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1 A bill to be entitled

2 An act relating to independent living transition services;  
3 amending s. 39.601, F.S.; providing an additional case  
4 plan requirement for certain children receiving services;  
5 amending s. 39.701, F.S., relating to judicial review of  
6 the status of a child; providing for determination of  
7 services provided by the Department of Children and Family  
8 Services; amending s. 409.1451, F.S.; revising eligibility  
9 for receipt of independent living transition services;  
10 providing equal opportunity for participation in the  
11 continuum of independent living transition services for  
12 certain youth who have disabilities or mental health needs  
13 and for youth who have children; providing department  
14 responsibilities for assisting access of support and for  
15 coordinating services with education plans; revising  
16 eligibility for the program component of services for  
17 foster children; revising eligibility for participation in  
18 life skills activities and the components of such  
19 activities; revising eligibility for the program component  
20 of services for young adults formerly in foster care;  
21 revising eligibility for participation in the Road-to-  
22 Independence Scholarship Program and renewal of a  
23 scholarship award; providing for certain services in lieu  
24 of a scholarship award; revising eligibility for receipt  
25 of aftercare support services and transitional support  
26 services; providing for a rental agreement between a  
27 caregiver and a young adult under certain circumstances;  
28 providing for maximization of federal assistance;  
29 providing eligibility for receipt of Medicaid; revising

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30 composition of the independent living services workgroup;  
 31 requiring department rules relating to review of  
 32 applications and an appeals process for adverse action or  
 33 inaction; amending s. 409.903, F.S.; revising eligibility  
 34 for Medicaid payments for young adults; amending s.  
 35 1009.25, F.S.; revising eligibility for postsecondary  
 36 education fee exemptions; providing an effective date.

37  
 38 Be It Enacted by the Legislature of the State of Florida:

39  
 40 Section 1. Paragraph (m) is added to subsection (3) of  
 41 section 39.601, Florida Statutes, to read:

42 39.601 Case plan requirements.--

43 (3) When the child is receiving services in an out-of-home  
 44 placement, the case plan must be filed with the court, for  
 45 approval by the court, at least 72 hours prior to the  
 46 disposition hearing. The case plan must be served on all parties  
 47 whose whereabouts are known at least 72 hours prior to the  
 48 disposition hearing and must include, in addition to the  
 49 requirements in subsections (1) and (2), at a minimum:

50 (m) In the case of a child 15 years of age or older, a  
 51 description of the independent living needs and services to be  
 52 provided to the child.

53 Section 2. Paragraph (j) is added to subsection (7) of  
 54 section 39.701, Florida Statutes, to read:

55 39.701 Judicial review.--

56 (7) The court and any citizen review panel shall take into  
 57 consideration the information contained in the social services  
 58 study and investigation and all medical, psychological, and

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59 educational records that support the terms of the case plan;  
 60 testimony by the social services agency, the parent, the foster  
 61 parent or legal custodian, the guardian ad litem if one has been  
 62 appointed for the child, and any other person deemed  
 63 appropriate; and any relevant and material evidence submitted to  
 64 the court, including written and oral reports to the extent of  
 65 their probative value. These reports and evidence may be  
 66 received by the court in its effort to determine the action to  
 67 be taken with regard to the child and may be relied upon to the  
 68 extent of their probative value, even though not competent in an  
 69 adjudicatory hearing. In its deliberations, the court and any  
 70 citizen review panel shall seek to determine:

71 (j) The extent to which the department has provided  
 72 appropriate independent living assessments and services to any  
 73 child 13 years of age or older and the extent to which the  
 74 department has provided youth 17 years of age or older with  
 75 services and training to help them develop tangible skills for  
 76 living independently, including, but not limited to, assistance  
 77 with developing community ties and with setting up a household,  
 78 educational support, and skills classes in budgeting and  
 79 employment training.

80 Section 3. Section 409.1451, Florida Statutes, is amended  
 81 to read:

82 409.1451 Independent living transition services.--

83 (1) SYSTEM OF SERVICES.--

84 (a) The Department of Children and Family Services or its  
 85 agents shall administer a system of independent living  
 86 transition services to enable older children in foster care and  
 87 young adults who exit foster care during the 6 months prior to

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88 turning 18 years of age or at age 18 to make the transition to  
 89 self-sufficiency as adults.

