

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

The Committee on Children & Families offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Paragraph (a) of subsection (2) of section 39.5085, Florida Statutes, is amended and a new paragraph (f) is added to said section and current paragraphs (f) and (g) are renumbered to read:

39.5085 Relative Caregiver Program.--

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

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

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

Amendment No. 01 (for drafter's use only)

1 (c) Recognize that permanency is in the best interest
2 of the child and can be achieved through a variety of
3 permanency options, including long-term relative care,
4 guardianship, or adoption, and to provide additional placement
5 options and incentives that will achieve permanency and
6 stability for many children who are otherwise at risk of
7 foster care placement because of abuse, abandonment, or
8 neglect, but who may successfully be able to be placed by the
9 dependency court in the care of such relatives.

10 (d) Reserve the limited casework and supervisory
11 resources of the courts and the department for those cases in
12 which children do not have the option for safe, stable care
13 within the family.

14 (2)(a) The Department of Children and Family Services
15 shall establish and operate the Relative Caregiver Program
16 pursuant to eligibility guidelines established in this section
17 as further implemented by rule of the department. The Relative
18 Caregiver Program shall, within the limits of available
19 funding, provide financial assistance to relatives who are
20 within the fifth degree by blood or marriage to the parent or
21 stepparent of a child, and/or to a half brother or half
22 sister of that child,who are caring full-time for that child
23 in the role of substitute parent as a result of a court's
24 determination of child abuse, neglect, or abandonment and
25 subsequent placement with the relative pursuant to this
26 chapter. Such placement may be either court-ordered temporary
27 legal custody to the relative pursuant to s. 39.508(9)(a)4.,
28 or court-ordered placement in the home of a relative under
29 protective supervision of the department pursuant to s.
30 39.508(9)(a)3. The Relative Caregiver Program shall offer
31 financial assistance to caregivers who are relatives and who

Amendment No. 01 (for drafter's use only)

1 would be unable to serve in that capacity without the relative
2 caregiver payment because of financial burden, thus exposing
3 the child to the trauma of placement in a shelter or in foster
4 care.

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

12 (c) Relatives who qualify for and participate in the
13 Relative Caregiver Program are not required to meet foster
14 care licensing requirements under s. 409.175.

15 (d) Relatives who are caring for children placed with
16 them by the court pursuant to this chapter shall receive a
17 special monthly relative caregiver benefit established by rule
18 of the department. The amount of the special benefit payment
19 shall be based on the child's age within a payment schedule
20 established by rule of the department and subject to
21 availability of funding. The statewide average monthly rate
22 for children judicially placed with relatives who are not
23 licensed as foster homes may not exceed 82 percent of the
24 statewide average foster care rate, nor may the cost of
25 providing the assistance described in this section to any
26 relative caregiver exceed the cost of providing out-of-home
27 care in emergency shelter or foster care.

28 (e) Children receiving cash benefits under this
29 section are not eligible to simultaneously receive WAGES cash
30 benefits under chapter 414.

31 (f) The date of entitlement to benefits under the

Amendment No. 01 (for drafter's use only)

1 Relative Caregiver Program is the date of authorization of
2 payment, or the 30th day after the submission of a signed and
3 dated application for benefits, whichever occurs first. Within
4 available funds the child is eligible for retroactive benefits
5 to the date of entitlement if the application is not acted
6 upon by the 30th day after submission of the signed and dated
7 application for benefits.

8 (gf) Within available funding, the Relative Caregiver
9 Program shall provide relative caregivers with family support
10 and preservation services, flexible funds in accordance with
11 s. 409.165, subsidized child care, and other available
12 services in order to support the child's safety, growth, and
13 healthy development. Children living with relative caregivers
14 who are receiving assistance under this section shall be
15 eligible for Medicaid coverage.

16 (hg) The department may use appropriate available
17 state, federal, and private funds to operate the Relative
18 Caregiver Program.

19 Section 2. The Department of Children and Family
20 Services shall report to the Legislature by January 1, 2001 on
21 the number of additional children being served and the costs
22 or savings that result from the additional children served.

23 Section 3. This act shall take effect July 1, 2000.
24
25

26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 1, line 3 after the semicolon, through line 20
29 remove from the title of the bill: all said lines
30

31 and insert in lieu thereof:

Amendment No. 01 (for drafter's use only)

1 revising legislative intent;revising criteria
2 for financial assistance under the Relative
3 Caregiver Program; prescribing the date of
4 entitlement to benefits under the Relative
5 Caregiver Program; prescribing the date of
6 entitlement to benefits under the Relative
7 Caregiver Program; requiring a report to the
8 Legislature; providing an effective date.
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31