

Bill No. CS for CS for SB 1314

Barcode 193756

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

.
.
.
.
.
.

The Committee on Health and Human Services Appropriations
(Rich) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsection (2) of section 39.013, Florida
Statutes, is amended to read:

39.013 Procedures and jurisdiction; right to
counsel.--

(2) The circuit court shall have exclusive original
jurisdiction of all proceedings under this chapter, of a child
voluntarily placed with a licensed child-caring agency, a
licensed child-placing agency, or the department, and of the
adoption of children whose parental rights have been
terminated under ~~pursuant to~~ this chapter. Jurisdiction
attaches when the initial shelter petition, dependency
petition, or termination of parental rights petition is filed
or when a child is taken into the custody of the department.

The circuit court may assume jurisdiction over any such

Bill No. CS for CS for SB 1314

Barcode 193756

1 proceeding regardless of whether the child was in the physical
2 custody of both parents, was in the sole legal or physical
3 custody of only one parent, caregiver, or some other person,
4 or was in the physical or legal custody of no person when the
5 event or condition occurred that brought the child to the
6 attention of the court. When the court obtains jurisdiction of
7 any child who has been found to be dependent, the court shall
8 retain jurisdiction, unless relinquished by its order, until
9 the child reaches 18 years of age. However, if a youth
10 petitions the court at any time before his or her 19th
11 birthday requesting the court's continued jurisdiction, the
12 juvenile court may retain jurisdiction under this chapter for
13 a period not to exceed 1 year following the youth's 18th
14 birthday for the purpose of determining whether appropriate
15 aftercare support, Road-to-Independence Scholarship,
16 transitional support, mental health, and developmental
17 disability services, to the extent otherwise authorized by
18 law, have been provided to the formerly dependent child who
19 was in the legal custody of the department immediately before
20 his or her 18th birthday or to meet any requirement of federal
21 law with respect to the court's ongoing jurisdiction pending
22 the Federal Government's issuance of a Special Immigrant
23 Juvenile Visa to a child who was formerly a dependent child. A
24 judicial review hearing is not required under this subsection
25 unless requested by the formerly dependent child or upon the
26 court's own motion for cause.

27 Section 2. Paragraph (a) of subsection (6) of section
28 39.701, Florida Statutes, is amended to read:

29 39.701 Judicial review.--

30 (6)(a) In addition to ~~the provisions of~~ paragraphs
31 (1)(a) and (2)(a), the court shall hold a judicial review

Bill No. CS for CS for SB 1314

Barcode 193756

1 hearing within 90 days after a youth's 17th birthday and shall
2 continue to hold timely judicial review hearings. In addition,
3 the court may review the status of the child more frequently
4 during the year prior to the youth's 18th birthday if
5 necessary. At each review held under ~~pursuant to~~ this
6 subsection, in addition to any information or report provided
7 to the court, the foster parent, legal custodian, guardian ad
8 litem, and the child shall be given the opportunity to address
9 the court with any information relevant to the child's best
10 interests, particularly as it relates to ~~the provision of~~
11 independent living transition services. In addition to any
12 information or report provided to the court, the department
13 shall include in its judicial review social study report
14 written verification that the child:

15 1. Has been provided with a current Medicaid card and
16 has been provided all necessary information concerning the
17 Medicaid program sufficient to prepare the youth to apply for
18 coverage upon reaching age 18, if such application would be
19 appropriate.

20 2. Has been provided with a certified copy of his or
21 her birth certificate and, if the child does not have a valid
22 driver's license, a Florida identification card issued under
23 ~~pursuant to~~ s. 322.051.

24 3. Has been provided information relating to Social
25 Security Insurance benefits if the child is eligible for these
26 ~~such~~ benefits. If the child has received these benefits and
27 they are being held in trust for the child, a full accounting
28 of those funds must ~~shall~~ be provided and the child must be
29 informed about how to access those funds.

30 4. Has been provided with information and training
31 related to budgeting skills, interviewing skills, and

Bill No. CS for CS for SB 1314

Barcode 193756

1 parenting skills.

