5.4.~~ Assurances that the child's placement takes into
522 account proximity to the school in which the child is enrolled
523 at the time of placement;

524 ~~6. 5. A record of~~ The child's immunizations;

525 ~~7.6.~~ The child's known medical history, including any known
526 health problems;

527 ~~8.7.~~ The child's medications, if any; and

528 ~~9.8.~~ Any other relevant health, mental health, and
529 education information concerning the child.

530 (3) In addition to any other requirement, if the child is
531 in an out-of-home placement, the case plan must include:

532 (a) A description of the type of placement in which the



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533 child is to be living and, if the child has been placed with the
534 department, whether the department and the community-based care
535 lead agency have reasonably engaged in family finding to locate
536 an adult relative, legal custodian, or other adult willing to
537 care for the child in order to present that placement option to
538 the court instead of placement with the department.

539 Section 8. Section 39.604, Florida Statutes, is amended to
540 read:

541 39.604 Rilya Wilson Act; short title; legislative intent;
542 early intervention; child care; early education; preschool
543 requirements; attendance and reporting responsibilities.-

544 (1) SHORT TITLE.-This section may be cited as the "Rilya
545 Wilson Act."

546 (2) LEGISLATIVE FINDINGS AND INTENT.-

547 (a) The Legislature finds that children from birth to age 5
548 years are particularly vulnerable to maltreatment and that they
549 enter out-of-home care in disproportionately high numbers.

550 (b) The Legislature also finds that children who are abused
551 or neglected are at high risk of experiencing physical and
552 mental health problems and problems with language and
553 communication, cognitive development, and social and emotional
554 development.

555 (c) The Legislature also finds that providing early
556 intervention and services, as well as quality child care and
557 early education programs to support the healthy development of
558 these young children, can have positive effects that last
559 throughout childhood and into adulthood.

560 (d) The Legislature also finds that the needs of each of
561 these children are unique, and while some children may be best



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562 served by a quality child care or early education program,
563 others may need more attention and nurturing that can best be
564 provided by a stay-at-home caregiver ~~The Legislature recognizes~~
565 ~~that children who are in the care of the state due to abuse,~~
566 ~~neglect, or abandonment are at increased risk of poor school~~
567 ~~performance and other behavioral and social problems.~~

568 (e) It is the intent of the Legislature that children who
569 are currently in out-of-home the care of the state be provided
570 with an age-appropriate developmental child care or early
571 education arrangement that is in the best interest of the child
572 ~~education program~~ to help ameliorate the negative consequences
573 of abuse, neglect, or abandonment.

574 (3) EARLY INTERVENTION FOR CHILDREN UNDER THE AGE OF
575 THREE.—The Child Abuse Prevention and Treatment Act, 42 U.S.C.
576 ss. 5101, et seq., and federal the Individuals with Disabilities
577 Education Act requires states to have provisions and procedures
578 for referring to early intervention services children who are
579 under the age of 3 years and involved in substantiated cases of
580 child abuse or neglect, or who are affected by substance abuse
581 or withdrawal symptoms from prenatal drug exposure.

582 (a) Referral process.—A child from birth to age 36 months
583 who is determined to be a victim of any substantiated case of
584 child abuse or neglect or who is affected by substance abuse or
585 withdrawal symptoms from prenatal drug exposure, shall be
586 referred to the Early Steps Program under s. 391.301, according
587 to the following criteria:

588 1. Children who will remain in the home of their parents or
589 legal guardian without referral to a community-based care lead
590 agency for services shall be referred to the Early Steps Program



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591 by the protective investigator handling the case within 48 hours
592 of verification of the abuse or neglect.

593 2. When there is an indication that they may have an
594 established condition or developmental delay, children who will
595 remain in the home of their parents or legal guardian and who
596 are referred to a community-based care lead agency for services
597 must be referred to the Early Steps Program by the community-
598 based care lead agency case worker during the case plan
599 development process within 7 days after the identification of an
600 established condition or possible developmental delay. The
601 community-based care lead agency shall follow up to determine
602 whether the child has been found eligible for Part C services
603 and shall support the participation of the eligible children's
604 families in the Early Steps Program. Support may include, but
605 need not be limited to:

- 606 a. Assistance with transportation, if necessary;
607 b. Providing written information about the Early Steps
608 Program; and
609 c. Followup with the family and encouraging the child's
610 participation in the Early Steps Program.

611 3. Children being placed into shelter care for referral to
612 a community-based care lead agency for out-of-home placement
613 must receive an initial assessment during the case plan
614 development process and may be referred to the Early Steps
615 Program according to the following criteria:

- 616 a. Children who are not referred for a comprehensive
617 behavioral health assessment under the Medicaid program must be
618 referred to the Early Steps Program by the case worker during
619 the case plan development process for the child. The referral



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620 must be documented in the case plan.

621 b. Children who are referred for a comprehensive behavioral
622 health assessment under the Medicaid program must be referred to
623 the Early Steps Program by the community-based care lead agency
624 case worker if their comprehensive behavioral health assessment
625 flags them as potentially having a developmental delay or an
626 established condition. The referral must be documented in the
627 case plan. The Early Steps Program referral form must be
628 accompanied by the comprehensive behavioral health assessment
629 that flagged the child as potentially having a developmental
630 delay or an established condition.

631 (b) *Screening and evaluation.*—The local Early Steps Program
632 shall screen or evaluate all children referred by the department
633 or its contracted agencies. The information on the outcome of a
634 child's screening or evaluation, and any recommended services on
635 the child's individualized family support plan, shall be
636 forwarded by the Early Steps Program's service coordinator to
637 the department and the community-based care lead agency for
638 consideration in development of the child's case plan.

639 (c) *Appointment of surrogate parent.*—Federal law requires
640 parental consent and participation at every stage of the early
641 intervention process after referral. A dependency court shall
642 appoint a surrogate parent under s. 39.0016 for a child from
643 birth to age 36 months whose parents are unavailable or
644 unwilling to provide consent for services when the child has
645 been determined to be a victim of any substantiated case of
646 child abuse or neglect or is affected by substance abuse or
647 withdrawal symptoms from prenatal drug exposure and has been
648 referred to the Early Steps Program under s. 391.301.



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649 (4) EARLY INTERVENTION FOR CHILDREN AGES THREE YEARS TO
650 FIVE YEARS.—The federal Individuals with Disabilities Education
651 Act requires states to develop a comprehensive Child Find
652 program to locate children who are potentially eligible for
653 services, including children who are involved in substantiated
654 cases of child abuse or neglect, and link them to early
655 intervention services. If the department or a community-based
656 care lead agency suspects that a child is a victim of
657 substantiated child abuse or neglect, the child must be referred
658 to the Child Find program of the Florida Diagnostic and Learning
659 Resources System for assessment.

660 (5) CHILD CARE, EARLY EDUCATION PROGRAMS, PRESCHOOL.—
661 Research has found that the quality of child care, early
662 education programs, and preschool programs is important to the
663 cognitive, language, and social development of young children,
664 with consistent and emotionally supportive care being of great
665 benefit to children and their families. Children who receive
666 high-quality early childhood care and education have better
667 math, language, and social skills as they enter school, and, as
668 they grow older, require less remedial education, progress
669 further in school, and have fewer interactions with the justice
670 system. Significant involvement of parents in early childhood
671 care and education may help reduce the incidence of maltreatment
672 of children and may be beneficial to children and families who
673 are already involved in the child welfare system by virtue of
674 establishing caring relationships in a supportive learning
675 environment that assists parents in establishing social support
676 networks, accessing information about parenting and child
677 development, and receiving referrals to other services.



