



HB 0027D

2003

A bill to be entitled

An act relating to independent living transition services; amending s. 409.1451, F.S.; requiring each Department of Children and Family Services district to identify adolescent foster children with developmental disabilities or special mental health needs and to assist such youth in the transition to self-sufficiency; revising eligibility requirements for independent living transition services, participation in the Road-to-Independence Scholarship Program, and transitional support services; authorizing Medicaid coverage to youth eligible for transitional support services; providing for construction of the act in pari materia with laws enacted during the 2003 Regular Session or any special session of the Legislature; providing an effective date.

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

Section 1. Subsection (1), paragraph (a) of subsection (2), subsection (4), and paragraphs (b) and (c) of subsection (5) of section 409.1451, Florida Statutes, as amended by chapter 2003-1, Laws of Florida, are amended to read:

409.1451 Independent living transition services.--

(1) SYSTEM OF SERVICES.--

(a) The Department of Children and Family Services or its agents shall administer a system of independent living transition services to enable older children in foster care and young adults who exit foster care at age 18 to make the transition to self-sufficiency as adults.

(b) The goals of independent living transition services



HB 0027D

2003

31 are to assist older children in foster care and young adults who
32 were formerly in foster care to obtain life skills and education
33 for independent living and employment, to have a quality of life
34 appropriate for their age, and to assume personal responsibility
35 for becoming self-sufficient adults.

36 (c) Each Department of Children and Family Services
37 district shall identify adolescent foster youth with
38 developmental disabilities or special mental health needs. The
39 department shall work with these foster youth to help them make
40 the transition to self-sufficiency and shall assist the youth
41 and young adults with reasonable accommodations for their
42 disabilities. The department shall assist the youth with
43 accessing support and funding from other sources, such as the
44 department's Developmental Disabilities Office and the
45 department's Mental Health Office. The department shall
46 coordinate the independent living plan for a youth with the
47 school's individual education plan for a child who is in a
48 special education program. The department shall give special
49 attention to 17-year-old foster children residing at residential
50 treatment facilities, therapeutic foster homes, or other mental
51 health placement facilities who face a particularly difficult
52 transition to living as adults in the community.

53 (d)(e) State funds for foster care or federal funds shall
54 be used to establish a continuum of services for eligible
55 children in foster care and eligible young adults who were
56 formerly in foster care which accomplish the goals for the
57 independent living transition services and provide the service
58 components for services for foster children, as provided in
59 subsection (3), and services for young adults who were formerly
60 in foster care, as provided in subsection (5).



HB 0027D

2003

61 ~~(e)(d)~~ For children in foster care, independent living
62 transition services are not an alternative to adoption.
63 Independent living transition services may occur concurrently
64 with continued efforts to locate and achieve placement in
65 adoptive families for older children in foster care.

66 (2) ELIGIBILITY.--

67 (a) The department shall serve children who are 13 to 18
68 years of age and who are in foster care through the program
69 component of services for foster children provided in subsection
70 (3). The department shall also serve former foster youth who are
71 18 to 23 years of age and are in high school as a special
72 education student, in a high school equivalency diploma program
73 pursuant to s. 1003.435, or in an adult education program
74 pursuant to s. 1004.93, through the program component of
75 services for foster children provided in subsection (3).
76 Children to be served must meet the eligibility requirements set
77 forth for specific services as provided in this section and
78 through department rule.

79 (4) PARTICIPATION IN LIFE SKILLS ACTIVITIES.--In order to
80 assist older children in foster care, ages 13 to 18 years of
81 age, and former foster youth with disabilities, with the
82 transition to independent living as adults, the program must
83 provide them with opportunities to participate in and learn from
84 life skills activities in their foster families and communities
85 which are reasonable and appropriate for their age. Such
86 activities may include, but are not limited to, managing money
87 earned from a job, taking driver's education, and participating
88 in after-school or extracurricular activities. To support these
89 opportunities for participation in age-appropriate life skills
90 activities, the department may:



HB 0027D

2003

91 (a) Develop, with children in the program and their foster
92 parents, a list of age-appropriate activities and
93 responsibilities to be presented to all children involved in
94 independent living transition services and their foster parents.

