

By Senator Turner

36-1306-98

See HB

1 A bill to be entitled
2 An act relating to children and families;
3 creating s. 415.531, F.S.; providing
4 legislative intent; directing the Department of
5 Children and Family Services to establish and
6 operate the Relative Caretaker Program;
7 providing for financial assistance and support
8 services to relatives caring for children;
9 providing eligibility of such children for
10 certain medical coverage and college tuition
11 waivers; providing for funding; providing a
12 limitation; providing for rules; providing an
13 effective date.

14
15 WHEREAS, the number of grandparents raising
16 grandchildren has increased dramatically in the last 5 years,
17 and many grandparents find themselves raising grandchildren,
18 not out of choice but out of necessity, at great cost to
19 themselves, and

20 WHEREAS, Florida relies upon its grandparents and other
21 relatives to raise healthy, productive children able to
22 contribute to society, and recognizes that the contribution of
23 grandparents and other relatives reduces Florida's
24 expenditures for foster care and other out-of-home placements,
25 and

26 WHEREAS, the contributions of grandparents and other
27 relatives in parenting another generation of Floridians have
28 enriched our state and provide its residents with role models
29 of self-sacrifice and devotion, NOW, THEREFORE,

30
31 Be It Enacted by the Legislature of the State of Florida:

1 Section 1. Section 415.531, Florida Statutes, is
2 created to read:

3 415.531 Relative Caretaker Program.--

4 (1) It is the intent of the Legislature in enacting
5 this section to:

6 (a) Recognize family relationships in which a
7 grandparent or other relative is the head of a household which
8 includes a child otherwise at risk of the trauma of
9 out-of-home placement, through removing barriers to such
10 family relationships such as unnecessary licensing
11 requirements and lack of financial assistance.

12 (b) Enhance family preservation and stability by
13 recognizing that children in such long-term, stable placements
14 with grandparents and other relatives do not need continued
15 government supervision of the placement by the courts or the
16 child protection system.

17 (c) Provide additional placement options and
18 incentives that will achieve permanency and stability for many
19 children who are otherwise at risk of the trauma of entering
20 the child protection system because of abuse, abandonment, or
21 neglect, but who may successfully be able to be placed by the
22 courts or the child protection system in the care of such
23 relatives.

24 (d) Eliminate the financial barriers that face
25 relatives and, thus, hinder the ability to avoid or end the
26 involvement of the courts or the child protection system in
27 the placement of children.

28 (e) Reserve the limited casework and supervisory
29 resources of the courts and the child protection system for
30 those cases in which children do not have the option for safe,
31 stable, care within the family.

1 (2)(a) The Department of Children and Family Services
2 shall establish and operate the Relative Caretaker Program to
3 provide financial assistance to relatives within the first,
4 second, or third degree by blood or marriage to the parent or
5 stepparent of a child, who are caring full-time for that child
6 in the role of substitute parent as a result of a court order,
7 an agency placement, or a voluntary arrangement with a parent.
8 The Relative Caretaker Program shall offer financial
9 assistance to relative caretakers who would be unable to serve
10 in that capacity without the relative caretaker payment
11 because of the financial burden, thus exposing the child to
12 the trauma of placement in emergency shelter or foster care.

13 (b) Relative caretakers who receive assistance under
14 this section must be capable, with that assistance, of
15 providing a physically safe environment and a stable,
16 supportive home for the children under their care. Relatives
17 who qualify for the Relative Caretaker Program shall be exempt
18 from foster care licensing requirements under s. 409.175.

19 (c) Relatives who are caring for children placed with
20 them by the child protection system shall receive a monthly
21 relative caretaker benefit equal to the benefit provided to a
22 foster parent. All other relatives shall receive a monthly
23 benefit payment according to their financial need and the risk
24 to the child of out-of-home placement, under eligibility
25 criteria established by the department.

26 (d) If requested or needed, the department shall
27 provide relative caretakers with family support and family
28 preservation services, flexible funds in accordance with s.
29 409.165, subsidized child care, and other services which would
30 otherwise be available to children in foster care, in order to
31 support the child's safety, growth, and healthy development.

1 (e) Children living with relative caretakers who are
2 receiving assistance under this section shall be eligible to
3 receive the same medical coverage and college tuition waivers
4 available for children in foster care.

5 (f) The department is authorized to maximize the use
6 of federal Title IV-E funds, as well as other appropriate
7 state, federal, and private funds, to operate the Relative
8 Caretaker Program. For each child served, the cost of
9 providing the assistance and services described in this
10 section shall not exceed the cost of providing out-of-home
11 care in emergency shelter or foster care.

12 (g) The department shall adopt rules to implement the
13 Relative Caretaker Program.

14 Section 2. This act shall take effect October 1 of the
15 year in which enacted.

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18 HOUSE SUMMARY

19 Directs the Department of Children and Family Services to
20 establish and operate a program to provide financial
21 assistance and support services to certain relatives
22 caring for children in a safe, stable, supportive home,
23 in the role of substitute parents, voluntarily or due to
24 a court order or agency placement. Provides for the
25 children's eligibility for certain medical coverage and
college tuition waivers. Authorizes the department to
use state, federal, and private funds for the program,
not to exceed the cost of providing out-of-home care in
emergency shelter or foster care. Authorizes department
rules.