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678 (a) Early child care and education preference.—Care for
679 children in out-of-home care shall be chosen by the caregiver
680 according to the following order:

681 1. Providers who receive a Gold Seal Quality Care
682 designation pursuant to s. 402.281, or providers participating
683 in a quality rating system;

684 2. Licensed child care providers;

685 3. Public school providers; and

686 4. License-exempt child care providers, including
687 religious-exempt and registered providers, and non-public
688 schools. These providers must be participating in the school
689 readiness program through the local early learning coalition.

690 (b) Enrollment

691 ~~(3) REQUIREMENTS.—~~

692 1. A child from birth to the age of school entry, who is
693 under court-ordered protective supervision or in out-of-home
694 care and is the custody of the Family Safety Program Office of
695 the Department of Children and Families or a community-based
696 lead agency, and enrolled in an a licensed early education or
697 child care program must attend the program 5 days a week unless
698 the court grants an exception due to the court determining it is
699 in the best interest of a child from birth to age 3 years:

700 a. With a stay-at-home caregiver to remain at home.

701 b. With a caregiver who works less than full time to attend
702 an early education or child care program fewer than 5 days a
703 week.

704 2. Notwithstanding s. 39.202, the department of Children
705 and Families must notify operators of an the licensed early
706 education or child care program, subject to the reporting



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707 requirements of this act, of the enrollment of any child from
708 birth to the age of school entry, under court-ordered protective
709 supervision or in out-of-home care. ~~If the custody of the Family~~
710 ~~Safety Program Office of the Department of Children and Families~~
711 ~~or a community-based lead agency. When a child is enrolled in an~~
712 early education or child care program ~~regulated by the~~
713 ~~department,~~ the child's attendance in the program must be a
714 required task action in the safety plan or the case plan
715 developed for the child pursuant to this chapter. ~~An exemption~~
716 ~~to participating in the licensed early education or child care~~
717 ~~program 5 days a week may be granted by the court.~~

718 (c)(4) Attendance ATTENDANCE AND REPORTING REQUIREMENTS.-

719 1.(a) A child enrolled in an ~~a licensed~~ early education or
720 child care program who meets the requirements of paragraph (b)
721 ~~subsection (3)~~ may not be withdrawn from the program without the
722 prior written approval of the department ~~Family Safety Program~~
723 ~~Office of the Department of Children and Families~~ or the
724 community-based care lead agency.

725 2.a.(b)1. If a child covered by this section is absent from
726 the program on a day when he or she is supposed to be present,
727 the person with whom the child resides must report the absence
728 to the program by the end of the business day. If the person
729 with whom the child resides, whether the parent or caregiver,
730 fails to timely report the absence, the absence is considered to
731 be unexcused. The program shall report any unexcused absence or
732 seven consecutive excused absences of a child who is enrolled in
733 the program and covered by this act to the ~~local designated~~
734 ~~staff of the Family Safety Program Office of the department of~~
735 ~~Children and Families~~ or the community-based care lead agency by



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736 the end of the business day following the unexcused absence or
737 seventh consecutive excused absence.

738 ~~b.2.~~ The department or community-based care lead agency
739 shall conduct a site visit to the residence of the child upon
740 receiving a report of two consecutive unexcused absences or
741 seven consecutive excused absences.

742 ~~c.3.~~ If the site visit results in a determination that the
743 child is missing, the department or community-based care lead
744 agency shall follow the procedure set forth in s. 39.0141 ~~report~~
745 ~~the child as missing to a law enforcement agency and proceed~~
746 ~~with the necessary actions to locate the child pursuant to~~
747 ~~procedures for locating missing children.~~

748 ~~d.4.~~ If the site visit results in a determination that the
749 child is not missing, the parent or caregiver shall be notified
750 that failure to ensure that the child attends the ~~licensed~~ early
751 education or child care program is a violation of the safety
752 plan or the case plan. If more than two site visits are
753 conducted pursuant to this paragraph ~~subsection~~, staff shall
754 ~~initiate action to~~ notify the court of the parent or caregiver's
755 noncompliance with the case plan.

756 (6) EDUCATIONAL STABILITY.—Just as educational stability is
757 important for school-age children, it is also important to
758 minimize disruptions to secure attachments and stable
759 relationships with supportive caregivers of children from birth
760 to school age and to ensure that these attachments are not
761 disrupted due to placement in out-of-home care or subsequent
762 changes in out-of-home placement.

763 (a) A child must be allowed to remain in the child care or
764 early educational setting that he or she attended before entry



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765 into out-of-home care, unless the program is not in the best
766 interest of the child.

767 (b) If it is not in the best interest of the child for him
768 or her to remain in his or her child care or early education
769 setting upon entry into out-of-home care, the caregiver must
770 work with the case manager, guardian ad litem, child care and
771 educational staff, and educational surrogate, if one has been
772 appointed, to determine the best setting for the child. Such
773 setting may be a child care provider that receives a Gold Seal
774 Quality Care designation pursuant to s. 402.281, a provider
775 participating in a quality rating system, a licensed child care
776 provider, a public school provider, or a license-exempt child
777 care provider, including religious-exempt and registered
778 providers, and non-public schools.

779 (c) The department and providers of early care and
780 education shall develop protocols to ensure continuity if
781 children are required to leave a program because of a change in
782 out-of-home placement.

783 (7) TRANSITIONS.—In the absence of an emergency, if a child
784 from birth to school age leaves a child care or early education
785 program, the transition must be pursuant to a plan that involves
786 cooperation and sharing of information among all persons
787 involved, that respects the child's developmental stage and
788 associated psychological needs, and that allows for a gradual
789 transition from one setting to another.

790 Section 9. Paragraph (c) of subsection (2) of section
791 39.701, Florida Statutes, is amended to read:

792 39.701 Judicial review.—

793 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF



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794 AGE.—

795 (c) *Review determinations.*—The court and any citizen review
796 panel shall take into consideration the information contained in
797 the social services study and investigation and all medical,
798 psychological, and educational records that support the terms of
799 the case plan; testimony by the social services agency, the
800 parent, the foster parent or legal custodian, the guardian ad
801 litem or surrogate parent for educational decisionmaking if one
802 has been appointed for the child, and any other person deemed
803 appropriate; and any relevant and material evidence submitted to
804 the court, including written and oral reports to the extent of
805 their probative value. These reports and evidence may be
806 received by the court in its effort to determine the action to
807 be taken with regard to the child and may be relied upon to the
808 extent of their probative value, even though not competent in an
809 adjudicatory hearing. In its deliberations, the court and any
810 citizen review panel shall seek to determine:

811 1. If the parent was advised of the right to receive
812 assistance from any person or social service agency in the
813 preparation of the case plan.

814 2. If the parent has been advised of the right to have
815 counsel present at the judicial review or citizen review
816 hearings. If not so advised, the court or citizen review panel
817 shall advise the parent of such right.

818 3. If a guardian ad litem needs to be appointed for the
819 child in a case in which a guardian ad litem has not previously
820 been appointed or if there is a need to continue a guardian ad
821 litem in a case in which a guardian ad litem has been appointed.

822 4. Who holds the rights to make educational decisions for



823 the child. If appropriate, the court may refer the child to the
824 district school superintendent for appointment of a surrogate
825 parent or may itself appoint a surrogate parent under the
826 Individuals with Disabilities Education Act and s. 39.0016. If
827 the child is under the age of school entry, the court must make
828 the appointment.

829 5. The compliance or lack of compliance of all parties with
830 applicable items of the case plan, including the parents'
831 compliance with child support orders.

832 6. The compliance or lack of compliance with a visitation
833 contract between the parent and the social service agency for
834 contact with the child, including the frequency, duration, and
835 results of the parent-child visitation and the reason for any
836 noncompliance.