90 (b) The goals of independent living transition services  
 91 are to assist older children in foster care and young adults who  
 92 were formerly in foster care to obtain life skills and education  
 93 for independent living and employment, to have a quality of life  
 94 appropriate for their age, and to assume personal responsibility  
 95 for becoming self-sufficient adults.

96 (c) State funds for foster care or federal funds shall be  
 97 used to establish a continuum of services for eligible children  
 98 in foster care and eligible young adults who were formerly in  
 99 foster care which accomplish the goals for the independent  
 100 living transition services and provide the service components  
 101 for services for foster children, as provided in subsection (3),  
 102 and services for young adults who were formerly in foster care,  
 103 as provided in subsection (5).

104 (d) For children in foster care, independent living  
 105 transition services are not an alternative to adoption.  
 106 Independent living transition services may occur concurrently  
 107 with continued efforts to locate and achieve placement in  
 108 adoptive families for older children in foster care.

109 (e) Older children in foster care and young adults  
 110 formerly in foster care who have disabilities or mental health  
 111 needs shall be provided with an equal opportunity to participate  
 112 in the continuum of independent living transition services  
 113 regardless of the fact that a child or young adult who has a  
 114 physical, emotional, or learning disability may need additional  
 115 support. To ensure the equal participation of such children and  
 116 young adults, each Department of Children and Family Services

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117 district shall identify older children in foster care and young  
118 adults formerly in foster care who have disabilities or mental  
119 health needs. The department shall work with these older  
120 children and young adults to help them make the transition to  
121 self-sufficiency and shall assist them with reasonable  
122 accommodations for their disabilities. In addition, the  
123 department shall assist the older children and young adults with  
124 accessing support and funding from other sources, such as the  
125 department's Developmental Disabilities Office and Mental Health  
126 Office. For an older child or young adult who is in a special  
127 education program, the department shall coordinate his or her  
128 independent living plan with the school's individual education  
129 plan. The department shall give special attention to 17-year-old  
130 foster children in residential treatment facilities, therapeutic  
131 foster homes, or other mental health placements who face a  
132 particularly difficult transition to living as adults in the  
133 community and shall provide such children with the life skills  
134 training, supports, and services needed to make a successful  
135 transition.

136 (f) Older children in foster care and young adults  
137 formerly in foster care who have children, who are pregnant, or  
138 who are expectant fathers shall be provided with an equal  
139 opportunity to participate in the continuum of independent  
140 living transition services. The department shall assist these  
141 children and young adults with appropriate services, such as  
142 prenatal care, daycare, and housing. In those cases where family  
143 preservation is at issue, the department shall prioritize the  
144 provision of independent living transition services to older  
145 children and young adults with children.

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146 (2) ELIGIBILITY.--

147 (a) The department shall serve children who are 13 to 18  
 148 years of age and who are in foster care through the program  
 149 component of services for foster children provided in subsection  
 150 (3). Children to be served must meet the eligibility  
 151 requirements set forth for specific services as provided in this  
 152 section ~~and through department rule.~~

153 (b) The department shall serve young adults who are 18 to  
 154 23 years of age and who exit were in foster care within the 6  
 155 months prior to turning 18 years of age or at when they turned  
 156 18 years of age through the program component of services for  
 157 young adults who were formerly in foster care provided in  
 158 subsection (5). Additionally, young adults formerly in foster  
 159 care who are 18 to 23 years of age and have physical, emotional,  
 160 or learning disabilities shall remain eligible for the program  
 161 component of services for foster children provided in subsection  
 162 (3). Children to be served must meet the eligibility  
 163 requirements set forth for specific services in this section ~~and~~  
 164 ~~through department rule.~~

165 (3) PROGRAM COMPONENT OF SERVICES FOR FOSTER  
 166 CHILDREN.--The department shall provide the following transition  
 167 to independence services to children in foster care in order to  
 168 ~~who meet prescribed conditions and are determined eligible by~~  
 169 ~~the department. The service categories available to children in~~  
 170 ~~foster care which~~ facilitate successful transition into  
 171 adulthood ~~are:~~

172 (a) *Preindependent-living services.--*

173 1. Preindependent-living services shall include, but are  
 174 not limited to, life skills training, educational field trips,

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175 and conferences. The specific services to be provided to a child  
 176 shall be determined using a preindependent-living assessment.

177 2. A child 13 to 15 years of age who is in foster care is  
 178 eligible for such services.

