

1 training vouchers be dispersed in compliance
2 with federal law and regulations; revising
3 eligibility criteria for educational and
4 training vouchers; providing that the value of
5 a voucher may be disregarded for purposes of
6 determining the eligibility of the recipient
7 for, or the amount of, any other federal or
8 federally-supported assistance; requiring the
9 department to advertise the Educational and
10 Training Voucher Program to certain specified
11 individuals; providing that the size of the
12 voucher grant is based on the individualized
13 needs of the applicant and the availability of
14 funding; requiring that payments for
15 educational and training vouchers be made
16 directly to the recipient by direct deposit;
17 providing exceptions; requiring the department
18 to evaluate the efficiency and
19 cost-effectiveness of contracting the
20 Educational and Training Voucher Program to an
21 independent entity with expertise in the
22 delivery and management of this service;
23 prohibiting reduced costs from being the sole
24 factor used when determining if better service
25 can be provided by an independent entity;
26 requiring the evaluation of efficiency and
27 effectiveness to be completed by December 31,
28 2006; requiring the department or
29 community-based care provider to work with the
30 young adult to develop a transitional plan for
31 the young adult; providing for contents of the

1 plan; providing that the young adult may appeal
2 the plan in order to resolve any disagreement;
3 authorizing the community-based care lead
4 agency to purchase certain services for the
5 young adult to ensure the availability and
6 affordability of specific transitional services
7 in lieu of receiving a payment; requiring the
8 lead agency to justify the purchases; requiring
9 the department to approve the purchase plan;
10 providing for accountability and oversight of
11 the program; requiring the department to
12 provide administrative support to the
13 Independent Living Advisory Council;
14 authorizing the department to contract with a
15 qualified nonprofit entity to coordinate and
16 manage all services and to disburse all funds
17 used to provide the services needed by young
18 adults; prohibiting the independent entity from
19 directly providing services unless the selected
20 entity is providing the service on a specified
21 date; directing the entity to contract with a
22 community-based care lead agency or local
23 providers having specific skills and experience
24 in providing direct services; amending s.
25 409.903, F.S.; providing that young adults
26 receiving independent living transition
27 services are eligible for Medicaid services;
28 amending s. 1009.25, F.S.; providing that young
29 adults in the Educational and Training Voucher
30 program are exempt from paying tuition and
31 fees; providing an effective date.

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

2

3 Section 1. Section 409.1451, Florida Statutes, is
4 amended to read:

5 409.1451 Independent living transition services.--

6 (1) SYSTEM OF SERVICES.--

7 (a) The Department of Children and Family Services,
8 its agents, or community-based providers operating under
9 ~~pursuant to~~ s. 409.1671 shall administer a system of
10 independent living transition services to enable older
11 children in foster care and young adults who exit foster care
12 at age 18 to make the transition to self-sufficiency as
13 adults.

14 (b) The goals of independent living transition
15 services are to assist older children in foster care and young
16 adults who were formerly in foster care to obtain life skills
17 and education for independent living and employment, to have a
18 quality of life appropriate for their age, and to assume
19 personal responsibility for becoming self-sufficient adults.

20 (c) State funds for foster care or federal funds shall
21 be used to establish a continuum of services for eligible
22 children in foster care and eligible young adults who were
23 formerly in foster care which accomplish the goals for the
24 system of independent living transition services by providing
25 services for foster children, under ~~pursuant to~~ subsection
26 (4), and services for young adults who were formerly in foster
27 care, pursuant to subsection (5).

28 (d) For children in foster care, independent living
29 transition services are not an alternative to adoption.
30 Independent living transition services may occur concurrently
31

1 with continued efforts to locate and achieve placement in
2 adoptive families for older children in foster care.

3 (2) ELIGIBILITY.--

4 (a) The department shall serve children who have
5 reached 13 years of age but are not yet 18 years of age and
6 who are in foster care by providing services under ~~pursuant to~~
7 subsection (4). Children to be served must meet the
8 eligibility requirements set forth for specific services as
9 provided in this section.

10 (b) The department shall serve young adults who have
11 reached 18 years of age but are not yet 23 years of age and
12 who were in foster care when they turned 18 years of age or
13 were placed with a court-approved nonrelative or guardian
14 after turning age 16 with a minimum of 6 months in foster care
15 by providing services under ~~pursuant to~~ subsection (5). Young
16 adults to be served must meet the eligibility requirements set
17 forth for specific services in this section.