837 7. The frequency, kind, and duration of contacts among
838 siblings who have been separated during placement, as well as
839 any efforts undertaken to reunite separated siblings if doing so
840 is in the best interest of the child.

841 8. The compliance or lack of compliance of the parent in
842 meeting specified financial obligations pertaining to the care
843 of the child, including the reason for failure to comply, if
844 applicable.

845 9. Whether the child is receiving safe and proper care
846 according to s. 39.6012, including, but not limited to, the
847 appropriateness of the child's current placement, including
848 whether the child is in a setting that is as family-like and as
849 close to the parent's home as possible, consistent with the
850 child's best interests and special needs, and including
851 maintaining stability in the child's educational placement, as



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852 documented by assurances from the community-based care provider
853 that:

854 a. The placement of the child takes into account the
855 appropriateness of the current educational setting and the
856 proximity to the school in which the child is enrolled at the
857 time of placement.

858 b. The community-based care agency has coordinated with
859 appropriate local educational agencies to ensure that the child
860 remains in the school in which the child is enrolled at the time
861 of placement.

862 10. Whether the department or community-based care lead
863 agency continues to reasonably engage in family finding. The
864 level of reasonableness is determined by the length of the case
865 and amount of time the department or community-based care lead
866 agency has had to continue the process.

867 11. ~~10.~~ A projected date likely for the child's return home
868 or other permanent placement.

869 12. ~~11.~~ When appropriate, the basis for the unwillingness
870 or inability of the parent to become a party to a case plan. The
871 court and the citizen review panel shall determine if the
872 efforts of the social service agency to secure party
873 participation in a case plan were sufficient.

874 13. ~~12.~~ For a child who has reached 13 years of age but is
875 not yet 18 years of age, the adequacy of the child's preparation
876 for adulthood and independent living. For a child who is 15
877 years of age or older, the court shall determine if appropriate
878 steps are being taken for the child to obtain a driver license
879 or learner's driver license.

880 14. ~~13.~~ If amendments to the case plan are required.



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881 Amendments to the case plan must be made as provided in ~~under~~ s.
882 39.6013.

883 Section 10. Effective January 1, 2019, paragraph (b) of
884 subsection (1) of section 414.045, Florida Statutes, is amended
885 to read:

886 414.045 Cash assistance program.—Cash assistance families
887 include any families receiving cash assistance payments from the
888 state program for temporary assistance for needy families as
889 defined in federal law, whether such funds are from federal
890 funds, state funds, or commingled federal and state funds. Cash
891 assistance families may also include families receiving cash
892 assistance through a program defined as a separate state
893 program.

894 (1) For reporting purposes, families receiving cash
895 assistance shall be grouped into the following categories. The
896 department may develop additional groupings in order to comply
897 with federal reporting requirements, to comply with the data-
898 reporting needs of the board of directors of CareerSource
899 Florida, Inc., or to better inform the public of program
900 progress.

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

904 1. Children in the care of caretaker relatives, if the
905 caretaker relatives choose to have their needs excluded in the
906 calculation of the amount of cash assistance.

907 2. Families in the Kinship Care ~~Relative Caregiver~~ Program
908 as provided in s. 39.5085.

909 3. Families in which the only parent in a single-parent



910 family or both parents in a two-parent family receive
911 supplemental security income (SSI) benefits under Title XVI of
912 the Social Security Act, as amended. To the extent permitted by
913 federal law, individuals receiving SSI shall be excluded as
914 household members in determining the amount of cash assistance,
915 and such cases shall not be considered families containing an
916 adult. Parents or caretaker relatives who are excluded from the
917 cash assistance group due to receipt of SSI may choose to
918 participate in work activities. An individual whose ability to
919 participate in work activities is limited who volunteers to
920 participate in work activities shall be assigned to work
921 activities consistent with such limitations. An individual who
922 volunteers to participate in a work activity may receive child
923 care or support services consistent with such participation.

924 4. Families in which the only parent in a single-parent
925 family or both parents in a two-parent family are not eligible
926 for cash assistance due to immigration status or other
927 limitation of federal law. To the extent required by federal
928 law, such cases shall not be considered families containing an
929 adult.

930 5. To the extent permitted by federal law and subject to
931 appropriations, special needs children who have been adopted
932 pursuant to s. 409.166 and whose adopting family qualifies as a
933 needy family under the state program for temporary assistance
934 for needy families. Notwithstanding any provision to the
935 contrary in s. 414.075, s. 414.085, or s. 414.095, a family
936 shall be considered a needy family if:

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



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

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

945
946 Families described in subparagraph 1., subparagraph 2., or
947 subparagraph 3. may receive child care assistance or other
948 supports or services so that the children may continue to be
949 cared for in their own homes or in the homes of relatives. Such
950 assistance or services may be funded from the temporary
951 assistance for needy families block grant to the extent
952 permitted under federal law and to the extent funds have been
953 provided in the General Appropriations Act.

954 Section 11. Paragraph (d) of subsection (1) of section
955 1009.25, Florida Statutes, is amended to read:

956 1009.25 Fee exemptions.—

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

961 (d) A student who is or was at the time he or she reached 18
962 years of age in the custody of a kinship caregiver ~~relative or~~
963 ~~nonrelative~~ under s. 39.5085 or who was adopted from the
964 Department of Children and Families after May 5, 1997. Such
965 exemption includes fees associated with enrollment in applied
966 academics for adult education instruction. The exemption remains
967 valid until the student reaches 28 years of age.



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968 Section 12. Except as otherwise expressly provided in this
969 act, this act shall take effect July 1, 2018.

970
971 ===== T I T L E A M E N D M E N T =====

972 And the title is amended as follows:

973 Delete everything before the enacting clause
974 and insert:

975 A bill to be entitled
976 An act relating to child welfare; creating s.
977 39.4015, F.S.; providing legislative findings and
978 intent; defining terms; requiring the Department of
979 Children and Families, in collaboration with sheriffs'
980 offices that conduct child protective investigations
981 and community-based care lead agencies, to develop a
982 statewide family-finding program; requiring the
983 implementation of family finding by a specified date;
984 requiring the department and community-based care lead
985 agencies to document strategies taken to engage
986 relatives and kin; providing strategies to engage
987 relatives and kin; requiring the department and
988 community-based care lead agencies to use diligent
989 efforts in family finding; providing that certain
990 actions do not constitute family finding; requiring
991 determinations by the court; requiring the department
992 to adopt rules; amending s. 39.402, F.S.; requiring
993 the court to request that parents consent to providing
994 access to additional records; requiring a judge to
995 appoint a surrogate parent for certain children;
996 requiring the court to place on the record its



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997 determinations regarding the department's or the
998 community-based lead agency's reasonable engagement in
999 family finding; providing guidelines for determining
1000 reasonableness; amending ss. 39.506; requiring the
1001 court to make a determination regarding the
1002 department's or the community-based lead agency's
1003 reasonable engagement in family finding; providing
1004 guidelines for determining reasonableness; amending s.
1005 39.507 F.S.; requiring the court to make a
1006 determination regarding the department's or the
1007 community-based lead agency's reasonable engagement in
1008 family finding; providing guidelines for determining
1009 reasonableness; requiring the court to advise parents
1010 that their parental rights may be terminated and the
1011 child's out-of-home placement may become permanent
1012 under certain circumstances; amending s. 39.5085,
1013 F.S.; providing legislative findings and intent;
1014 defining terms; requiring the department to provide
1015 financial assistance to kinship caregivers who meet
1016 certain requirements; providing eligibility criteria
1017 for such financial assistance; providing that children
1018 living with caregivers who are receiving financial
1019 assistance are eligible for Medicaid coverage;
1020 providing the purpose of a kinship navigator program;
1021 requiring each community-based care lead agency to
1022 establish a kinship navigator program by a certain
1023 date; providing requirements for programs; requiring
1024 the department to adopt rules; deleting provisions
1025 related to the Relative Caregiver Program; amending s.