179 (b) *Life skills services.--*

180 1. Life skills services shall ~~may~~ include, but are not  
 181 limited to, independent living skills training, educational  
 182 support, employment training, and counseling. The specific  
 183 services to be provided to a child shall be determined using an  
 184 independent life skills assessment.

185 2. A child 15 to 18 years of age who is in foster care is  
 186 eligible for such services.

187 (c) *Subsidized independent living services.--*

188 1. Subsidized independent living services are living  
 189 arrangements that allow the child to live independently of the  
 190 daily care and supervision of an adult in a setting that is not  
 191 required to be licensed under s. 409.175.

192 2. A child 16 to 18 years of age is eligible for such  
 193 services if he or she:

194 a. Is adjudicated dependent under chapter 39; has been  
 195 placed in licensed out-of-home care for at least 6 months prior  
 196 to entering subsidized independent living; and has a permanency  
 197 goal of adoption, independent living, or long-term licensed  
 198 care; and

199 b. Is able to demonstrate independent living skills, as  
 200 determined by the department, using established procedures and  
 201 assessments.

202 3. Independent living arrangements established for a child  
 203 must be part of an overall plan leading to the total

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204 independence of the child from the department's supervision. The  
 205 plan must include, but need not be limited to, a description of  
 206 the skills of the child and a plan for learning additional  
 207 identified skills; the behavior that the child has exhibited  
 208 which indicates an ability to be responsible and a plan for  
 209 developing additional responsibilities, as appropriate; a plan  
 210 for future educational, vocational, and training skills; present  
 211 financial and budgeting capabilities and a plan for improving  
 212 resources and ability; a description of the proposed residence;  
 213 documentation that the child understands the specific  
 214 consequences of his or her conduct in the independent living  
 215 program; documentation of proposed services to be provided by  
 216 the department and other agencies, including the type of service  
 217 and the nature and frequency of contact; and a plan for  
 218 maintaining or developing relationships with the family, other  
 219 adults, friends, and the community, as appropriate.

220 4. Subsidy payments in an amount established by the  
 221 department may be made directly to a child under the direct  
 222 supervision of a caseworker or other responsible adult approved  
 223 by the department.

224  
 225 A young adult formerly in foster care who is 18 to 23 years of  
 226 age and has a physical, emotional, or learning disability shall  
 227 remain eligible for the services provided in this subsection.

228 (4) PARTICIPATION IN LIFE SKILLS ACTIVITIES.--In order to  
 229 assist older children in foster care who are,~~ages~~ 13 to 18  
 230 years of age and young adults formerly in foster care who are 18  
 231 to 23 years of age, with the transition to independent living as  
 232 adults, the program must provide them with opportunities to



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233 participate in and learn from life skills activities in their  
 234 foster families and communities which are reasonable and  
 235 appropriate for their developmental age. Such activities may  
 236 include, but are not limited to, managing money earned from a  
 237 job, taking driver's education, and participating in after-  
 238 school or extracurricular activities.

239 (a) To support these opportunities for participation in  
 240 developmentally age-appropriate life skills activities, the  
 241 department may:

242 1.(a) Develop, with children in the program and their  
 243 foster parents, a list of age-appropriate activities and  
 244 responsibilities to be presented to all children involved in  
 245 independent living transition services and their foster parents.

246 2.(b) Provide training for staff and foster parents which  
 247 addresses issues of older children in foster care and the  
 248 transition to adulthood, including supporting education and  
 249 employment and providing opportunities to participate in  
 250 appropriate daily activities.

251 3.(c) Develop procedures to maximize the authority of  
 252 foster parents to approve participation in age-appropriate  
 253 activities of children in their care.

254 4.(d) Provide opportunities for older children in foster  
 255 care to interact with mentors.

256 5.(e) Develop and implement procedures for older children  
 257 to directly access and manage the personal allowance they  
 258 receive from the department in order to learn responsibility and  
 259 participate in age-appropriate life skills activities to the  
 260 extent feasible.

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261 (b) No later than the first day of the calendar month  
 262 following a foster child's 17th birthday, the foster child shall  
 263 be provided with services and training to help the child develop  
 264 tangible skills for living independently, including, but not  
 265 limited to, assistance with developing community ties and with  
 266 setting up a household, educational support, and skills classes  
 267 in budgeting and employment training. Every 17-year-old foster  
 268 child shall have at least two staffings to ensure that the child  
 269 receives these services. Young adults formerly in foster care  
 270 who are 18 to 23 years of age are also eligible to receive these  
 271 services and training, including refresher skills classes as  
 272 needed.

