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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,

5
6 Be It Enacted by the Legislature of the State of Florida:

7
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.

31

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.