1026 39.521, F.S.; requiring the court to make a
1027 determination regarding the department's or the
1028 community-based lead agency's reasonable engagement in
1029 family finding ; providing guidelines for determining
1030 reasonableness; conforming provisions to changes made
1031 by the act; amending s. 39.6012, F.S.; revising the
1032 types of records that must be attached to a case plan
1033 and updated throughout the judicial review process;
1034 requiring that documentation of the family-finding
1035 efforts of the department and the community-based care
1036 lead agency be included in certain case plans;
1037 amending s. 39.604, F.S.; revising legislative
1038 findings and intent; providing requirements and
1039 procedures for referring certain children to the Early
1040 Steps Program; requiring the Early Steps Program to
1041 screen or evaluate all children referred to the
1042 program by the department or its contracted agencies;
1043 requiring the service coordinator of the Early Steps
1044 Program to forward certain information to the
1045 department and the community-based care lead agency;
1046 requiring the dependency court to appoint a surrogate
1047 parent for certain children under certain
1048 circumstances; requiring the department or a
1049 community-based care lead agency to refer a child to
1050 the Child Find program of the Florida Diagnostic and
1051 Learning Resources System under certain circumstances;
1052 requiring a caregiver to choose certain providers to
1053 care for children in out-of-home care; revising
1054 enrollment and attendance requirements for children in



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1055 an early education or child care program; conforming
1056 cross-references; providing requirements and
1057 procedures for maintaining the educational stability
1058 of a child during the child's placement in out-of-home
1059 care, or subsequent changes in out-of-home placement;
1060 requiring that a child's transition from a child care
1061 or early education program be pursuant to a plan that
1062 meets certain requirements; amending s. 39.701, F.S.;
1063 requiring the court to appoint a surrogate parent if
1064 the child is under the age of school entry; requiring
1065 the court to determine if the department and
1066 community-based lead agency has continued to
1067 reasonably engaged in family finding; providing
1068 guidelines for determining the level of
1069 reasonableness; amending ss. 414.045 and 1009.25,
1070 F.S.; conforming provisions to changes made by the
1071 act; providing effective dates.

By Senator Garcia

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1 A bill to be entitled
 2 An act relating to kinship care; creating s. 39.4015,
 3 F.S.; providing legislative findings and intent;
 4 defining terms; requiring the Department of Children
 5 and Families, in collaboration with sheriffs' offices
 6 that conduct child protective investigations and
 7 community-based care lead agencies, to develop a
 8 statewide family finding program; requiring the
 9 implementation of family finding before a specified
 10 date; requiring the department and community-based
 11 care lead agencies to document strategies taken to
 12 engage relatives and kin; providing strategies to
 13 engage relatives and kin; requiring the department and
 14 community-based care lead agencies to use diligent
 15 efforts in family finding; providing that a basic
 16 computer search using the Internet or an attempt to
 17 contact known relatives at a last known address or
 18 telephone number is insufficient; requiring
 19 determinations by the court; requiring the department
 20 to adopt rules; amending s. 39.5085, F.S.; providing
 21 legislative findings and intent; defining terms;
 22 requiring the department to provide financial
 23 assistance for kinship caregivers who meet certain
 24 requirements; providing eligibility requirements for
 25 such financial assistance; providing that children
 26 living with caregivers who are receiving financial
 27 assistance are eligible for Medicaid coverage;
 28 providing the purpose of a kinship navigator program;
 29 requiring each community-based care lead agency to

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30 establish a kinship navigator program by a certain
 31 date; providing requirements for programs; requiring
 32 the department to adopt rules; amending s. 39.604,
 33 F.S.; revising legislative findings and intent;
 34 revising attendance and reporting requirements for
 35 children enrolled in early education or child care
 36 programs; amending s. 414.045, F.S.; conforming a
 37 provision to changes made by the act; providing
 38 effective dates.

39
 40 Be It Enacted by the Legislature of the State of Florida:

41
 42 Section 1. Effective January 1, 2019, section 39.4015,
 43 Florida Statutes, is created to read:

44 39.4015 Family finding.-

45 (1) LEGISLATIVE FINDINGS AND INTENT.-

46 (a) The Legislature finds that every child who is in out-
 47 of-home care has the goal of finding a permanent home, whether
 48 achieved by reunifying the child with his or her parents or
 49 finding another permanent connection, such as adoption or legal
 50 guardianship with a relative or nonrelative who has a
 51 significant relationship with the child.

52 (b) The Legislature finds that while legal permanency is
 53 important to a child in out-of-home care, emotional permanency
 54 helps increase the likelihood that children will achieve
 55 stability and well-being and successfully transition to
 56 independent adulthood.

57 (c) The Legislature also finds that research repeatedly
 58 shows placing a child within their own family reduces the trauma

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59 of being removed from their home, is less likely to result in
60 placement disruptions, and enhances prospects for finding a
61 permanent family if the child cannot return home.

62 (d) The Legislature further finds that the primary purpose
63 of family finding is to facilitate, through finding and engaging
64 relatives, legal and emotional permanency for children who are
65 in out-of-home care.

66 (e) It is the intent of the Legislature that every child in
67 out-of-home care be afforded the advantages that can be gained
68 from the use of family finding to locate long-term, caring,
69 permanent connections and relationships for children and youth
70 in out-of-home care, as well as to establish a long-term
71 emotional support network with family members and other adults
72 who may not be able to take the child into their home but who
73 want to stay connected with the child.

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

75 (a) "Diligent efforts" means the use of methods and
76 techniques including, but not limited to, interviews with
77 immediate and extended family and kin, genograms, eco-mapping,
78 case mining, cold calls, and specialized computer searches.

79 (b) "Family finding" means an intensive relative search and
80 engagement technique to identify family and other close adults
81 for children in out-of-home care, and to involve them in
82 developing and carrying out a plan for the emotional and legal
83 permanency of a child.

84 (c) "Family group decisionmaking" means a generic term that
85 includes a number of approaches in which family members and
86 fictive kin are brought together to make decisions about how to
87 care for their children and develop a plan for services.

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88 Different names used for this type of intervention include
89 family team conferencing, family team meetings, family group
90 conferencing, family team decisionmaking, family unity meetings,
91 and team decisionmaking. Approaches differ in various aspects,
92 but most consist of several phases and employ a trained
93 facilitator or coordinator.

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

98 (3) FAMILY FINDING PROGRAM.—The department, in
99 collaboration with sheriffs' offices that conduct child
100 protective investigations and community-based care lead
101 agencies, shall develop a formal family finding program to be
102 implemented statewide by child protective investigators and
103 community-based care lead agencies.