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

280 (a) *Aftercare support services.*--

281 1. Aftercare support services include, but are not limited  
 282 to, ~~referrals to resources in the community for:~~

- 283 a. Mentoring and tutoring.
- 284 b. Mental health services and substance abuse counseling.
- 285 c. Life skills classes, including credit management and  
 286 preventive health activities.
- 287 d. Parenting classes.
- 288 e. Job skills training.

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290 The specific services to be provided under this subparagraph  
 291 shall be determined by an aftercare services assessment to be  
 292 performed on an expedited basis. Immediate temporary financial  
 293 assistance shall ~~may~~ be provided on an emergency basis to  
 294 prevent homelessness within the limitations defined by the  
 295 department.

296 2. A young adult 18 to 23 years of age who leaves foster  
 297 care during the 6 months prior to turning 18 years of age or at  
 298 18 years of age but who requests services prior to reaching 23  
 299 years of age is eligible for such services.

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

301 1. The Road-to-Independence Scholarship Program is  
 302 intended to help eligible students who are former foster  
 303 children in this state to receive the educational and vocational  
 304 training needed to achieve independence. The amount of the  
 305 scholarship award shall equal the earnings that the student  
 306 would have been eligible to earn working a 40-hour-a-week  
 307 federal minimum wage job, after considering other grants and  
 308 scholarships that are in excess of the educational institutions'  
 309 fees and costs, and contingent upon available funds. Students  
 310 eligible for the Road-to-Independence Scholarship Program may  
 311 also be eligible for educational fee waivers for workforce  
 312 development postsecondary programs, community colleges, and  
 313 universities, pursuant to s. 1009.25(2)(c).

314 2. A young adult 18 to 23 ~~24~~ years of age is eligible for  
 315 the initial scholarship award, and remains ~~a young adult under~~  
 316 ~~23 years of age~~ is eligible for renewal awards, if he or she:

317 a. Is or was a dependent child, pursuant to chapter 39,  
 318 and is living or has lived in licensed foster care or in

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319 subsidized independent living within 6 months prior to ~~at the~~  
 320 ~~time of~~ his or her 18th birthday;

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

323 c. Is a resident of this state as defined in s. 1009.40;  
 324 and

325 d. Meets one of the following qualifications:

326 (I) Has earned a ~~standard~~ high school diploma or its  
 327 equivalent as described in s. 1003.429, s. 1003.43, or s.  
 328 1003.435, and has been admitted for full-time enrollment in an  
 329 eligible postsecondary education institution as defined in s.  
 330 1009.533;

331 (II) Is enrolled full time and is attending ~~in~~ an  
 332 accredited high school, ~~is within 2 years of graduation, and has~~  
 333 ~~maintained a grade point average of at least 2.0 on a scale of~~  
 334 ~~4.0 for the two semesters preceding the date of his or her 18th~~  
 335 ~~birthday; or~~

336 (III) Is enrolled full time and is attending ~~in~~ an  
 337 accredited adult education program or high school equivalency  
 338 diploma program designed to provide the student with a high  
 339 school diploma or its equivalent, ~~is making satisfactory~~  
 340 ~~progress in that program as certified by the program, and is~~  
 341 ~~within 2 years of graduation.~~

342 3.a. The department must advertise the availability of the  
 343 scholarship program and must ensure that the children and young  
 344 adults leaving foster care, foster parents, and ~~or~~ family  
 345 services counselors are informed of the availability of the  
 346 program and the application procedures.

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347 b. A young adult may ~~must~~ apply for an ~~the~~ initial  
 348 scholarship award during the 6 months immediately preceding his  
 349 or her 18th birthday. A young adult who does not ~~fails to~~ make  
 350 an initial application at that time, but who otherwise meets the  
 351 criteria for an initial award, may make one application for an  
 352 ~~the~~ initial award if such application is made before the young  
 353 adult's 23rd ~~21st~~ birthday.

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

357 d. A scholarship ~~An~~ award shall be issued after ~~at the~~  
 358 ~~time~~ the eligible student reaches 18 years of age.

359 e. If the scholarship award recipient transfers from one  
 360 eligible institution to another and continues to meet  
 361 eligibility requirements, the award must be transferred with the  
 362 recipient.

