

By Senator Campbell

32-201B-04

1                                   A bill to be entitled  
2           An act relating to independent living  
3           transition services; amending s. 409.1451,  
4           F.S.; requiring each district of the Department  
5           of Children and Family Services to identify  
6           adolescent foster children with developmental  
7           disabilities or special mental health needs and  
8           assist such youth in the transition to  
9           self-sufficiency; revising eligibility  
10          requirements for independent living transition  
11          services, participation in the  
12          Road-to-Independence Scholarship Program, and  
13          transitional support services; authorizing  
14          Medicaid coverage for youth who are eligible  
15          for transitional support services; providing an  
16          effective date.

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

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20           Section 1. Subsection (1), paragraph (a) of subsection  
21          (2), subsection (4), and paragraphs (b) and (c) of subsection  
22          (5) of section 409.1451, Florida Statutes, are amended to  
23          read:

24           409.1451 Independent living transition services.--

25           (1) SYSTEM OF SERVICES.--

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

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1           (b) The goals of independent living transition  
2 services are to assist older children in foster care and young  
3 adults who were formerly in foster care to obtain life skills  
4 and education for independent living and employment, to have a  
5 quality of life appropriate for their age, and to assume  
6 personal responsibility for becoming self-sufficient adults.

7           (c) Each Department of Children and Family Services  
8 district shall identify adolescent foster youth with  
9 developmental disabilities or special mental health needs. The  
10 department shall work with these foster youth to help them  
11 make the transition to self-sufficiency and shall assist the  
12 youth and young adults with reasonable accommodations for  
13 their disabilities. The department shall assist the youth with  
14 accessing support and funding from other sources, such as the  
15 department's Developmental Disabilities Office and the  
16 department's Mental Health Office. The department shall  
17 coordinate the independent living plan for a youth with the  
18 school's individual education plan for a child who is in a  
19 special education program. The department shall give special  
20 attention to 17-year-old foster children residing at  
21 residential treatment facilities, therapeutic foster homes, or  
22 other mental health placements who face a particularly  
23 difficult transition to living as adults in the community.

24           (d)~~(e)~~ State funds for foster care or federal funds  
25 shall be used to establish a continuum of services for  
26 eligible children in foster care and eligible young adults who  
27 were formerly in foster care which accomplish the goals for  
28 the independent living transition services and provide the  
29 service components for services for foster children, as  
30 provided in subsection (3), and services for young adults who  
31 were formerly in foster care, as provided in subsection (5).

1           ~~(e)(d)~~ For children in foster care, independent living  
2 transition services are not an alternative to adoption.  
3 Independent living transition services may occur concurrently  
4 with continued efforts to locate and achieve placement in  
5 adoptive families for older children in foster care.

6           (2) ELIGIBILITY.--

7           (a) The department shall serve children who are 13 to  
8 18 years of age and who are in foster care through the program  
9 component of services for foster children provided in  
10 subsection (3). The department shall also serve former foster  
11 youth who are 18 to 23 years of age and are in high school as  
12 a special education student, in a high school equivalency  
13 diploma program pursuant to s. 1003.435, or in an adult  
14 education program pursuant to s. 1004.93, through the program  
15 component of services for foster children provided in  
16 subsection (3).Children to be served must meet the  
17 eligibility requirements set forth for specific services as  
18 provided in this section and through department rule.

19           (4) PARTICIPATION IN LIFE SKILLS ACTIVITIES.--In order  
20 to assist older children in foster care, ages 13 to 18 years  
21 of age, and former foster youth with disabilities,with the  
22 transition to independent living as adults, the program must  
23 provide them with opportunities to participate in and learn  
24 from life skills activities in their foster families and  
25 communities which are reasonable and appropriate for their  
26 age. Such activities may include, but are not limited to,  
27 managing money earned from a job, taking driver's education,  
28 and participating in after-school or extracurricular  
29 activities. To support these opportunities for participation  
30 in age-appropriate life skills activities, the department may:

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

6           (b) Provide training for staff and foster parents  
7 which addresses issues of older children in foster care and  
8 the transition to adulthood, including supporting education  
9 and employment and providing opportunities to participate in  
10 appropriate daily activities.

11           (c) Develop procedures to maximize the authority of  
12 foster parents to approve participation in age-appropriate  
13 activities of children in their care.

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

16           (e) Develop and implement procedures for older  
17 children to directly access and manage the personal allowance  
18 they receive from the department in order to learn  
19 responsibility and participate in age-appropriate life skills  
20 activities to the extent feasible.