104 (a) No later than January 1, 2019, family finding is
105 required as soon as a child comes to the attention of the
106 department and throughout the duration of the case. It is best
107 practice to find and engage with as many family members and
108 fictive kin as possible for each child. These individuals may
109 help with care or support for the child. The department or
110 community-based care lead agency must specifically document
111 strategies taken to locate and engage relatives and kin.
112 Strategies of engagement may include, but are not limited to,
113 asking the relatives and kin to:

114 1. Participate in a family group decisionmaking conference,
115 family team conferencing, or other family meetings aimed at
116 developing or supporting the family service plan;

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117 2. Attend visitations with the child;
 118 3. Assist in transportation of the child;
 119 4. Provide respite or child care services; or
 120 5. Provide actual kinship care.
 121 (b) The department and the community-based care lead
 122 agencies must use diligent efforts in family finding, must
 123 continue those efforts until multiple relatives and kin are
 124 identified, and must go beyond basic searching tools by
 125 exploring alternative tools and methodologies. Efforts by the
 126 department and the community-based care lead agency may include,
 127 but are not limited to:
 128 1. Searching for and locating adult relatives and kin.
 129 2. Identifying and building positive connections between
 130 the child and the child's relatives and fictive kin.
 131 3. Supporting the engagement of relatives and fictive kin
 132 in social service planning and delivery of services and creating
 133 a network of extended family support to assist in remedying the
 134 concerns that led to the child becoming involved with the child
 135 welfare system, when appropriate.
 136 4. Maintaining family connections, when possible.
 137 5. Keeping siblings together in care, when in the best
 138 interests of the children and when possible.
 139 (c) It is insufficient to complete only a basic computer
 140 search using the Internet or attempt to contact known relatives
 141 at a last known address or telephone number.
 142 (d) The court's inquiry and determination regarding family
 143 finding should be made at each stage of the case, including the
 144 shelter care hearing pursuant to s. 39.402. The court is to
 145 place its determinations on the record as to whether the

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146 department or community-based care lead agency has reasonably
 147 engaged in family finding. The level of reasonableness is to be
 148 determined by the length of the case and time the department or
 149 community-based care lead agency has had to begin or continue
 150 the process.
 151 (4) RULEMAKING.—The department shall adopt rules to
 152 implement this section.
 153 Section 2. Effective January 1, 2019, section 39.5085,
 154 Florida Statutes, is amended to read:
 155 39.5085 Kinship Care Relative Caregiver Program.—
 156 (1) LEGISLATIVE FINDINGS AND INTENT.—
 157 (a) The Legislature finds that an increasing number of
 158 relatives and fictive kin are assuming the responsibility of
 159 raising children because the parents of these children are
 160 unable to care for them.
 161 (b) The Legislature also finds that these kinship
 162 caregivers perform a vital function by providing homes for
 163 children who would otherwise be at risk of foster care placement
 164 and that kinship care is a crucial option in the spectrum of
 165 out-of-home care available to children in need.
 166 (c) The Legislature finds that children living with kinship
 167 caregivers experience increased placement stability, are less
 168 likely to reenter care if reunified with their parents, and have
 169 better behavioral and mental health outcomes.
 170 (d) The Legislature further finds that these kinship
 171 caregivers may face a number of difficulties and need assistance
 172 to support the health and well-being of the children they care
 173 for. These needs include, but are not limited to, financial
 174 assistance, legal assistance, respite care, child care, and

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175 counseling.

176 (e) It is the intent of the Legislature to provide for the
 177 establishment and implementation of procedures and protocols
 178 that are likely to increase and adequately support appropriate
 179 and safe kinship care placements.

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

181 (a) "Fictive kin" means an individual who is unrelated to
 182 the child by either birth or marriage, but has such a close
 183 emotional relationship with the child that he or she may be
 184 considered part of the family.

185 (b) "Kinship care" means the full-time care of a child
 186 placed in out-of-home care by the court in the home of a
 187 relative or fictive kin.

188 (c) "Kinship navigator" means a statewide program designed
 189 to ensure that kinship caregivers are provided with necessary
 190 resources for the preservation of the family.

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

193 1. Is related to the child within the fifth degree by blood
 194 or marriage to the parent or stepparent of the child; or

195 2. Is related to a half-sibling of that child within the
 196 fifth degree by blood or marriage to the parent or stepparent.

197 (3) FINANCIAL ASSISTANCE.—The department shall provide
 198 financial assistance to all caregivers who qualify under this
 199 subsection.

200 (a) Relatives or fictive kin caring for a child who has
 201 been placed with them by the court shall receive a monthly
 202 caregiver benefit, beginning when the child is placed in the
 203 out-of-home care. The amount of the benefit payment is based on

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204 the child's age within a payment schedule established by rule of
 205 the department. The cost of providing the assistance described
 206 in this section to any caregiver may not exceed the cost of
 207 providing out-of-home care in emergency shelter or foster care.

208 (b) Caregivers who receive assistance under this section
 209 must be capable, as determined by a home study, of providing a
 210 physically safe environment and a stable, supportive home for
 211 the children under their care and must assure that the
 212 children's well-being is met, including, but not limited to, the
 213 provision of immunizations, education, and mental health
 214 services as needed.

215 (c) Caregivers who qualify for and receive assistance under
 216 this section are not required to meet foster care licensing
 217 requirements under s. 409.175.

218 (d) Children receiving cash benefits under this section are
 219 not eligible to simultaneously receive WAGES cash benefits under
 220 chapter 414.

221 (e) A caregiver may not receive a benefit payment if the
 222 parent or stepparent of the child resides in the home. However,
 223 a caregiver may receive the benefit payment for a minor parent
 224 who is in his or her care, as well as for the minor parent's
 225 child, if both children have been adjudicated dependent and meet
 226 all other eligibility requirements. If the caregiver is
 227 currently receiving the payment, the payment must be terminated
 228 no later than the first of the following month after the parent
 229 or stepparent moves into the home, allowing for 10-day notice of
 230 adverse action.

231 (f) Children living with caregivers who are receiving
 232 assistance under this section are eligible for Medicaid

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233 coverage.234 (4) ADDITIONAL ASSISTANCE AND SERVICES.—

235 (a) The purpose of a kinship navigator program is to help
 236 relative caregivers and fictive kin in the child welfare system
 237 to navigate the broad range of services available to them and
 238 the children from public and private, community and faith-based
 239 organizations.

240 (b) By no later than January 1, 2019, each community-based
 241 care lead agency shall establish a kinship navigator program. In
 242 order to meet the requirements of a kinship navigator program,
 243 the program must:

244 1. Be coordinated with other state or local agencies that
 245 promote service coordination or provide information and referral
 246 services, including the entities that provide Florida 211
 247 Network information where available, to avoid duplication or
 248 fragmentation of services to kinship care families;

249 2. Be planned and operated in consultation with kinship
 250 caregivers and organizations representing them, youth raised by
 251 kinship caregivers, relevant governmental agencies, and relevant
 252 community-based or faith-based organizations;

253 3. Establish a toll-free telephone hotline to provide
 254 information to link kinship caregivers, kinship support group
 255 facilitators, and kinship service providers to:

256 a. One another;

257 b. Eligibility and enrollment information for federal,
 258 state, and local benefits;

259 c. Relevant training to assist kinship caregivers in
 260 caregiving and in obtaining benefits and services; and

261 d. Relevant knowledge related to legal options available

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262 for child custody, other legal assistance, and help in obtaining
 263 legal services.

264 4. Provide outreach to kinship care families, including by
 265 establishing, distributing, and updating a kinship care website,
 266 or other relevant guides or outreach materials; and

267 5. Promote partnerships between public and private
 268 agencies, including schools, community-based or faith-based
 269 organizations, and relevant governmental agencies, to increase
 270 their knowledge of the needs of kinship care families to promote
 271 better services for those families.

272 (5) RULEMAKING.—The department shall adopt rules to
 273 implement this section.