363 f. Scholarship funds awarded to any eligible young adult  
 364 under this program are in addition to any other services  
 365 provided to the young adult by the department through its  
 366 independent living transition services.

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

371 h. Scholarship funds shall be terminated when the young  
 372 adult has attained a bachelor of arts or bachelor of science  
 373 degree, or equivalent undergraduate degree, or reaches 23 years  
 374 of age, whichever occurs earlier.

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375 i. The department shall evaluate and renew each  
376 scholarship award annually during the 90-day period before the  
377 young adult's birthday. In order to be eligible for a renewal  
378 award for the subsequent year, the young adult must meet the  
379 following requirements, depending on his or her educational  
380 program:

381 (I) For students pursuing a standard high school diploma,  
382 earn a grade point average of 2.0 on a 4.0 scale during the year  
383 in which the young adult has received the scholarship;

384 (II) For special education students, be in good standing  
385 in the educational program;

386 (III) For students in adult education or high school  
387 equivalency programs, make satisfactory progress as certified by  
388 the program; or

389 (IV)(I) For students in postsecondary educational  
390 institutions, complete at least 12 semester hours or the  
391 equivalent in the last academic year in which the young adult  
392 earned a scholarship, except for a young adult who meets the  
393 requirements of s. 1009.41 for part-time enrollment, and earn a  
394 grade point average of 2.0 on a 4.0 scale during the year in  
395 which the young adult has received the scholarship.

396 ~~(II) Maintain the cumulative grade point average required~~  
397 ~~by the scholarship program, except that, if the young adult's~~  
398 ~~grades are insufficient to renew the scholarship at any time~~  
399 ~~during the eligibility period, the young adult may restore~~  
400 ~~eligibility by improving the grade point average to the required~~  
401 ~~level.~~

402 j. If, at the end of the scholarship term, the young adult  
403 does not meet the academic requirements of sub-subparagraph i.,

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404 he or she shall receive a notice of noncompliance. The young  
 405 adult shall then be placed on probation for two grading periods  
 406 or 6 months, whichever is longer, to improve his or her academic  
 407 performance. At the end of the probationary period, if the young  
 408 adult's academic performance is still unsatisfactory, the young  
 409 adult shall become ineligible for the scholarship award until  
 410 such time as he or she meets the academic requirements.

411 k.j. Scholarship funds may be terminated during the  
 412 interim between an award and the evaluation for a renewal award  
 413 if the department determines that the award recipient is no  
 414 longer enrolled in an educational institution as defined in sub-  
 415 subparagraph 2.d., or is no longer a state resident. The  
 416 department shall notify a student who is terminated and inform  
 417 the student of his or her right to appeal.

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

426 m. A young adult who is eligible for a Road-to-  
 427 Independence Scholarship may, in lieu of the scholarship award,  
 428 choose to remain in foster care and continue to receive the  
 429 services of the foster care program for as long as the young  
 430 adult continues to qualify for the Road-to-Independence  
 431 Scholarship.

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432 ~~1. A young adult receiving continued services of the~~  
433 ~~foster care program under former s. 409.145(3) must transfer to~~  
434 ~~the scholarship program by July 1, 2003.~~

435 (c) *Transitional support services.*--

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

444 2. A young adult formerly in foster care is eligible to  
445 apply for transitional support services if he or she is 18 to 23  
446 years of age, was a dependent child pursuant to chapter 39, was  
447 living in licensed foster care or in subsidized independent  
448 living within the 6 months prior to, or at the time of, his or  
449 her 18th birthday, and had spent at least 6 months living in  
450 foster care ~~before that date.~~

451 3. If at any time the services are no longer critical to  
452 the young adult's own efforts to achieve self-sufficiency and to  
453 develop a personal support system, they shall be terminated.

454 (d) *Payment of aftercare, scholarship, or transitional*  
455 *support funds.*--Payment of aftercare, scholarship, or  
456 transitional support funds shall be made directly to the  
457 recipient unless the recipient requests that the payments or a  
458 portion of the payments be made directly to a licensed foster  
459 family or group care provider ~~with whom the recipient was~~  
460 ~~residing at the time of attaining the 18th birthday and with~~



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461 ~~whom the recipient desires to continue to reside.~~ If a young  
462 adult and the ~~former~~ foster parent agree that the young adult  
463 shall ~~continue to~~ live in the foster home while receiving  
464 aftercare, scholarship, or transitional support funds, the  
465 caregiver and the young adult shall enter into a rental  
466 agreement ~~establish written expectations for the young adult's~~  
467 ~~behavior and responsibilities.~~ The young adult who resides  
468 ~~continues~~ with a foster family shall not be included as a child  
469 in calculating any licensing restriction on the number of  
470 children in the foster home.