18 (3) PREPARATION FOR INDEPENDENT LIVING.--

19 (a) It is the intent of the Legislature for the
20 Department of Children and Family Services to assist older
21 children in foster care and young adults who exit foster care
22 at age 18 in making the transition to independent living and
23 self-sufficiency as adults. The department shall provide such
24 children and young adults with opportunities to participate in
25 life skills activities in their foster families and
26 communities which are reasonable and appropriate for their
27 respective ages, as well as their special needs, and shall
28 provide them with services to build life ~~the~~ skills and
29 increase their ability to live independently and become
30 self-sufficient. To support the provision of opportunities for
31

1 participation in age-appropriate life skills activities, the
2 department shall:

3 1. Develop a list of age-appropriate activities and
4 responsibilities to be offered to all children involved in
5 independent living transition services and their foster
6 parents.

7 2. Provide training for staff and foster parents to
8 address the issues of older children in foster care in
9 transitioning to adulthood, which shall include information
10 concerning grant applications, vocational opportunities, ~~on~~
11 supporting education and employment, and ~~providing~~
12 opportunities to participate in appropriate daily activities.

13 3. Develop procedures to maximize the authority of
14 foster parents to approve participation in age-appropriate
15 activities of children in their care. The authority of foster
16 parents and caregivers to approve participation in
17 age-appropriate activities must be incorporated into a written
18 plan. The foster parent or caregiver, the foster child, and
19 the case manager shall prepare the plan together. The plan
20 must include specific goals and objectives for the child and
21 be based on the needs, abilities, and interests of the child.
22 The plan shall be reviewed and, if appropriate, revised each
23 quarter.

24 4. Provide opportunities for older children in foster
25 care to interact with mentors.

26 5. Develop and implement procedures for older children
27 to directly access and manage the personal allowance they
28 receive from the department in order to learn responsibility
29 and participate in age-appropriate life skills activities to
30 the extent feasible.

31

1 6. Make a good-faith effort to fully explain the
2 substance of a document, report, form, or other record,
3 whether written or electronic, which is presented to a child
4 under this chapter before asking the child to sign the
5 document, if the child's signature is required. The good-faith
6 effort must allow for the child to ask appropriate questions
7 so that he or she may fully understand the content of the
8 document. It is the responsibility of the person preparing and
9 presenting the document to the child to comply with this
10 subparagraph.

11 (b) It is further the intent of the Legislature that
12 each child in foster care, his or her foster parents, if
13 applicable, and the department or community-based provider set
14 early achievement and career goals for the child's
15 postsecondary educational and work experience. The department
16 and community-based providers shall implement the model set
17 forth in this paragraph to help ensure that children in foster
18 care are ready for postsecondary education and the workplace.

19 1. For a child ~~Children~~ in foster care, upon reaching
20 his or her 13th birthday ~~entering the 9th grade, the their~~
21 ~~foster parents,~~ and the department or community-based provider
22 shall be active participants in planning and executing an
23 educational and career path for the child ~~choosing a post high~~
24 ~~school goal~~ based upon ~~both~~ the abilities and interests of the
25 ~~each~~ child. The path goal shall be reevaluated at least once
26 each year and must include a review of the academic
27 improvement plan of the child, as required by s. 1008.25; the
28 individual educational plan, if applicable; and the report
29 card or student portfolio. The path must accommodate the needs
30 of children served in exceptional education programs to the
31 extent appropriate for each individual. Such children may

1 continue to follow the courses outlined in the district school
2 board student progression plan. Children in foster care, with
3 the assistance of their foster parents, and the department or
4 community-based provider shall choose one of the following
5 postsecondary ~~paths goals~~:

6 a. Attending a 4-year college or university, a
7 community college plus university, or a military academy;

8 b. Receiving a 2-year postsecondary degree;

9 c. Attaining a postsecondary career and technical
10 certificate or credential; or

11 d. Beginning immediate employment, including an
12 apprenticeship, after completion of a high school diploma or
13 its equivalent, or enlisting in the military.

14 2. In order to assist the child in foster care in
15 following ~~achieving~~ his or her chosen path goal, the
16 department or community-based provider shall, with the
17 participation of the child and foster parents, identify:

18 a. The core courses necessary to qualify for a chosen
19 path goal.