274 ~~(1) It is the intent of the Legislature in enacting this~~
 275 ~~section to:~~

276 ~~(a) Provide for the establishment of procedures and~~
 277 ~~protocols that serve to advance the continued safety of children~~
 278 ~~by acknowledging the valued resource uniquely available through~~
 279 ~~grandparents, relatives of children, and specified nonrelatives~~
 280 ~~of children pursuant to subparagraph (2)(a)3.~~

281 ~~(b) Recognize family relationships in which a grandparent~~
 282 ~~or other relative is the head of a household that includes a~~
 283 ~~child otherwise at risk of foster care placement.~~

284 ~~(c) Enhance family preservation and stability by~~
 285 ~~recognizing that most children in such placements with~~
 286 ~~grandparents and other relatives do not need intensive~~
 287 ~~supervision of the placement by the courts or by the department.~~

288 ~~(d) Recognize that permanency in the best interests of the~~
 289 ~~child can be achieved through a variety of permanency options,~~
 290 ~~including permanent guardianship under s. 39.6221 if the~~

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291 guardian is a relative, by permanent placement with a fit and
 292 willing relative under s. 39.6231, by a relative, guardianship
 293 under chapter 744, or adoption, by providing additional
 294 placement options and incentives that will achieve permanency
 295 and stability for many children who are otherwise at risk of
 296 foster care placement because of abuse, abandonment, or neglect,
 297 but who may successfully be able to be placed by the dependency
 298 court in the care of such relatives.

299 (e) Reserve the limited casework and supervisory resources
 300 of the courts and the department for those cases in which
 301 children do not have the option for safe, stable care within the
 302 family.

303 (f) Recognize that a child may have a close relationship
 304 with a person who is not a blood relative or a relative by
 305 marriage and that such person should be eligible for financial
 306 assistance under this section if he or she is able and willing
 307 to care for the child and provide a safe, stable home
 308 environment.

309 (2)(a) The Department of Children and Families shall
 310 establish, operate, and implement the Relative Caregiver Program
 311 by rule of the department. The Relative Caregiver Program shall,
 312 within the limits of available funding, provide financial
 313 assistance to:

314 1. Relatives who are within the fifth degree by blood or
 315 marriage to the parent or stepparent of a child and who are
 316 caring full-time for that dependent child in the role of
 317 substitute parent as a result of a court's determination of
 318 child abuse, neglect, or abandonment and subsequent placement
 319 with the relative under this chapter.

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320 2. Relatives who are within the fifth degree by blood or
 321 marriage to the parent or stepparent of a child and who are
 322 caring full-time for that dependent child, and a dependent half-
 323 brother or half-sister of that dependent child, in the role of
 324 substitute parent as a result of a court's determination of
 325 child abuse, neglect, or abandonment and subsequent placement
 326 with the relative under this chapter.

327 3. Nonrelatives who are willing to assume custody and care
 328 of a dependent child in the role of substitute parent as a
 329 result of a court's determination of child abuse, neglect, or
 330 abandonment and subsequent placement with the nonrelative
 331 caregiver under this chapter. The court must find that a
 332 proposed placement under this subparagraph is in the best
 333 interest of the child.

334 4. A relative or nonrelative caregiver, but the relative or
 335 nonrelative caregiver may not receive a Relative Caregiver
 336 Program payment if the parent or stepparent of the child resides
 337 in the home. However, a relative or nonrelative may receive the
 338 Relative Caregiver Program payment for a minor parent who is in
 339 his or her care, as well as for the minor parent's child, if
 340 both children have been adjudicated dependent and meet all other
 341 eligibility requirements. If the caregiver is currently
 342 receiving the payment, the Relative Caregiver Program payment
 343 must be terminated no later than the first of the following
 344 month after the parent or stepparent moves into the home,
 345 allowing for 10-day notice of adverse action.

346
 347 The placement may be court ordered temporary legal custody to
 348 the relative or nonrelative under protective supervision of the

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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349 department pursuant to s. 39.521(1)(c)3., or court-ordered
 350 placement in the home of a relative or nonrelative as a
 351 permanency option under s. 39.6221 or s. 39.6231 or under former
 352 s. 39.622 if the placement was made before July 1, 2006. The
 353 Relative Caregiver Program shall offer financial assistance to
 354 caregivers who would be unable to serve in that capacity without
 355 the caregiver payment because of financial burden, thus exposing
 356 the child to the trauma of placement in a shelter or in foster
 357 care.

358 (b) Caregivers who receive assistance under this section
 359 must be capable, as determined by a home study, of providing a
 360 physically safe environment and a stable, supportive home for
 361 the children under their care and must assure that the
 362 children's well-being is met, including, but not limited to, the
 363 provision of immunizations, education, and mental health
 364 services as needed.

365 (c) Relatives or nonrelatives who qualify for and
 366 participate in the Relative Caregiver Program are not required
 367 to meet foster care licensing requirements under s. 409.175.

368 (d) Relatives or nonrelatives who are caring for children
 369 placed with them by the court pursuant to this chapter shall
 370 receive a special monthly caregiver benefit established by rule
 371 of the department. The amount of the special benefit payment
 372 shall be based on the child's age within a payment schedule
 373 established by rule of the department and subject to
 374 availability of funding. The statewide average monthly rate for
 375 children judicially placed with relatives or nonrelatives who
 376 are not licensed as foster homes may not exceed 82 percent of
 377 the statewide average foster care rate, and the cost of

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378 providing the assistance described in this section to any
 379 caregiver may not exceed the cost of providing out-of-home care
 380 in emergency shelter or foster care.

381 (e) Children receiving cash benefits under this section are
 382 not eligible to simultaneously receive WAGES cash benefits under
 383 chapter 414.

384 (f) Within available funding, the Relative Caregiver
 385 Program shall provide caregivers with family support and
 386 preservation services, flexible funds in accordance with s.
 387 409.165, school readiness, and other available services in order
 388 to support the child's safety, growth, and healthy development.
 389 Children living with caregivers who are receiving assistance
 390 under this section shall be eligible for Medicaid coverage.

391 (g) The department may use appropriate available state,
 392 federal, and private funds to operate the Relative Caregiver
 393 Program. The department may develop liaison functions to be
 394 available to relatives or nonrelatives who care for children
 395 pursuant to this chapter to ensure placement stability in
 396 extended family settings.

397 Section 3. Section 39.604, Florida Statutes, is amended to
 398 read:

399 39.604 Rilya Wilson Act; short title; legislative intent;
 400 requirements; attendance and reporting responsibilities.-

401 (1) SHORT TITLE.—This section may be cited as the "Rilya
 402 Wilson Act."

403 (2) LEGISLATIVE INTENT.—

404 (a) The Legislature recognizes that children from birth to
 405 the age of school entry who are in out-of-home the care of the
 406 state due to abuse, neglect, or abandonment are at increased

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407 risk for delayed social-emotional development and challenging
 408 behaviors of poor school performance and other behavioral and
 409 social problems.

410 (b) The Legislature also finds that the needs of each of
 411 these children are unique and while some children may be best
 412 served by a quality child care program, others may need more
 413 attention and nurturing that can be best provided by a stay-at-
 414 home foster parent or relative or nonrelative caregiver.

415 (c) It is the intent of the Legislature that children who
 416 are currently in out-of-home the care of the state be provided
 417 with an age-appropriate developmental child care arrangement
 418 that is in the best interest of the child education program to
 419 help ameliorate the negative consequences of abuse, neglect, or
 420 abandonment.

421 (3) REQUIREMENTS.—

422 (a) A child from birth to the age of school entry, under
 423 court-ordered protective supervision or in out-of-home care the
 424 custody of the Family Safety Program Office of the Department of
 425 Children and Families or a community-based lead agency, who is
 426 and enrolled in a licensed early education or child care program
 427 must attend the program 5 days a week unless the court grants an
 428 exception and one of the following applies:

429 1. A child who is age 0-3 years with a stay-at-home
 430 caregiver shall have the option of remaining at home if it is
 431 determined to be in the best interest of the child.

432 2. A child who is age 0-3 years with a caregiver who works
 433 part time shall have the option of attending a licensed early
 434 education or child care program fewer than 5 days a week if it
 435 is determined to be in the best interest of the child.