95 (b) Provide training for staff and foster parents which
96 addresses issues of older children in foster care and the
97 transition to adulthood, including supporting education and
98 employment and providing opportunities to participate in
99 appropriate daily activities.

100 (c) Develop procedures to maximize the authority of foster
101 parents to approve participation in age-appropriate activities
102 of children in their care.

103 (d) Provide opportunities for older children in foster
104 care to interact with mentors.

105 (e) Develop and implement procedures for older children to
106 directly access and manage the personal allowance they receive
107 from the department in order to learn responsibility and
108 participate in age-appropriate life skills activities to the
109 extent feasible.

110 (5) PROGRAM COMPONENT OF SERVICES FOR YOUNG ADULTS
111 FORMERLY IN FOSTER CARE.--Based on the availability of funds,
112 the department shall provide or arrange for the following
113 services to young adults formerly in foster care who meet the
114 prescribed conditions and are determined eligible by the
115 department. The categories of services available to assist a
116 young adult formerly in foster care to achieve independence are:

117 (b) *Road-to-Independence Scholarship Program.*--

118 1. The Road-to-Independence Scholarship Program is
119 intended to help eligible students who are former foster
120 children in this state to receive the educational and vocational



HB 0027D

2003

121 training needed to achieve independence. The amount of the award
122 shall equal the earnings that the student would have been
123 eligible to earn working a 40-hour-a-week federal minimum wage
124 job, after considering other grants and scholarships that are in
125 excess of the educational institutions' fees and costs, and
126 contingent upon available funds. Students eligible for the Road-
127 to-Independence Scholarship Program may also be eligible for
128 educational fee waivers for workforce development postsecondary
129 programs, community colleges, and universities, pursuant to s.
130 1009.25(2)(c).

131 2. A young adult 18 to 23 ~~21~~ years of age is eligible for
132 the initial award, ~~and a young adult under 23 years of age is~~
133 ~~eligible~~ for renewal awards, if he or she:

134 a. Is a dependent child, pursuant to chapter 39, and has
135 lived ~~is living~~ in licensed foster care or in subsidized
136 independent living within 6 months ~~at the time~~ of his or her
137 18th birthday;

138 b. Has spent at least 6 months living in foster care
139 before reaching his or her 18th birthday;

140 c. Is a resident of this state as defined in s. 1009.40;
141 and

142 d. Meets one of the following qualifications:

143 (I) Has earned a standard high school diploma or its
144 equivalent as described in s. 1003.43 or s. 1003.435, and has
145 been admitted for full-time enrollment in an eligible
146 postsecondary education institution as defined in s. 1009.533;

147 (II) Is enrolled full time in an accredited high school,
148 is within 2 years of graduation, and has maintained a grade
149 point average of at least 2.0 on a scale of 4.0 for the two
150 semesters preceding the date of his or her 18th birthday or, in



HB 0027D

2003

151 the case of a student in a special education program in an
152 accredited high school, has met the minimum grade point average
153 required by that program to graduate; or

154 (III) Is enrolled full time in an accredited adult
155 education program or high school equivalency diploma program
156 designed to provide the student with a high school diploma or
157 its equivalent, is making satisfactory progress in that program
158 as certified by the program, and is within 2 years of attaining
159 a high school diploma or its equivalent graduation.

160 3.a. The department must advertise the availability of the
161 program and must ensure that the children and young adults
162 leaving foster care, foster parents, or family services
163 counselors are informed of the availability of the program and
164 the application procedures.

165 b. A young adult must apply for the initial award during
166 the 6 months immediately preceding his or her 18th birthday. A
167 young adult who fails to make an initial application, but who
168 otherwise meets the criteria for an initial award, may make one
169 application for the initial award if such application is made
170 before the young adult's 21st birthday.