20 b. Any elective courses ~~that which~~ would provide
21 additional help in following ~~reaching~~ a chosen path goal.

22 c. The grade point requirement and any additional
23 information necessary to achieve a specific goal.

24 d. A teacher, other school staff member, employee of
25 the department or community-based care provider, or community
26 volunteer who would be willing to work with the child as an
27 academic advocate or mentor if foster parent involvement is
28 insufficient or unavailable.

29 3. In order to complement educational ~~paths goals~~, the
30 department and community-based providers are encouraged to
31 form partnerships with the business community to support

1 internships, apprenticeships, or other work-related
2 opportunities.

3 4. The department and community-based providers shall
4 ensure that children in foster care and their foster parents
5 are made aware of the postsecondary paths ~~goals~~ available and
6 shall assist in identifying the coursework necessary to enable
7 each ~~the~~ child to reach the chosen path ~~goal~~.

8 (c) All children in foster care and young adults
9 formerly in foster care are encouraged to take part in
10 learning opportunities that result from participation in
11 community service activities.

12 (d) Children in foster care and young adults formerly
13 in foster care shall be provided with the opportunity to
14 change from one postsecondary path ~~goal~~ to another, and each
15 postsecondary path ~~goal~~ shall allow for changes in each
16 individual's needs and preferences. Any change, particularly a
17 change that will result in additional time required to achieve
18 a goal, shall be made with the guidance and assistance of the
19 department or community-based provider.

20 (4) SERVICES FOR CHILDREN IN FOSTER CARE.--The
21 department shall provide the following transition to
22 independence services to children in foster care who meet
23 prescribed conditions and are determined eligible by the
24 department. The service categories available to children in
25 foster care which facilitate successful transition into
26 adulthood are:

27 (a) Preindependent living services.--

28 1. Preindependent living services include, but are not
29 limited to, life skills training, educational field trips, and
30 conferences. The specific services to be provided to a child
31 shall be determined using a preindependent living assessment.

1 2. A child who has reached 13 years of age but is not
2 yet 15 years of age who is in foster care is eligible for
3 these ~~such~~ services.

4 3. The department shall conduct an annual staffing for
5 each child who has reached 13 years of age but is not yet 15
6 years of age to ensure that the preindependent living training
7 and services to be provided as determined by the
8 preindependent living assessment are being received and to
9 evaluate the progress of the child in developing the needed
10 independent living skills.

11 4. At the first annual staffing that occurs following
12 a child's 14th birthday, and at each subsequent staffing, the
13 department, the child, and, to the greatest extent possible,
14 the child's foster parent or caregiver shall review the
15 child's academic improvement plan, individual educational
16 plan, if applicable, and report card or student portfolio, and
17 provide to each child detailed and personalized information on
18 services provided by the Educational and Training Vouchers
19 ~~Road to Independence Scholarship~~ Program, including
20 requirements for eligibility; on other grants, scholarships,
21 and waivers that are available and should be sought by the
22 child with assistance from the department, including, but not
23 limited to, the Bright Futures Scholarship Program, as
24 provided in ss. 1009.53-1009.538; on application deadlines;
25 and on grade requirements for such programs.

26 5. Information related to both the preindependent
27 living assessment and all staffings, which shall be reduced to
28 writing and signed by the child participant, shall be included
29 as a part of the written report required to be provided to the
30 court at each judicial review held under ~~pursuant to~~ s.
31 39.701.

1 (b) Life skills services.--

2 1. Life skills services may include, but are not
3 limited to, independent living skills training, including
4 training to develop banking and budgeting skills, interviewing
5 skills, parenting skills, educational support, employment
6 training, and counseling. Children receiving these services
7 should also be provided with information related to social
8 security insurance benefits and public assistance. The
9 specific services to be provided to a child shall be
10 determined using an independent life skills assessment.

11 2. A child who has reached 15 years of age but is not
12 yet 18 years of age who is in foster care is eligible for
13 these ~~such~~ services.

14 3. The department shall conduct a staffing at least
15 once every 6 months for each child who has reached 15 years of
16 age but is not yet 18 years of age to ensure that the
17 appropriate independent living training and services as
18 determined by the independent life skills assessment are being
19 received and to evaluate the progress of the child in
20 developing the needed independent living skills.

