

Amendment No. 1x (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Child & Family Security offered the following:

**Amendment (with title amendment)**

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

Section 1. This act may be cited as the "Road to Independence Act of 2002."

Section 2. Paragraph (e) is added to subsection (1) of section 409.145, Florida Statutes, to read:

409.145 Care of children.--

(1) The department shall conduct, supervise, and administer a program for dependent children and their families. The services of the department are to be directed toward the following goals:

(e) The transition to self-sufficiency for older children who continue to be in foster care as adolescents.

Section 3. Section 409.1451, Florida Statutes, is created to read:

409.1451 Independent living transition services.--

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1           (1) SYSTEM OF SERVICES.--The Department of Children  
2 and Family Services or its agents shall administer a system of  
3 independent living transition services to enable older  
4 children in foster care to make the transition to  
5 self-sufficiency as adults. Independent living transition  
6 services are not an alternative to adoption for these  
7 children. Independent living transition services can occur  
8 concurrently with continued efforts to locate and achieve  
9 placement in adoptive families for older children in foster  
10 care.

11           (2) ELIGIBILITY.--The department shall serve eligible  
12 children 13 years of age and older who are in foster care and  
13 former foster care recipients 18 to 21 years of age who have  
14 been terminated from foster care due to age. Eligible children  
15 may be served until they reach 23 years of age if they are  
16 full-time students in a postsecondary educational institution  
17 pursuant to s. 409.145(3).

18           (3) GOALS.--The goals of the independent living  
19 transition services are to assist older children in foster  
20 care to obtain life skills and education for independent  
21 living and employment, to have a quality of life appropriate  
22 to their age, and to assume personal responsibility for  
23 becoming self-sufficient adults.

24           (4) SERVICES.--State foster care or federal funds  
25 shall be used to establish a continuum of services for  
26 eligible children in foster care that includes, but is not  
27 limited to:

28           (a) Assessment and preparatory pre-independent-living  
29 services.--Children 13 through 15 years of age who are likely  
30 to remain in foster care until 18 years of age shall receive a  
31 pre-independent-living assessment and shall participate in

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1 educational activities concerning the use of positive values,  
2 good judgment, and mediation.

3 (b) Independent living services.--Children 16 years of  
4 age and older who are likely to remain in foster care until 18  
5 years of age, and youth 18 through 20 years of age who were in  
6 foster care at 18 years of age, shall receive independent  
7 living services that include an independent living assessment  
8 completed with a local independent living coordinator, and  
9 access to training and support that includes independent  
10 living skills training, educational support, employment  
11 training, and counseling, to complement their own efforts to  
12 achieve self-sufficiency.

13 (c) Educational support.--Eligible youth 18 years of  
14 age and older who were in foster care at 18 years of age and  
15 who continue with their education may, pursuant to s.  
16 409.145(3), receive services up to 21 years of age, or up to  
17 23 years of age if enrolled full-time in a postsecondary  
18 educational institution. Services may include case management  
19 services, a board payment on their behalf, a clothing  
20 allowance, and Medicaid up to 21 years of age, pursuant to s.  
21 409.903(4).

22 (d) Aftercare services.--Pursuant to s. 409.145(3)(b),  
23 the department may, based upon the availability of funds,  
24 provide assistance to those individuals who leave foster care  
25 when they attain 18 years of age and subsequently request  
26 assistance prior to their 21st birthday. This assistance may  
27 include, but is not limited to, referrals for employment,  
28 services for educational or vocational development, and  
29 housing assistance.

30 (e) Subsidized independent living services.--Eligible  
31 older children 16 to 23 years of age may, pursuant to s.

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1 409.165(4), receive a stipend to live in a setting without  
2 daily direct adult supervision, when appropriate to support  
3 their transition to self-sufficiency. The child must have been  
4 in the custody of the department a minimum of 6 months; must  
5 be employed at least part-time; must be enrolled in a  
6 full-time educational program; and must have approval from the  
7 district independent living coordinator.