471 (e) Federal assistance.--In order to maximize federal  
472 assistance available to young adults formerly in foster care,  
473 the department shall, to the extent possible, take advantage of  
474 federal programs for such young adults. Based on the  
475 availability of funds, a young adult formerly in foster care who  
476 is eligible for aftercare support services, the Road-to-  
477 Independence Scholarship Program, or transitional support  
478 services is also eligible to receive Medicaid coverage. If a  
479 young adult formerly in foster care receives priority for  
480 Section 8 housing and wishes to apply for such federal housing,  
481 the department shall provide assistance in completing the  
482 application.

483 ~~(e) Appeals process.--~~

484 ~~1. The Department of Children and Family Services shall~~  
485 ~~adopt by rule a procedure by which a young adult may appeal an~~  
486 ~~eligibility determination or the department's failure to provide~~  
487 ~~aftercare, scholarship, or transitional support services if such~~  
488 ~~funds are available.~~

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489 ~~2. The procedure developed by the department must be~~  
 490 ~~readily available to young adults and must provide for an appeal~~  
 491 ~~to the Secretary of Children and Family Services. The decision~~  
 492 ~~of the secretary constitutes final agency action and is~~  
 493 ~~reviewable by the court as provided in s. 120.68.~~

494 (6) ACCOUNTABILITY.--The department shall develop outcome  
 495 measures for the program and other performance measures.

496 (7) INDEPENDENT LIVING SERVICES WORKGROUP.--The Secretary  
 497 of Children and Family Services shall establish the independent  
 498 living services workgroup, which, at a minimum, shall include  
 499 representatives from the Department of Children and Family  
 500 Services, the Agency for Workforce Innovation, the Department of  
 501 Education, the Agency for Health Care Administration, the State  
 502 Youth Advisory Board, Workforce Florida, Inc., the Statewide  
 503 Guardian Ad Litem Office, attorneys ad litem, and foster  
 504 parents. The workgroup shall assess the implementation and  
 505 operation of the system of independent living transition  
 506 services and advise the department on actions that would improve  
 507 the ability of the independent living transition services to  
 508 meet the established goals. The workgroup shall keep the  
 509 department informed of problems being experienced with the  
 510 services, barriers to the effective and efficient integration of  
 511 services and support across systems, and successes that the  
 512 system of independent living transition services has achieved.  
 513 The department shall consider, but is not required to implement,  
 514 the recommendations of the workgroup. For the 2002-2003 and  
 515 2003-2004 fiscal years, the workgroup shall report to the  
 516 appropriate substantive committees of the Senate and the House  
 517 of Representatives on the status of the implementation of the

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518 system of independent living transition services; efforts to  
 519 publicize the availability of aftercare support services, the  
 520 Road-to-Independence Scholarship Program, and transitional  
 521 support services; specific barriers to financial aid created by  
 522 the scholarship and possible solutions; the success of the  
 523 services; problems identified; recommendations for department or  
 524 legislative action; and the department's implementation of the  
 525 recommendations contained in the Independent Living Services  
 526 Integration Workgroup Report submitted to the Senate and the  
 527 House substantive committees December 31, 2002. This workgroup  
 528 report is to be submitted by December 31, 2003, and December 31,  
 529 2004, and shall be accompanied by a report from the department  
 530 which identifies the recommendations of the workgroup and either  
 531 describes the department's actions to implement these  
 532 recommendations or provides the department's rationale for not  
 533 implementing the recommendations.

534 (8) PERSONAL PROPERTY.--Property acquired on behalf of  
 535 clients of this program shall become the personal property of  
 536 the clients and is not subject to the requirements of chapter  
 537 273 relating to state-owned tangible personal property. Such  
 538 property continues to be subject to applicable federal laws.