21 4. The department shall provide to each child in
22 foster care during the calendar month following the child's
23 17th birthday an independent living assessment to determine
24 the child's skills and abilities to live independently and
25 become self-sufficient. Based on the results of the
26 independent living assessment, services and training shall be
27 provided in order for the child to develop the necessary
28 skills and abilities before ~~prior to~~ the child's 18th
29 birthday.

30 5. Information related to both the independent life
31 skills assessment and all staffings, which shall be reduced to

1 writing and signed by the child participant, shall be included
2 as a part of the written report required to be provided to the
3 court at each judicial review held under ~~pursuant to~~ s.
4 39.701.

5 (c) Subsidized independent living services.--

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

10 2. A child who has reached 16 years of age but is not
11 yet 18 years of age is eligible for such services if he or
12 she:

13 a. Is adjudicated dependent under chapter 39; has been
14 placed in licensed out-of-home care for at least 6 months
15 prior to entering subsidized independent living; and has a
16 permanency goal of adoption, independent living, or long-term
17 licensed care; and

18 b. Is able to demonstrate independent living skills,
19 as determined by the department, using established procedures
20 and assessments.

21 3. Independent living arrangements established for a
22 child must be part of an overall plan leading to the total
23 independence of the child from the department's supervision.
24 The plan must include, but need not be limited to, a
25 description of the skills of the child and a plan for learning
26 additional identified skills; the behavior that the child has
27 exhibited which indicates an ability to be responsible and a
28 plan for developing additional responsibilities, as
29 appropriate; a plan for future educational, vocational, and
30 training skills; present financial and budgeting capabilities
31 and a plan for improving resources and ability; a description

1 of the proposed residence; documentation that the child
2 understands the specific consequences of his or her conduct in
3 the independent living program; documentation of proposed
4 services to be provided by the department and other agencies,
5 including the type of service and the nature and frequency of
6 contact; and a plan for maintaining or developing
7 relationships with the family, other adults, friends, and the
8 community, as appropriate.

9 4. Subsidy payments in an amount established by the
10 department may be made directly to a child under the direct
11 supervision of a caseworker or other responsible adult
12 approved by the department.

13 (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER
14 CARE.--It is the intent of the Legislature that no young adult
15 turning 18 years of age while in foster care should need to
16 worry about where he or she will live or how he or she will
17 eat. This subsection establishes a framework that is intended
18 to support the basic principles of providing each child
19 leaving foster care due to age an opportunity to have a place
20 to stay and food to eat. Additionally, every child in foster
21 care shall have the opportunity to complete high school,
22 attend postsecondary or vocational training, and find a job as
23 he or she moves from foster care to complete independence. The
24 following services of aftercare, educational and training
25 vouchers, and transitional services are established to achieve
26 these principles to the fullest extent possible beginning in
27 the 2007-2008 fiscal year. Based on the availability of funds,
28 the department shall provide or arrange for the following
29 services to young adults formerly in foster care who meet the
30 prescribed conditions and are determined eligible by the
31 department. The department, or the community-based care lead

1 agency if the lead agency is contracted to perform the needed
2 services, shall develop a plan to implement the services
3 described in this subsection during each fiscal year. The
4 plan shall be developed for each area of the state providing
5 community-based care. This plan must be completed and
6 submitted no later than April 1 of each year and approved by
7 the department no later than June 1 or within 60 days after
8 its submission. If the department fails to act within the
9 allotted timeframes, it is presumed that the plan is approved.
10 The department shall deliver a copy of the approved plan to
11 the Independent Living Services Advisory Council within 10
12 business days after the plan is approved. Each plan must, at a
13 minimum, include the number of young adults to be served each
14 month, the number of staff and all related costs required to
15 administer the services and program, the expenditures to be
16 paid to or on behalf of the eligible recipients, and the cost
17 of services to be provided to the young adults through an
18 approved plan for housing, education, transportation, and
19 employment. The categories of services available to assist a
20 young adult formerly in foster care to achieve independence
21 are:

22 (a) Aftercare support services.--

23 1. Aftercare support services are available to assist
24 young adults who were formerly in foster care in their efforts
25 to continue to develop the skills and abilities necessary for
26 independent living. The aftercare support services available
27 include, but are not limited to, the following:

28 a. Mentoring and tutoring.

