



1 density of supported living dwelling units within the smallest  
2 identifiable geographical area in which the dwelling units are  
3 located, which may be a city block, subdivision, neighborhood,  
4 apartment complex, or mobile home park. The department may  
5 not, however, restrict the ability of clients to choose to  
6 live in dwelling units with a number of residents that exceeds  
7 the maximum established by rule. The department may not  
8 restrict clients from choosing to live in a geographic area in  
9 excess of the maximum density established by rule.

10 Section 2. Section 409.919, Florida Statutes, is  
11 amended to read:

12 409.919 Rules.--The agency and the Department of  
13 Children and Family Services shall adopt any rules necessary  
14 to comply with or administer ss. 409.901-409.920 and all rules  
15 necessary to comply with federal requirements. In addition,  
16 the Department of Children and Family Services shall adopt and  
17 accept transfer of any rules necessary to carry out its  
18 responsibilities for receiving and processing Medicaid  
19 applications and determining Medicaid eligibility, and for  
20 assuring compliance with and administering ss. 409.901-409.906  
21 as such sections relate to those responsibilities.

22 Section 3. Section 409.953, Florida Statutes, is  
23 created to read:

24 409.953 Rulemaking authority.--The Department of  
25 Children and Family Services shall adopt rules pursuant to  
26 chapter 120 as necessary to establish and carry out  
27 eligibility requirements for the Refugee Assistance Program.

28 Section 4. Section 414.085, Florida Statutes, is  
29 amended to read:

30 414.085 Income eligibility standards.--For purposes of  
31 program simplification and effective program management,

1 certain income definitions, as outlined in the food stamp  
2 regulations at 7 C.F.R. s. 273.9, shall be applied to the  
3 WAGES Program as determined by the department to be consistent  
4 with federal law regarding temporary cash assistance and  
5 Medicaid for needy families, except as to the following:

6 (1) Participation in the WAGES Program shall be  
7 limited to those families whose gross family income is equal  
8 to or less than 130 percent of the federal poverty level  
9 established in s. 673(2) of the Community Services Block Grant  
10 Act, 42 U.S.C. s. 9901(2).

11 (2) Income security payments, including payments  
12 funded under part B of Title IV of the Social Security Act, as  
13 amended; supplemental security income under Title XVI of the  
14 Social Security Act, as amended; or other income security  
15 payments as defined by federal law shall be excluded as income  
16 unless required to be included by federal law.

17 (3) The first \$50 of child support paid to a custodial  
18 parent receiving temporary cash assistance may not be  
19 disregarded in calculating the amount of temporary cash  
20 assistance for the family, unless such exclusion is required  
21 by federal law.

22 (4) An incentive payment to a participant authorized  
23 by a local WAGES coalition shall not be considered income.

24  
25 The department is authorized to adopt rules governing the  
26 administration of this section and may establish criteria  
27 related to income inclusions, income exclusions, income  
28 deductions, budgeting criteria, participant money management,  
29 eligibility verification criteria, processing timeframes, and  
30 other eligibility criteria that the department deems necessary  
31 to implement this section.

1           Section 5. Subsection (20) is added to section  
2 414.095, Florida Statutes, and paragraph (c) is added to  
3 subsection (13) of said section, to read:

4           414.095 Determining eligibility for the WAGES  
5 Program.--

6           (13) CALCULATION OF LEVELS OF TEMPORARY CASH  
7 ASSISTANCE.--

8           (a) Temporary cash assistance shall be calculated  
9 based on average monthly gross family income, earned and  
10 unearned, less any applicable disregards. The resulting  
11 monthly net income amount shall be subtracted from the  
12 applicable payment standard to determine the monthly amount of  
13 temporary cash assistance.

14           (b) A deduction may not be allowed for child care  
15 payments.

16           (c) The department is authorized to adopt rules  
17 governing the administration of this subsection and may  
18 establish criteria related to type of budgeting, conversion  
19 factors, verification of income, treatment of self-employment  
20 income, treatment of child support income, and treatment of  
21 other sources of income.