8 (5) PARTICIPATION IN LIFE SKILLS ACTIVITIES.--To  
9 assist older children in foster care with the transition to  
10 independent living as adults, the program shall enable them to  
11 have opportunities to participate in and learn from life  
12 skills activities, in their foster families and communities,  
13 that are reasonable and appropriate to their age. Such  
14 activities may include, but are not limited to, managing money  
15 earned from a job, taking driver's education, and  
16 participating in after school or extracurricular activities.

17 To support these opportunities for participation in  
18 age-appropriate life skills activities, the department shall:

19 (a) Develop with children in the program and their  
20 foster parents a list of age-appropriate rights and  
21 responsibilities to be presented to all children involved in  
22 independent living transition services and their foster  
23 parents.

24 (b) Provide training for staff and foster parents that  
25 addresses issues of older children in foster care and the  
26 transition to adulthood, including supporting education and  
27 employment and providing opportunities to participate in  
28 appropriate daily activities.

29 (c) Provide opportunities for older children in foster  
30 care to interact with mentors and dedicated adults.

31 (d) Provide staff of the department or its agent, or

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1 the foster family, with the legal authority for children  
2 served under this program to enroll the child in school, to  
3 sign for a practice driver's license for the child pursuant to  
4 s. 322.09(4), to cosign loans and insurance for the child, to  
5 sign for the child's medical treatment, and to authorize other  
6 such activities as appropriate.

7 (e) Provide for transfer of the spending money  
8 allowance provided by the department each month directly to  
9 the older child in the program, through an electronic benefit  
10 transfer program. The purpose of the transfer is to allow  
11 these children to access and manage the allowance they receive  
12 so they can learn responsibility and participate in  
13 age-appropriate life skills activities.

14 (6) ACCOUNTABILITY.--The department and program shall  
15 develop outcome and other performance measures.

16 (7) INDEPENDENT LIVING SERVICES INTEGRATION  
17 WORKGROUP.--The Secretary of Children and Family Services  
18 shall establish the independent living services integration  
19 workgroup, which, at a minimum, shall include representatives  
20 from the following agencies, departments, and  
21 persons: Department of Children and Family Services, Agency  
22 for Workforce Innovation, Department of Education, Agency for  
23 Health Care Administration, State Youth Advisory Board, and  
24 foster parents. The workgroup shall assess barriers to the  
25 effective and efficient integration of services and support  
26 across systems for the transition of older children in foster  
27 care to independent living. The workgroup shall recommend  
28 methods to overcome these barriers and shall ensure that state  
29 plans for independent living transition services include these  
30 recommendations, and shall report to appropriate legislative  
31 committees of the House of Representatives and the Senate by

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1 December 1, 2002. Specific issues to be addressed by the  
2 workgroup shall include:

3 (a) The possibility of enacting the Medicaid provision  
4 of the federal Foster Care Independence Act of 1999, Pub. L.  
5 No. 106-169, that allows adolescents in foster care to receive  
6 medical coverage up to 21 years of age.

7 (b) The possibility of extending the age of Medicaid  
8 coverage from 21 to 23 years of age for youth who remain under  
9 the supervision of the department, to enable such youth to  
10 complete a postsecondary educational degree.

11 (c) Ensuring that the Agency for Workforce Innovation  
12 provides priority employment training and support for eligible  
13 foster care participants in independent transition living  
14 services.

15 (d) Ensuring that transfers between schools are  
16 facilitated when changes in foster care placements occur.