29 b. Mental health services and substance abuse
30 counseling.

31

1 c. Life skills classes, including credit management
2 and preventive health activities.

3 d. Parenting classes.

4 e. Job or career skills training.

5 f. Counselor consultations.

6 g. Temporary financial assistance.

7 h. Banking and budgeting skills.

8
9 The specific services to be provided under this subparagraph
10 shall be determined by an aftercare services assessment and
11 may be provided by the department or through referrals in the
12 community. A young adult opening a bank account at a financial
13 institution in this state satisfies the requirements of this
14 subparagraph if, when opening the account, he or she receives
15 instruction on how to maintain the account, including the fee
16 structure of that institution, and established direct deposit
17 or a written waiver under sub-subparagraph (b)5.k.

18 2. Temporary assistance provided to prevent
19 homelessness shall be provided as expeditiously as possible
20 ~~and within the limitations defined by the department.~~
21 Assistance shall be limited according to the funds that are
22 available.

23 ~~3.2.~~ A young adult who has reached 18 years of age but
24 is not yet 23 years of age who leaves foster care at 18 years
25 of age but who requests services before ~~prior to~~ reaching 23
26 years of age is eligible for such services.

27 (b) Educational and Training Vouchers
28 ~~Road to Independence Scholarship~~ Program.--Federal funds
29 received under the John H. Chaffee Foster Care Independence
30 Program for educational and training vouchers for young adults
31

1 formerly in foster care must be used in compliance with the
2 federal requirements set forth in 42 U.S.C. s. 677.

3 1. The Educational and Training Voucher
4 ~~Road to Independence Scholarship~~ Program is intended to help
5 eligible students who are former foster children in this state
6 to receive the educational and vocational training needed to
7 achieve independence. The amount of the voucher award shall be
8 based on the living and educational needs of the young adult
9 ~~and may be up to, but may not exceed, the amount of earnings~~
10 ~~that the student would have been eligible to earn working a~~
11 ~~40 hour a week federal minimum wage job.~~

12 2. A youth in foster care or a young adult who has a
13 high school diploma or its equivalent reached 18 years of age
14 but is not yet 21 years of age is eligible for the initial
15 voucher award, and a young adult participating in the voucher
16 program on the date he or she becomes 21 years of age may
17 remain eligible for renewal vouchers until he or she reaches
18 the age of under 23 years of age is eligible for renewal
19 awards, if he or she:

20 a. Was a dependent child, under chapter 39, and was
21 living in licensed out-of-home foster care or in subsidized
22 independent living at the time of his or her 18th birthday; is
23 currently in licensed foster care or subsidized independent
24 living; was adopted from foster care after reaching the age of
25 16 years; or, after spending 6 months in the custody of the
26 department after reaching the age of 16 years, was placed in a
27 guardianship by the court;

28 b. Spent at least 6 months living in foster care
29 before reaching his or her 18th birthday or before obtaining
30 his or her high school diploma or its equivalent;

31

1 c. Is a resident of this state as defined in s.
2 1009.40; and

3 ~~d. Meets one of the following qualifications:~~

4 d.(I) Has earned a standard high school diploma or its
5 equivalent as described in s. 1003.43 or s. 1003.435, or has
6 earned a special diploma or special certificate of completion
7 as described in s. 1003.438, and has been admitted for
8 part-time or full-time enrollment in an eligible postsecondary
9 education institution as defined in s. 1009.533.~~+~~

10 ~~(II) Is enrolled full time in an accredited high~~
11 ~~school; or~~

12 ~~(III) Is enrolled full time in an accredited adult~~
13 ~~education program designed to provide the student with a high~~
14 ~~school diploma or its equivalent.~~

15 3. A young adult applying for an Educational and
16 Training Voucher ~~a Road to Independence Scholarship~~ must apply
17 for any other grants and scholarships for which he or she may
18 qualify. The department shall assist the young adult in the
19 application process ~~and may use the federal financial aid~~
20 ~~grant process to determine the funding needs of the young~~
21 ~~adult.~~