171 c. If funding for the program is available, the department
172 shall issue awards from the scholarship program for each young
173 adult who meets all the requirements of the program.

174 d. An award shall be issued at the time the eligible
175 student reaches 18 years of age.

176 e. If the award recipient transfers from one eligible
177 institution to another and continues to meet eligibility
178 requirements, the award must be transferred with the recipient.

179 f. Scholarship funds awarded to any eligible young adult
180 under this program are in addition to any other services



HB 0027D

2003

181 provided to the young adult by the department through its
182 independent living transition services.

183 g. The department shall provide information concerning
184 young adults receiving the Road-to-Independence Scholarship to
185 the Department of Education for inclusion in the student
186 financial assistance database, as provided in s. 1009.94.

187 h. Scholarship funds shall be terminated when the young
188 adult has attained a bachelor of arts or bachelor of science
189 degree, or equivalent undergraduate degree, or reaches 23 years
190 of age, whichever occurs earlier.

191 i. The department shall evaluate and renew each award
192 annually during the 90-day period before the young adult's
193 birthday. In order to be eligible for a renewal award for the
194 subsequent year, the young adult must:

195 (I) Complete at least 12 semester hours or the equivalent
196 in the last academic year in which the young adult earned a
197 scholarship, except for a young adult who meets the requirements
198 of s. 1009.41.

199 (II) Maintain the cumulative grade point average required
200 by the scholarship program, except that, if the young adult's
201 grades are insufficient to renew the scholarship at any time
202 during the eligibility period, the young adult may restore
203 eligibility by improving the grade point average to the required
204 level.

205 j. Scholarship funds may be terminated during the interim
206 between an award and the evaluation for a renewal award if the
207 department determines that the award recipient is no longer
208 enrolled in an educational institution as defined in sub-
209 subparagraph 2.d., or is no longer a state resident. The
210 department shall notify a student who is terminated and inform



HB 0027D

2003

the student of his or her right to appeal.

k. An award recipient who does not qualify for a renewal award or who chooses not to renew the award may subsequently apply for reinstatement. An application for reinstatement must be made before the young adult reaches 23 years of age, and a student may not apply for reinstatement more than once. In order to be eligible for reinstatement, the young adult must meet the eligibility criteria and the criteria for award renewal for the scholarship program.

1. A young adult who is eligible for the Road-to-Independence Scholarship may, in lieu of the scholarship award, choose to remain in foster care and continue to receive the services of the children's foster care program for as long as the young adult continues to qualify for the Road-to-Independence Scholarship ~~A young adult receiving continued services of the foster care program under former s. 409.145(3) must transfer to the scholarship program by July 1, 2003.~~

(c) *Transitional support services.* --

1. In addition to any services provided through after care support or the Road-to-Independence Scholarship, a young adult formerly in foster care, may receive other appropriate short-term services, which may include financial, housing, counseling, employment, education and other services, if the young adult demonstrates that the services are critical to the young adult's own efforts to achieve self-sufficiency and to develop a personal support system.

2. A young adult formerly in foster care is eligible to apply for transitional support services if he or she is 18 to 23 years of age, was a dependent child pursuant to chapter 39, was living in licensed foster care or in subsidized independent



HB 0027D

2003

241 living within 6 months ~~at the time~~ of his or her 18th birthday,
242 and had spent at least 6 months living in foster care before
243 that date.

244 3. Based on the availability of funds, a young adult
245 formerly in foster care who is eligible for transitional support
246 services pursuant to this subsection is also eligible to receive
247 Medicaid coverage through age 23.

248 ~~4.3.~~ If at any time the services are no longer critical to
249 the young adult's own efforts to achieve self-sufficiency and to
250 develop a personal support system, they shall be terminated.

251 Section 2. If any law amended by this act was also amended
252 by a law enacted at the 2003 Regular Session or any special
253 session of the Legislature, such laws shall be construed as if
254 they had been enacted at the same session of the Legislature,
255 and full effect shall be given to each if possible.

256 Section 3. This act shall take effect October 1, 2003.