21           (5) PROGRAM COMPONENT OF SERVICES FOR YOUNG ADULTS  
22 FORMERLY IN FOSTER CARE.--Based on the availability of funds,  
23 the department shall provide or arrange for the following  
24 services to young adults formerly in foster care who meet the  
25 prescribed conditions and are determined eligible by the  
26 department. The categories of services available to assist a  
27 young adult formerly in foster care to achieve independence  
28 are:

29           (b) Road-to-Independence Scholarship Program.--

30           1. The Road-to-Independence Scholarship Program is  
31 intended to help eligible students who are former foster

1 children in this state to receive the educational and  
2 vocational training needed to achieve independence. The amount  
3 of the scholarship award shall equal the earnings that the  
4 student would have been eligible to earn working a  
5 40-hour-a-week federal minimum wage job, after considering  
6 other grants and scholarships that are in excess of the  
7 educational institutions' fees and costs, and contingent upon  
8 available funds. Students eligible for the  
9 Road-to-Independence Scholarship Program may also be eligible  
10 for educational fee waivers for workforce development  
11 postsecondary programs, community colleges, and universities,  
12 pursuant to s. 1009.25(2)(c).

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

16             a. Is or was a dependent child, pursuant to chapter  
17 39, and is living or has lived in licensed foster care or in  
18 subsidized independent living within 6 months prior to ~~at the~~  
19 ~~time of~~ his or her 18th birthday;

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

22             c. Is a resident of this state as defined in s.  
23 1009.40; and

24             d. Meets one of the following qualifications:

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

29                 (II) Is enrolled full time in an accredited high  
30 school, is within 2 years of graduation, and has maintained a  
31 grade point average of at least 2.0 on a scale of 4.0 for the

1 two semesters preceding the date of his or her 18th birthday  
2 or, in the case of a student in a special education program in  
3 an accredited high school, has met the minimum grade point  
4 average required by that program to graduate; or

5 (III) Is enrolled full time in an accredited adult  
6 education program or high school equivalency diploma program  
7 designed to provide the student with a high school diploma or  
8 its equivalent, is making satisfactory progress in that  
9 program as certified by the program, and is within 2 years of  
10 attaining a high school diploma or its equivalent graduation.

11 3.a. The department must advertise the availability of  
12 the scholarship program and must ensure that the children and  
13 young adults leaving foster care, foster parents, or family  
14 services counselors are informed of the availability of the  
15 program and the application procedures.

16 b. A young adult may ~~must~~ apply for an ~~the~~ initial  
17 scholarship award during the 6 months immediately preceding  
18 his or her 18th birthday. A young adult who does not ~~fails to~~  
19 make an initial application at that time, but who otherwise  
20 meets the criteria for an initial award, may make one  
21 application for an ~~the~~ initial scholarship award if the ~~such~~  
22 application is made before the young adult's 22nd ~~21st~~  
23 birthday.

24 c. If funding for the program is available, the  
25 department shall issue awards from the scholarship program for  
26 each young adult who meets all the requirements of the  
27 program.

28 d. An award shall be issued after ~~at the time~~ the  
29 eligible student reaches 18 years of age.

30 e. If the award recipient transfers from one eligible  
31 institution to another and continues to meet eligibility

1 requirements, the award must be transferred with the  
2 recipient.

3 f. Scholarship funds awarded to any eligible young  
4 adult under this program are in addition to any other services  
5 provided to the young adult by the department through its  
6 independent living transition services.

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

11 h. Scholarship funds shall be terminated when the  
12 young adult has attained a bachelor of arts or bachelor of  
13 science degree, or equivalent undergraduate degree, or reaches  
14 23 years of age, whichever occurs earlier.

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

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

23 (II) Maintain the cumulative grade point average  
24 required by the scholarship program, except that, if the young  
25 adult's grades are insufficient to renew the scholarship at  
26 any time during the eligibility period, the young adult may  
27 restore eligibility by improving the grade point average to  
28 the required level.

29 j. Scholarship funds may be terminated during the  
30 interim between an award and the evaluation for a renewal  
31 award if the department determines that the award recipient is

1 no longer enrolled in an educational institution as defined in  
2 sub-subparagraph 2.d., or is no longer a state resident. The  
3 department shall notify a student who is terminated and inform  
4 the student of his or her right to appeal.

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

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

21 (c) Transitional support services.--

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

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1           2. A young adult formerly in foster care is eligible  
2 to apply for transitional support services if he or she is 18  
3 to 23 years of age, was a dependent child pursuant to chapter  
4 39, was living in licensed foster care or in subsidized  
5 independent living within 6 months prior to ~~at the time of~~ his  
6 or her 18th birthday, or ~~and~~ had spent at least 6 months  
7 living in foster care before that date.

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

12           ~~4.3.~~ If at any time the services are no longer  
13 critical to the young adult's own efforts to achieve  
14 self-sufficiency and to develop a personal support system,  
15 they shall be terminated.

16           Section 2. This act shall take effect October 1, 2004.

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19           SENATE SUMMARY

20           Requires each district of the Department of Children and  
21           Family Services to identify those adolescent foster  
22           children with developmental disabilities or special  
23           mental health needs and to assist these youth in their  
24           transition to self-sufficiency. Revises the eligibility  
25           requirements for independent living transition services,  
26           participation in the Road-to-Independence Scholarship  
27           Program, and transitional support services. Authorizes  
28           Medicaid coverage for youth eligible for transitional  
29           support services through 23 years of age.  
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