22 4. A voucher is ~~The amount of the award, whether it is~~
23 ~~being used by a young adult working toward completion of a~~
24 ~~high school diploma or its equivalent or working toward~~
25 ~~completion of a postsecondary education program, shall be~~
26 ~~determined based on an assessment of the funding needs of the~~
27 ~~young adult. This assessment must consider the young adult's~~
28 ~~living and educational costs and other grants, scholarships,~~
29 ~~waivers, earnings, and other income to be received by the~~
30 ~~young adult. An award shall be available only to a young adult~~
31 ~~who is considered a full-time student or its equivalent by the~~

1 educational institution, unless the young adult is employed,
2 has a recognized disability preventing full-time attendance,
3 or practices a vocation the extent that other grants and
4 scholarships are not sufficient to meet the living and
5 educational needs of the young adult, but an award may not be
6 less than \$25 in order to maintain Medicaid eligibility for
7 the young adult as provided in s. 409.903. The amount of a
8 voucher may be disregarded for purposes of determining the
9 eligibility of the recipient for, or the amount of, any other
10 federal or federally-supported assistance.

11 5.a. The department must advertise the availability of
12 the educational and training vouchers, criteria for obtaining
13 vouchers, and application procedures to:

14 (I) Children and young adults in, leaving, or formerly
15 in foster care;

16 (II) Case managers;

17 (III) Guidance and family services counselors; and

18 (IV) Principals or other relevant school

19 administrators availability of the program and must ensure
20 that the children and young adults leaving foster care, foster
21 parents, or family services counselors are informed of the
22 availability of the program and the application procedures.

23 b. ~~A young adult must apply for the initial award~~
24 ~~during the 6 months immediately preceding his or her 18th~~
25 ~~birthday, and the department shall provide assistance with the~~
26 ~~application process. A young adult who fails to make an~~
27 ~~initial application, but who otherwise meets the criteria for~~
28 ~~an initial award, may make one application for the initial~~
29 ~~award if the application is made before the young adult's 21st~~
30 ~~birthday. If the young adult does not apply for an initial~~
31 ~~award before his or her 18th birthday, the department shall~~

1 ~~inform that young adult of the opportunity to apply before~~
2 ~~turning 21 years of age.~~

3 ~~b.e.~~ If funding for the program is available, The
4 department shall issue vouchers ~~awards~~ from the ~~scholarship~~
5 program for each young adult who meets all the requirements of
6 the program to the extent that funds are available.

7 ~~c.d.~~ A voucher ~~An award~~ shall be issued at the time
8 the eligible young adult ~~student~~ reaches 18 years of age or
9 immediately after he or she is determined to have achieved a
10 high school diploma or its equivalent and meets all of the
11 eligibility criteria.

12 ~~d.e.~~ A young adult who is eligible for the Educational
13 and Training Voucher Road to Independence Program or
14 transitional or aftercare services and who so desires shall be
15 allowed to reside with the licensed foster family or group
16 care provider with whom he or she was residing at the time of
17 attaining his or her 18th birthday or to reside in another
18 licensed foster home or with a group care provider arranged by
19 the department.

20 ~~e.f.~~ If the voucher ~~award~~ recipient transfers from one
21 eligible institution to another and continues to meet
22 eligibility requirements, the voucher ~~award~~ must be
23 transferred with the recipient.

24 ~~f.g.~~ Educational and Training Voucher Program vouchers
25 ~~Scholarship funds~~ awarded to any eligible young adult under
26 this program are in addition to any other services or funds
27 provided to the young adult by the department through its
28 transitional or aftercare ~~its independent living transition~~
29 services.

30 ~~h.~~ ~~The department shall provide information concerning~~
31 ~~young adults receiving the Road to Independence Scholarship to~~

1 ~~the Department of Education for inclusion in the student~~
2 ~~financial assistance database, as provided in s. 1009.94.~~

3 g.i. Educational and Training Voucher Program

4 ~~Scholarship~~ funds are intended to help eligible young adults
5 ~~students~~ who are former foster children in this state to
6 receive the educational and vocational training needed to
7 become independent and self-supporting. The funds shall be
8 terminated when the young adult has attained one of four
9 postsecondary goals under subsection (3) or reaches 23 years
10 of age, whichever occurs earlier. In order to initiate
11 postsecondary education, to allow for a change in career goal,
12 or to obtain additional skills in the same educational or
13 vocational area, a young adult may earn no more than two
14 diplomas, certificates, or credentials. A young adult
15 attaining an associate of arts or associate of science degree
16 shall be permitted to work toward completion of a bachelor of
17 arts or a bachelor of science degree or an equivalent
18 undergraduate degree. Funds from the Educational and Training
19 Voucher Program ~~Road to Independence Scholarship funds~~ may not
20 be used for education or training after a young adult has
21 attained a bachelor of arts or a bachelor of science degree or
22 an equivalent undergraduate degree.