539 (9) RULEMAKING.--

540 (a) The department shall adopt by rule procedures to  
 541 administer this section, including provision for the  
 542 proportional reduction of scholarship awards when adequate funds  
 543 are not available for all applicants. These rules shall balance  
 544 the goals of normalcy and safety for the youth and provide the  
 545 caregivers with as much flexibility as possible to enable the  
 546 youth to participate in normal life experiences. The department

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547 shall engage in appropriate planning to prevent, to the extent  
548 possible, a reduction in scholarship awards after issuance.

549 (b) The department shall adopt by rule procedures to  
550 ensure that the department reviews all applications in a timely  
551 manner and renders expeditious eligibility determinations to the  
552 youth. In cases in which a young adult formerly in foster care  
553 is homeless or at imminent risk of homelessness, the department  
554 shall process the young adult's application for benefits on an  
555 emergency basis and shall expedite the department's appeals  
556 process if the young adult's application is denied or services  
557 are terminated.

558 (c)1. The department shall adopt by rule a process by  
559 which a young adult formerly in foster care may appeal any  
560 adverse action or inaction, including, but not limited to,  
561 noneligibility determination, termination of services, or  
562 failure to provide services when funds are available.

563 2. The appeals process developed by the department must be  
564 readily available and easily accessible to young adults formerly  
565 in foster care and must provide for an appeal to the Secretary  
566 of Children and Family Services. The process must be simple in  
567 order to permit access by the young adult and must provide for a  
568 final decision to be rendered within an expeditious period of  
569 time after the young adult initiated the appeal. All notices of  
570 the department's adverse action or inaction, the young adult's  
571 right to appeal, and the available appeals process shall be  
572 timely conveyed to the young adult in writing in language that  
573 is easily understandable. The decision of the secretary  
574 constitutes final agency action and is reviewable as provided in  
575 s. 120.68.

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576 Section 4. Subsection (4) of section 409.903, Florida  
 577 Statutes, is amended to read:

578 409.903 Mandatory payments for eligible persons.--The  
 579 agency shall make payments for medical assistance and related  
 580 services on behalf of the following persons who the department,  
 581 or the Social Security Administration by contract with the  
 582 Department of Children and Family Services, determines to be  
 583 eligible, subject to the income, assets, and categorical  
 584 eligibility tests set forth in federal and state law. Payment on  
 585 behalf of these Medicaid eligible persons is subject to the  
 586 availability of moneys and any limitations established by the  
 587 General Appropriations Act or chapter 216.

588 (4) A child who is eligible under Title IV-E of the Social  
 589 Security Act for subsidized board payments, foster care, or  
 590 adoption subsidies, and a child for whom the state has assumed  
 591 temporary or permanent responsibility and who does not qualify  
 592 for Title IV-E assistance but is in foster care, shelter or  
 593 emergency shelter care, or subsidized adoption. This category  
 594 includes a child who was eligible under Title IV-E of the Social  
 595 Security Act for foster care or the state-provided foster care,  
 596 who exited foster care during the 6 months prior to turning 18  
 597 years of age or at due to attaining the age of 18 years of age,  
 598 and who has been awarded a Road-to-Independence Scholarship, and  
 599 also includes those young adults formerly in foster care  
 600 receiving transitional support services or aftercare support  
 601 services for the duration of those services.

602 Section 5. Paragraph (c) of subsection (2) of section  
 603 1009.25, Florida Statutes, is amended to read:

604 1009.25 Fee exemptions.--

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605 (2) The following students are exempt from the payment of  
606 tuition and fees, including lab fees, at a school district that  
607 provides postsecondary career and technical programs, community  
608 college, or state university:

609 (c) A student who is in foster care or subsidized  
610 independent living, or who exited foster care during the 6  
611 months prior to turning 18 years of age or at 18 years of age to  
612 ~~whom the state has awarded a Road to Independence Scholarship,~~  
613 or who is or was at the time he or she reached 18 years of age  
614 in the custody of a relative under s. 39.5085, or who is adopted  
615 from the Department of Children and Family Services after May 5,  
616 1997. Such exemption includes fees associated with enrollment in  
617 vocational-preparatory instruction and completion of the  
618 college-level communication and computation skills testing  
619 program. Such an exemption is available to any student who was  
620 in the custody of a relative under s. 39.5085 at the time he or  
621 she reached 18 years of age or was adopted from the Department  
622 of Children and Family Services after May 5, 1997; however, the  
623 exemption remains valid for no more than 4 years after the date  
624 of graduation from high school.

625 Section 6. This act shall take effect July 1, 2004.