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436 (b) Notwithstanding s. 39.202, the department of Children
 437 and Families must notify operators of a the licensed early
 438 education or child care program, subject to the reporting
 439 requirements of this act, of the enrollment of any child from
 440 birth to the age of school entry, under court-ordered protective
 441 supervision or in out-of-home care the custody of the Family
 442 Safety Program Office of the Department of Children and Families
 443 or a community-based lead agency. When a child is enrolled in a
 444 licensed an early education or child care program regulated by
 445 the department, the child's attendance in the program must be a
 446 required task action in the safety plan or the case plan
 447 developed for the child pursuant to this chapter. An exemption
 448 to participating in the licensed early education or child care
 449 program 5 days a week may be granted by the court.

450 (4) ATTENDANCE AND REPORTING REQUIREMENTS.—

451 (a) A child enrolled in a licensed early education or child
 452 care program who meets the requirements of subsection (3) may
 453 not be withdrawn from the program without the prior written
 454 approval of the department Family Safety Program Office of the
 455 Department of Children and Families or the community-based care
 456 lead agency.

457 (b)1. If a child covered by this section is absent from the
 458 program on a day when he or she is supposed to be present, the
 459 person with whom the child resides must report the absence to
 460 the program by the end of the business day. If the person with
 461 whom the child resides, whether the parent or caregiver, fails
 462 to timely report the absence, the absence is considered to be
 463 unexcused. The program shall report any unexcused absence or
 464 seven consecutive excused absences of a child who is enrolled in

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465 the program and covered by this act to the ~~local designated~~
 466 ~~staff of the Family Safety Program Office of the department of~~
 467 ~~Children and Families~~ or the community-based care lead agency by
 468 the end of the business day following the unexcused absence or
 469 seventh consecutive excused absence.

470 2. The department or community-based care lead agency shall
 471 conduct a site visit to the residence of the child upon
 472 receiving a report of two consecutive unexcused absences or
 473 seven consecutive excused absences.

474 3. If the site visit results in a determination that the
 475 child is missing, the department or community-based care lead
 476 agency shall follow the procedure set forth in s. 39.0141 ~~report~~
 477 ~~the child as missing to a law enforcement agency and proceed~~
 478 ~~with the necessary actions to locate the child pursuant to~~
 479 ~~procedures for locating missing children.~~

480 4. If the site visit results in a determination that the
 481 child is not missing, the parent or caregiver shall be notified
 482 that failure to ensure that the child attends the licensed early
 483 education or child care program is a violation of the safety
 484 plan or the case plan. If more than two site visits are
 485 conducted pursuant to this subsection, staff shall ~~initiate~~
 486 ~~action to~~ notify the court of the parent or caregiver's
 487 noncompliance with the case plan.

488 Section 4. Effective January 1, 2019, paragraph (b) of
 489 subsection (1) of section 414.045, Florida Statutes, is amended
 490 to read:

491 414.045 Cash assistance program.—Cash assistance families
 492 include any families receiving cash assistance payments from the
 493 state program for temporary assistance for needy families as

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494 defined in federal law, whether such funds are from federal
 495 funds, state funds, or commingled federal and state funds. Cash
 496 assistance families may also include families receiving cash
 497 assistance through a program defined as a separate state
 498 program.

499 (1) For reporting purposes, families receiving cash
 500 assistance shall be grouped into the following categories. The
 501 department may develop additional groupings in order to comply
 502 with federal reporting requirements, to comply with the data-
 503 reporting needs of the board of directors of CareerSource
 504 Florida, Inc., or to better inform the public of program
 505 progress.

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

509 1. Children in the care of caretaker relatives, if the
 510 caretaker relatives choose to have their needs excluded in the
 511 calculation of the amount of cash assistance.

512 2. Families in the Kinship Care Relative Caregiver ~~Program~~
 513 as provided in s. 39.5085.

514 3. Families in which the only parent in a single-parent
 515 family or both parents in a two-parent family receive
 516 supplemental security income (SSI) benefits under Title XVI of
 517 the Social Security Act, as amended. To the extent permitted by
 518 federal law, individuals receiving SSI shall be excluded as
 519 household members in determining the amount of cash assistance,
 520 and such cases shall not be considered families containing an
 521 adult. Parents or caretaker relatives who are excluded from the
 522 cash assistance group due to receipt of SSI may choose to

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523 participate in work activities. An individual whose ability to
 524 participate in work activities is limited who volunteers to
 525 participate in work activities shall be assigned to work
 526 activities consistent with such limitations. An individual who
 527 volunteers to participate in a work activity may receive child
 528 care or support services consistent with such participation.

529 4. Families in which the only parent in a single-parent
 530 family or both parents in a two-parent family are not eligible
 531 for cash assistance due to immigration status or other
 532 limitation of federal law. To the extent required by federal
 533 law, such cases shall not be considered families containing an
 534 adult.

535 5. To the extent permitted by federal law and subject to
 536 appropriations, special needs children who have been adopted
 537 pursuant to s. 409.166 and whose adopting family qualifies as a
 538 needy family under the state program for temporary assistance
 539 for needy families. Notwithstanding any provision to the
 540 contrary in s. 414.075, s. 414.085, or s. 414.095, a family
 541 shall be considered a needy family if:

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

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

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

550

551 Families described in subparagraph 1., subparagraph 2., or

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552 subparagraph 3. may receive child care assistance or other
 553 supports or services so that the children may continue to be
 554 cared for in their own homes or in the homes of relatives. Such
 555 assistance or services may be funded from the temporary
 556 assistance for needy families block grant to the extent
 557 permitted under federal law and to the extent funds have been
 558 provided in the General Appropriations Act.

559 Section 5. Except as otherwise expressly provided in this
 560 act, this act shall take effect July 1, 2018.

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Differences between SB 590 and the Amendment

Committee on Children, Families and Elder Affairs

December 4, 2017

Amendment #828252 adds the following:

- Requires a determination at each judicial hearing in the dependency process related to child care and early education program records and family finding.
- Requires a child who under the age of school entry and is the victim of substantiated abuse and neglect to be referred by DCF or the CBC lead agency to early intervention services either through Early Steps or FDLRS Child Find.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/4/17
Meeting Date

590
Bill Number (if applicable)

Topic Relative Caregivers

Amendment Barcode (if applicable)

Name Judge Kimberly Todd

Job Title Circuit Judge, Sixth Judicial Circuit

Address 14250 49th St.
Street

Phone 727-464-6460

Clearwater FL 33762
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/4/17
Meeting Date

590
Bill Number (if applicable)

Topic Kinship Care

Amendment Barcode (if applicable)

Name Linda Gauntt

Job Title Caregiver

Address 70 N Village Cir.

Phone (863) 698-5008

Street

Bartow
City

FL
State

33830
Zip

Email lindagauntt@yahoo.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Heartland for Children / FCC

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12-4-2017
Meeting Date

390
Bill Number (if applicable)

Topic Family Family and Friendship Care

Amendment Barcode (if applicable)

Name Carol Fowler

Job Title Relative Care giver

Address 2885 Appaloosa Blvd
Street

Phone 321-698-6661

Melbourne Florida
City State Zip

Email drffowler@bellsouth.net

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Brevard Family/FCC

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/4/14
Meeting Date

398
Bill Number (if applicable)

Topic Kinship

Amendment Barcode (if applicable)

Name Harvey Simmons

Job Title Community Facilitator

Address 1850 Olympian Way
Street

Phone 863-838-8671

Winter Haven Fl. 33881
City State Zip

Email hsimmons@dereaux.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Dereaux Florida/FCC.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/4/17
Meeting Date

590
Bill Number (if applicable)

Topic Family Finding + Kinship Care

Amendment Barcode (if applicable)

Name Lorene R Rickus

Job Title CEO

Address 10909 Memorial Hwy
Street

Phone 927-514-6666

Tampa FL 33615
City State Zip

Email LRickus@ChildrensHomeNetwork.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FCC - Children's Home Network

