

By the Committee on Children, Families and Seniors and Senator Turner

300-1861C-98

1                                   A bill to be entitled  
2           An act relating to children and families;  
3           creating s. 39.5085, F.S.; directing the  
4           Department of Children and Family Services to  
5           establish and operate the Relative-Caregiver  
6           Program; providing financial assistance within  
7           available resources to relatives caring for  
8           children; providing for financial assistance  
9           and support services to relatives caring for  
10          children placed with them by the child  
11          protection system; providing for rules  
12          establishing eligibility guidelines, caregiver  
13          benefits, and payment schedule; naming a  
14          service center building; providing an effective  
15          date.

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17           WHEREAS, Senator Hargrett has faithfully served the  
18          needs of his constituents in District 63 of the Florida House  
19          of Representatives from 1982 until 1992, and in District 21 of  
20          the Florida Senate from 1992 until the present time, and

21           WHEREAS, Senator Hargrett was instrumental in  
22          soliciting support and obtaining funding for the new service  
23          center at the Lee Davis Complex, and

24           WHEREAS, the service center at the Lee Davis Complex is  
25          the first building specifically designed as a one-stop career  
26          center to provide services under the Work and Gain Economic  
27          Self-sufficiency (WAGES) Program, and

28           WHEREAS, this service center will enhance the lives of  
29          neighboring residents by providing a comprehensive array of  
30          services that contribute to their ability to gain economic  
31          self-sufficiency, and

1           WHEREAS, this neighborhood-based community service  
2 center will help in overcoming a barrier that often prevents  
3 persons who are transportation disadvantaged from obtaining  
4 services, NOW, THEREFORE,

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

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8           Section 1. Section 39.5085, Florida Statutes, is  
9 created to read:

10           39.5085 Relative-Caregiver Program.--

11           (1) It is the intent of the Legislature in enacting  
12 this section to:

13           (a) Recognize family relationships in which a  
14 grandparent or other relative is the head of a household that  
15 includes a child otherwise at risk of foster care placement.

16           (b) Enhance family preservation and stability by  
17 recognizing that most children in such placements with  
18 grandparents and other relatives do not need intensive  
19 supervision of the placement by the courts or by the  
20 department.

21           (c) Provide additional placement options and  
22 incentives that will achieve permanency and stability for many  
23 children who are otherwise at risk of foster care placement  
24 because of abuse, abandonment, or neglect, but who may  
25 successfully be able to be placed by the dependency court in  
26 the care of such relatives.

27           (d) Reserve the limited casework and supervisory  
28 resources of the courts and the department for those cases in  
29 which children do not have the option for safe, stable care  
30 within the family.

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1           (2)(a) The Department of Children and Family Services  
2 shall establish and operate the Relative-Caregiver Program  
3 pursuant to eligibility guidelines established in this section  
4 as further implemented by rule of the department. The  
5 Relative-Caregiver Program shall, within the limits of  
6 available funding, provide financial assistance to relatives  
7 who are within the fifth degree by blood or marriage to the  
8 parent or stepparent of a child and who are caring full-time  
9 for that child in the role of substitute parent as a result of  
10 a departmental determination of child abuse, neglect, or  
11 abandonment and subsequent placement with the relative  
12 pursuant to chapter 39. Such placement may be either  
13 court-ordered temporary legal custody to the relative pursuant  
14 to s. 39.41(2)(a)4. or court-ordered placement in the home of  
15 a relative under protective supervision of the department  
16 pursuant to s. 39.41(2)(a)3. The Relative-Caregiver Program  
17 shall offer financial assistance to caregivers who are  
18 relatives and who would be unable to serve in that capacity  
19 without the relative-caregiver payment because of financial  
20 burden, thus exposing the child to the trauma of placement in  
21 a shelter or in foster care.

22           (b) Caregivers who are relatives and who receive  
23 assistance under this section must be capable, as determined  
24 by a home study, of providing a physically safe environment  
25 and a stable, supportive home for the children under their  
26 care, and must assure that the children's well-being is met,  
27 including, but not limited to, the provision of immunizations,  
28 education, and mental health services as needed.

29           (c) Relatives who qualify for and participate in the  
30 Relative-Caregiver Program are not required to meet foster  
31 care licensing requirements under s. 409.175.

1           (d) Relatives who are caring for children placed with  
2 them by the child protection system shall receive a special  
3 monthly relative-caregiver benefit established by rule of the  
4 department. The amount of the special benefit payment shall be  
5 based on the child's age within a payment schedule established  
6 by rule of the department and subject to availability of  
7 funding. The statewide average monthly rate for children  
8 judicially placed with relatives who are not licensed as  
9 foster homes may not exceed 82 percent of the statewide  
10 average foster care rate, nor may the cost of providing the  
11 assistance described in this section to any relative-caregiver  
12 exceed the cost of providing out-of-home care in emergency  
13 shelter or foster care.

14           (e) Children receiving cash benefits under this  
15 section are not eligible to simultaneously receive WAGES cash  
16 benefits under chapter 414.

17           (f) Within available funding, the Relative-Caregiver  
18 Program shall provide relative-caregivers with family support  
19 and preservation services, flexible funds in accordance with  
20 s. 409.165, subsidized child care, and other available  
21 services in order to support the child's safety, growth, and  
22 healthy development. Children living with relative-caregivers  
23 who are receiving assistance under this section shall be  
24 eligible for medicaid coverage.

25           (g) The department may use appropriate available  
26 state, federal, and private funds to operate the  
27 Relative-Caregiver Program.

28           Section 2. The new service center building at the Lee  
29 Davis Complex is designated as the "James T. Hargrett, Jr.  
30 Building."

31           Section 3. This act shall take effect October 1, 1998.

- 1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2                   PROPOSED COMMITTEE SUBSTITUTE FOR  
3                   Senate Bill 1540
- 4 - Changes the name of the program from Relative Caretaker  
5 Program to Relative-Caregiver Program.
- 6 - Limits participation to children placed with relatives by  
7 the child protection system.
- 8 - Changes the relatives to whom the program provides  
9 financial assistance when caring for abused, neglected,  
10 or abandoned children from first, second, or third degree  
11 by blood or marriage to relatives who are within the  
12 fifth degree by blood or marriage.
- 13 - Removes the benefit of receiving college tuition waivers  
14 from the Relative-Caregiver Program.
- 15 - Specifies that the caregiver benefits and the payment  
16 schedule would be established in administrative rules.
- 17 - Specifies that the statewide average monthly rate for  
18 children judicially placed with relatives not licensed as  
19 foster homes may not exceed 82 percent of the statewide  
20 average foster care rate.
- 21 - Specifies that the cost of providing assistance to any  
22 relative-caregiver under the Relative-Caregiver Program  
23 may not exceed the cost of providing out-of-home care in  
24 emergency shelter or foster care.-
- 25 - Specifies that the new service center building at the Lee  
26 Davis Complex is designated as the "James T. Hargrett,  
27 Jr. Building."  
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