17 Section 4. Paragraph (f) of subsection (3) of section  
18 409.165, Florida Statutes, is amended to read:

19 409.165 Alternate care for children.--

20 (3) With the written consent of parents, custodians,  
21 or guardians, or in accordance with those provisions in  
22 chapter 39 that relate to dependent children, the department,  
23 under rules properly adopted, may place a child:

24 (f) In a subsidized ~~an~~ independent living situation,  
25 subject to the provisions of subsection (4),

26  
27 under such conditions as are determined to be for the best  
28 interests or the welfare of the child. Any child placed in an  
29 institution or in a family home by the department or its  
30 agency may be removed by the department or its agency, and  
31 such other disposition may be made as is for the best interest

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1 of the child, including transfer of the child to another  
2 institution, another home, or the home of the child.  
3 Expenditure of funds appropriated for out-of-home care can be  
4 used to meet the needs of a child in the child's own home or  
5 the home of a relative if the child can be safely served in  
6 the child's own home or that of a relative if placement can be  
7 avoided by the expenditure of such funds, and if the  
8 expenditure of such funds in this manner is calculated by the  
9 department to be a potential cost savings.

10 Section 5. Subsections (2) and (8) of section 39.013,  
11 Florida Statutes, are amended to read:

12 39.013 Procedures and jurisdiction; right to  
13 counsel.--

14 (2) The circuit court shall have exclusive original  
15 jurisdiction of all proceedings under this chapter, of a child  
16 voluntarily placed with a licensed child-caring agency, a  
17 licensed child-placing agency, or the department, and of the  
18 adoption of children whose parental rights have been  
19 terminated pursuant to this chapter. Jurisdiction attaches  
20 when the initial shelter petition, dependency petition, or  
21 termination of parental rights petition is filed or when a  
22 child is taken into the custody of the department. The circuit  
23 court may assume jurisdiction over any such proceeding  
24 regardless of whether the child was in the physical custody of  
25 both parents, was in the sole legal or physical custody of  
26 only one parent, caregiver, or some other person, or was in  
27 the physical or legal custody of no person when the event or  
28 condition occurred that brought the child to the attention of  
29 the court. When the court obtains jurisdiction of any child  
30 who has been found to be dependent, the court shall retain  
31 jurisdiction, unless relinquished by its order, until the

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1 child reaches 18 years of age and shall retain jurisdiction of  
2 such individual until he or she reaches 21 years of age, or 23  
3 years of age if the individual is continuously enrolled full  
4 time in a postsecondary educational institution granting a  
5 degree, a certificate, or an applied technology diploma.

6 (8) For any child who remains in the custody of the  
7 department, the court shall, within the month which  
8 constitutes the beginning of the 6-month period before the  
9 child's 18th birthday, hold a hearing to review the progress  
10 of the child while in the custody of the department.  
11 Thereafter, for each individual 18 years of age and older over  
12 whom the court has retained jurisdiction, an annual review  
13 shall be conducted while the individual remains in the custody  
14 or under the supervision of the department. At the annual  
15 review, the court has the authority to decide whether the  
16 individual shall remain in the custody or under the  
17 supervision of the department.

18 Section 6. This act shall take effect October 1, 2002.

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

22 And the title is amended as follows:  
23 remove from the title of the bill: the entire title  
24  
25 and insert in lieu thereof:

26 A bill to be entitled  
27 An act relating to foster care; creating the  
28 "Road to Independence Act of 2002"; amending s.  
29 409.145, F.S.; providing transition to  
30 self-sufficiency as a goal for older children  
31 who are likely to remain in foster care as



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1 adolescents; creating s. 409.1451, F.S.;

2 directing the Department of Children and Family

3 Services or its agents to administer a system

4 of independent living transition services;

5 providing eligibility; providing goals;

6 providing for the use of state foster care or

7 federal funds to establish a continuum of

8 services; providing for opportunities for

9 participation in everyday life skills

10 activities; providing for department and

11 program accountability; establishing an

12 independent living services integration

13 workgroup; providing workgroup membership and

14 duties; amending s. 409.165, F.S.; conforming

15 provisions relating to alternate care for

16 children; amending s. 39.013, F.S.; requiring

17 the court to retain jurisdiction over a

18 dependent child until he or she reaches 21

19 years of age, or 23 years of age if the

20 individual is continuously enrolled full time

21 in a postsecondary educational institution;

22 requiring the court to conduct an annual review

23 for individuals 18 years of age and older when

24 the court has retained jurisdiction; providing

25 an effective date.

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