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/4/17
Meeting Date

590
Bill Number (if applicable)

Topic Family Finding + Kinship Care

Amendment Barcode (if applicable)

Name Silvia Perez

Job Title Client Relations Specialist

Address 2301 W. Eau Gallie Blvd
Street

Phone 321-752-4650

Melbourne FL 32935
City State Zip

Email Silvia.perez

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Brevard Family Partnership FCC

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/4/17
Meeting Date

590
Bill Number (if applicable)

Topic Kinship Care

Amendment Barcode (if applicable)

Name Debra Wise-Velez

Job Title Deputy Chief of Programs

Address 901 Industrial Drive Suite 200

Phone 352-387-3419

Wildwood FL 34785
City State Zip

Email Debra.WiseVelez@KidsCentralInc.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Kids Central Inc. | FCC

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/4/17

Meeting Date

590

Bill Number (if applicable)

Topic Kinship Care

Amendment Barcode (if applicable)

Name Tera Randecker

Job Title Caregiver / Kinship navigator

Address 13916 N. Boulevard

Phone 813-334-0953

Street

Tampa

City

FL

State

33613

Zip

Email trandecker@tampa

bay.rr.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Children's Home Network - Kinship / FCC

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/4/17

Meeting Date

590

Bill Number (if applicable)

Topic Kinship Care

Amendment Barcode (if applicable)

Name Pat Sorensen

Job Title Relative Caregiver

Address 18847 S. O'Brien Rd.

Phone 352-552-1267

Street

Groveland FL 34736

Email gpc9@usa.net

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Kids Central / FCC

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/4/17
Meeting Date

590
Bill Number (if applicable)

Topic Kinship Care

Amendment Barcode (if applicable)

Name Jenn Petron

Job Title Director of Administration & External Affairs

Address 1221 W. Arroyo St.
Street
Pensacola FL
City State Zip

Phone 850-490-5066

Email Jenn.Petron@bhcpns.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FamiliesFirst Network of Lakeview

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
COMMITTEE VOTE RECORD

COMMITTEE: Children, Families, and Elder Affairs
ITEM: SB 590
FINAL ACTION: Favorable with Committee Substitute
MEETING DATE: Monday, December 4, 2017
TIME: 4:00—6:00 p.m.
PLACE: 401 Senate Office Building

| FINAL VOTE | | SENATORS | 12/04/2017 Amendment 828252 | | | | | |
|------------|------------|--------------------|--------------------------------|------------|------------|------------|------------|------------|
| Yea | Nay | | Garcia | | Yea | Nay | Yea | Nay |
| X | | Broxson | X | | | | | |
| X | | Campbell | X | | | | | |
| X | | Stargel | X | | | | | |
| X | | Steube | X | | | | | |
| X | | Torres, VICE CHAIR | X | | | | | |
| | | Garcia, CHAIR | | | | | | |
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| 5 | 0 | TOTALS | RCS | - | | | | |
| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay |

CODES: FAV=Favorable RCS=Replaced by Committee Substitute TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable RE=Replaced by Engrossed Amendment VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered RS=Replaced by Substitute Amendment VC=Vote Change After Roll Call AV=Abstain from Voting



The Florida Senate
State Senator René García
36th District

Please reply to:

District Office:

1490 West 68 Street
Suite # 201
Hialeah, FL 33014
Phone# (305) 364-3100

November 29, 2017

The Honorable Joe Negron
Senate President
409 Capitol
404 S. Monroe Street
Tallahassee, FL 32399-1100

Dear President Negron,

Due to a previously scheduled event, I will not be able to chair the Children, Family and Elder Affairs Committee scheduled for December 4, 2017 at 4:00pm. Should you have any questions or concerns, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "René García".

State Senator René García
District 36

CC: Cheri Vancura
Reynold Meyer

CourtSmart Tag Report

Room: SB 401 Case No.:
Caption: Senate Children, Families, and Elder Affairs

Type:
Judge:

Started: 12/4/2017 4:01:55 PM
Ends: 12/4/2017 5:42:12 PM Length: 01:40:18

4:02:00 PM Meeting Called to Order
4:02:13 PM AA Calls the role
4:02:19 PM Quorum Present
4:03:48 PM Presentation on Relative Caregivers and Staff Analysis of SB 590
4:09:00 PM Chair Torres question
4:10:21 PM Judge Kimberly Todd, Circuit Judge, 6th judicial District, speaks to inform
4:15:42 PM Chair Torres question
4:15:46 PM Judge Todd response
4:16:13 PM Chair Torres follow up question
4:16:29 PM Judge Todd responds
4:20:01 PM Chair Torres quesiton
4:21:10 PM Judge Todd response
4:23:51 PM Irene Rickus, FCC Children's Network, speaks in favor
4:27:40 PM Chair Torres comments
4:29:01 PM Mrs. Rickus reponse
4:30:27 PM Harvey Simmon, Sr, FCC Devereux, Community Facilitator, speaks to inform
4:36:23 PM Chair Torres question
4:36:29 PM Simmons responds
4:36:52 PM Chair Torres follow up question
4:36:57 PM Simmos responds
4:37:23 PM Debra Wise Velez, Kids Central Inc. FCC, speaks to inform
4:43:13 PM Sen Stargel question
4:43:45 PM Ms. Velez responds
4:44:19 PM Sen Stargel follow up
4:44:31 PM Ms. Velez responds
4:45:44 PM Sen Stargel follow up
4:45:48 PM Velez response
4:46:32 PM Pat Sorensen Relative Caregiver speaks to inform
4:51:41 PM Sen Broxson comments
4:52:58 PM Tena Randecker, Relative Caregiver FCC Kinship, speaks to inform
4:59:39 PM Chair calls for questions
5:00:02 PM Linda Gauntt, Heartland FCC Relative Caregiver, speaks to inform
5:06:44 PM Chair calls for question
5:07:04 PM Carol Fowler, FCC Brevard Relative Caregiver, speaks to inform
5:13:53 PM Chair calls for questions
5:14:17 PM Silvia Perez, FCC Brevard County Partnership, speaks to inform
5:24:06 PM Tab 2 SB 522 Sen Bean
5:24:09 PM Sen Bean explains
5:25:41 PM Chair calls for questions
5:25:52 PM Alan Abramowitz, GAL program, waives in support
5:26:08 PM Gary Montgomery, Pastor Living Stone International Church, speaks in favor
5:28:19 PM Chair Calls for questions

5:28:33 PM Sen Campbell comments
5:29:10 PM Sen Bean closes on SB 522
5:29:15 PM Roll Call SB 522
5:29:28 PM SB 522 recorded favorably
5:29:49 PM Tab 1 SB 326 Sen Young
5:29:57 PM Sen Young explains the bill
5:31:13 PM Chair calls for questions
5:31:35 PM Jill Gran Florida Behaviorial Association, , waives in support
5:31:56 PM Travis Mitchell, Crisis Center of Tampa Bay waives in support
5:32:01 PM Sen Young waives close
5:32:12 PM Roll Call on SB 326
5:32:19 PM SB 326 recorded favorably
5:32:53 PM Tab 4 SB 590
5:33:52 PM SB BC 8282 Stike all
5:33:58 PM Sen Campbell explains
5:35:00 PM Jen Petion, Families First Network, speaks to inform
5:36:56 PM Chair Calls for questions and debate
5:37:04 PM Sen Campbell waives close
5:37:10 PM Amen adopted
5:39:11 PM Chair calls for questions and debate
5:39:32 PM Chair Torres comments
5:41:34 PM Roll Call
5:41:45 PM CS SB 590 recorded favorably
5:42:05 PM Meeting adjourned