2 5. Has been provided with all relevant information
3 related to the Road-to-Independence Scholarship, including,
4 but not limited to, eligibility requirements, forms necessary
5 to apply, and assistance in completing the forms. The child
6 shall also be informed that, if he or she is eligible for the
7 Road-to-Independence Scholarship Program, he or she may reside
8 with the licensed foster family or group care provider with
9 whom the child was residing at the time of attaining his or
10 her 18th birthday or may reside in another licensed foster
11 home or with a group care provider arranged by the department.

12 6. Has an open bank account, or has identification
13 necessary to open ~~such~~ an account, and has been provided with
14 essential banking skills.

15 7. Has been provided with information on public
16 assistance and how to apply.

17 8. Has been provided a clear understanding of where he
18 or she will be living on his or her 18th birthday, how living
19 expenses will be paid, and what educational program or school
20 he or she will be enrolled in.

21 9. Has been provided with notice of the youth's right
22 to petition for the court's continuing jurisdiction for 1 year
23 after the youth's 18th birthday as specified in s. 39.013(2)
24 and with information on how to obtain access to the court.

25 Section 3. The Independent Living Services Advisory
26 Council shall conduct a study to determine the most effective
27 way to address the health insurance needs of young adults who
28 are in the Independent Living Program of the Department of
29 Children and Family Services once the young adults are no
30 longer eligible for the Florida KidCare program. The
31 department and the Agency for Health Care Administration shall

Bill No. CS for CS for SB 1314

Barcode 193756

1 assist the advisory council in conducting the study. The
2 advisory council shall provide a report containing
3 recommendations to the Legislature by January 2, 2006.

4 Section 4. The Office of Program Policy Analysis and
5 Government Accountability, in consultation with the Statewide
6 Guardian Ad Litem Office, shall conduct a study to determine
7 the effect the appointment of a guardian ad litem has on the
8 ability of young adults who were formerly in the foster care
9 system to obtain life skills and education for independent
10 living and employment, to have a quality of life appropriate
11 for their age, and to assume personal responsibility for
12 becoming self-sufficient adults. The study shall be conducted
13 with input from the key stakeholders in the independent living
14 transition service system and the guardian ad litem program.
15 The results of the study and recommendations related to the
16 relationship between the involvement of a guardian ad litem
17 and future success realized by young adults formerly in foster
18 care, shall be provided to the Governor, the President of the
19 Senate, and the Speaker of the House of Representatives on or
20 before December 15, 2005.

21 Section 5. This act shall take effect July 1, 2005.

22
23

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

25 And the title is amended as follows:

26 Delete everything before the enacting clause

27

28 and insert:

29 A bill to be entitled

30 An act relating to independent living; amending

31 s. 39.013, F.S.; authorizing a child in foster

Bill No. CS for CS for SB 1314

Barcode 193756

1 care to petition the court to retain
2 jurisdiction of his or her case; limiting the
3 court's continued jurisdiction to 1 year after
4 the child's 18th birthday; identifying the
5 issues to be considered by the court during its
6 continued jurisdiction; providing that a
7 judicial review hearing is not required;
8 providing an exception; amending s. 39.701,
9 F.S.; requiring the Department of Children and
10 Family Services to include in its judicial
11 review study report verification that the child
12 has been provided with certain information
13 about the Road-to-Independence Scholarship
14 Program and with notice of the child's right to
15 petition the court for continuing jurisdiction;
16 requiring that the Independent Living Services
17 Advisory Council study the most effective way
18 of providing health insurance for young adults
19 in the program for independent living who are
20 not eligible for the Florida KidCare program;
21 requiring the council to report its
22 recommendations to the Legislature; requiring
23 the Office of Program Policy Analysis and
24 Government Accountability to conduct a study to
25 determine the effect the appointment of a
26 guardian ad litem has on the ability of young
27 adults who were formerly in the foster care
28 system; providing for issues to be studied;
29 requiring that a report be prepared and
30 presented to the Governor and the Legislature
31 by a specified date; providing an effective

Bill No. CS for CS for SB 1314

Barcode 193756

1 date.
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31