

By Representatives Siplin, Bullard, Haridopolos, Paul, Smith, Rich, Rubio, Wilson, Weissman, Gardiner, Richardson, Bendross-Mindingall, Macheek, Joyner, Cusack, Peterman, Fields, Negron, Baker, Bennett and Bowen

1                                   A bill to be entitled  
 2           An act relating to relative caregivers;  
 3           amending s. 39.5085, F.S.; revising provisions  
 4           of the Relative Caregiver Program to eliminate  
 5           requirement for judicial placement of the child  
 6           in the home of the relative; providing an  
 7           effective date.

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

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 11           Section 1. Paragraphs (a) and (d) of subsection (2) of  
 12   section 39.5085, Florida Statutes, are amended to read:

13           39.5085 Relative Caregiver Program.--

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 who are caring full-time for that  
 22   child in the role of substitute parent ~~as a result of a~~  
 23   ~~court's determination of child abuse, neglect, or abandonment~~  
 24   ~~and subsequent placement with the relative pursuant to this~~  
 25   ~~chapter. Such placement may be either court-ordered temporary~~  
 26   ~~legal custody to the relative under protective supervision of~~  
 27   ~~the department pursuant to s. 39.521(1)(b)3., or court-ordered~~  
 28   ~~placement in the home of a relative as a permanency option~~  
 29   ~~pursuant to s. 39.622.~~ The Relative Caregiver Program shall  
 30   offer financial assistance to caregivers who are relatives and  
 31   who would be unable to serve in that capacity without the

1 relative caregiver payment because of financial burden, thus  
2 exposing the child to the trauma of placement in a shelter or  
3 in foster care.

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

18 Section 2. This act shall take effect July 1, 2001.

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21 HOUSE SUMMARY

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23 Eliminates requirement under the Relative Caregiver  
24 Program that the child be judicially placed in the home  
25 of the relative.

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