22           (20) RULES.--The department is authorized to adopt  
23 rules governing the administration of this section and may  
24 establish criteria regarding verification requirements and  
25 limitations on eligibility.

26           Section 6. Section 414.13, Florida Statutes, is  
27 amended to read:

28           414.13 Immunizations.--Each applicant who has a  
29 preschool child must begin and complete appropriate childhood  
30 immunizations for the child as a condition of eligibility. At  
31 the time of application and redetermination of eligibility,

1 the department shall advise applicants and participants of the  
2 availability of childhood immunizations through the county  
3 health department. Each participant who has a preschool child  
4 must verify compliance with the section. If a participant  
5 fails to provide such verification, the child for whom such  
6 verification is not provided shall be removed from  
7 consideration for purposes of calculating the assistance  
8 available to the family. If the child subject to this  
9 requirement is the only child in the family, participation in  
10 the program shall be terminated until verification of  
11 compliance is provided. The department shall waive this  
12 requirement if the failure to immunize the child is because of  
13 religious reasons or other good cause, as defined in rules  
14 adopted by the department.

15 Section 7. Subsection (7) is added to section 414.15,  
16 Florida Statutes, to read:

17 414.15 Diversion.--

18 (1) A segment of applicants do not need ongoing  
19 temporary cash assistance, but, due to an unexpected  
20 circumstance or emergency situation, require some immediate  
21 assistance in meeting a financial obligation while they are  
22 securing employment or child support. These immediate  
23 obligations may include a shelter or utility payment, a car  
24 repair to continue employment, or other assistance which will  
25 alleviate the applicant's emergency financial need and allow  
26 the person to focus on obtaining or continuing employment.

27 (2) Up-front diversion shall involve four steps:

28 (a) Linking applicants with job opportunities as the  
29 first option to meet the assistance group's need.

30 (b) Where possible, offering one-time help as an  
31 alternative to welfare.

1 (c) Screening applicants to respond to emergency  
2 needs.

3 (d) Performing up-front fraud prevention  
4 investigations, if appropriate.

5 (3) Before finding an applicant family eligible for  
6 up-front diversion funds, the department must determine that  
7 all requirements of eligibility would likely be met.

8 (4) The department shall screen each applicant family  
9 on a case-by-case basis for barriers to obtaining or retaining  
10 employment. The screening shall identify barriers that, if  
11 corrected, may prevent the family from receiving temporary  
12 cash assistance on a regular basis. Assistance to overcome a  
13 barrier to employment is not limited to cash, but may include  
14 vouchers or other in-kind benefits.

15 (5) The diversion payment shall be limited to an  
16 amount not to exceed 2 months' temporary cash assistance,  
17 based on family size.

18 (6) The family receiving up-front diversion must sign  
19 an agreement restricting the family from applying for  
20 temporary cash assistance for 3 months, unless an emergency is  
21 demonstrated to the department. If a demonstrated emergency  
22 forces the family to reapply for temporary cash assistance  
23 within 3 months after receiving a diversion payment, the  
24 diversion payment shall be prorated over the 2-month period  
25 and subtracted from any regular payment of temporary cash  
26 assistance for which the applicant may be eligible.

27 (7) The department is authorized to adopt rules  
28 governing the administration of this section and may establish  
29 guidelines related to screening criteria, referrals to  
30 community resources, restrictions on receipt of up-front  
31 diversion and transitional services, definitions of emergency

1 services, verification requirements, and processing  
2 timeframes.

3 Section 8. This act shall take effect upon becoming a  
4 law.

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7 HOUSE SUMMARY

8 Provides rulemaking authority for the Department of  
9 Children and Family Services relating to supported living  
10 services for developmentally disabled persons, the  
11 Medicaid program, the Refugee Assistance Program, and  
12 provisions of the WAGES Program relating to income  
13 eligibility standards, temporary cash assistance,  
14 required immunizations, and diversion payments.  
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