23 h.j. The department shall evaluate and renew each
24 voucher award annually during the 90-day period before the
25 young adult's birthday. In order to be eligible for a renewal
26 voucher award for the subsequent year, the young adult must:

27 (I) Complete the number of hours, or the equivalent
28 considered part-time or full-time ~~full-time~~ by the educational
29 institution, in the last academic year in which the young
30 adult earned a scholarship, except for a young adult who meets
31 the requirements of s. 1009.41.

1 (II) Maintain appropriate progress as required by the
2 educational institution, except that, if the young adult's
3 progress is insufficient to renew the voucher scholarship at
4 any time during the eligibility period, the young adult may
5 restore eligibility by improving his or her progress to the
6 required level.

7 ~~i.k.~~ Funds from the Educational and Training Voucher
8 Program Scholarship funds may be terminated during the interim
9 between the issuance of a voucher an award and the evaluation
10 for a renewal voucher award if the department determines that
11 the ~~award~~ recipient is no longer enrolled in an educational
12 institution as defined in sub-subparagraph 2.d., or is no
13 longer a state resident. The department shall notify a student
14 who is terminated and inform the recipient student of his or
15 her right to appeal.

16 ~~i.l.~~ A An award recipient who does not qualify for a
17 renewal voucher award or who chooses not to renew the voucher
18 ~~award~~ may subsequently apply for reinstatement. An application
19 for reinstatement must be made before the young adult reaches
20 23 years of age, and a young adult student may not apply for
21 reinstatement more than once. In order to be eligible for
22 reinstatement, the young adult must meet the eligibility
23 criteria and the criteria for voucher award renewal for the
24 ~~scholarship~~ program.

25 k. After receiving aftercare support services in
26 banking and budgeting skills; payments for educational and
27 training vouchers shall be made to the recipient by direct
28 deposit unless the recipient requests in writing that:

29 (I) Payment be made to the recipient by check or
30 warrant;

31

1 (II) Payment or a portion of a payment be made on
2 behalf of the recipient directly to the institution that the
3 recipient is attending in order for the recipient to maintain
4 eligibility under this program; or

5 (III) The department of community-based lead agency
6 issue a two-party check to a business or landlord for a
7 legitimate expense, whether reimbursed or not. For the
8 purposes of this sub-sub-subparagraph, a "legitimate expense"
9 means an expense directly related to the young adult's efforts
10 to live independently. These expenses may include, but are not
11 limited to, expenses for auto repair or maintenance, ancillary
12 educational or job expenses, and costs incurred for training.
13 Legitimate expenses do not include legal costs, fines, or
14 penalties when applying for or executing a rental agreement
15 for living quarters.

16 1. The department shall evaluate the efficiency and
17 cost-effectiveness of operating the Educational and Training
18 Voucher Program under a contract with an independent entity
19 having expertise in the delivery and management of these
20 services. If the department determines that better services
21 can be provided through an independent entity, the department
22 shall contract with such an entity. Reduced costs may not be
23 the sole factor used when determining if better service can be
24 provided by an independent entity, and cost may not be given
25 special consideration when compared with other factors. The
26 evaluation of efficiency and effectiveness must be completed
27 by December 31, 2006.

28 (c) Transitional support services.--

29 1. In addition to any services provided through
30 aftercare support or the Educational and Training Voucher
31 Program ~~Road to Independence Scholarship~~, a young adult

1 formerly in foster care may receive other appropriate funding
2 or ~~short term~~ services, which may include financial, housing,
3 counseling, employment, education, mental health, disability,
4 and other services, if the young adult demonstrates that the
5 services are critical to the young adult's own efforts to
6 achieve self-sufficiency and to develop a personal support
7 system. The department or community-based care provider shall
8 work with the young adult to develop a transitional plan for
9 the young adult. The plan must be consistent with a needs
10 assessment prepared for the young adult and must identify the
11 specific transitional services needed to support the efforts
12 of the young adult. The young adult must have specific tasks
13 to complete or maintain which are incorporated into the plan
14 and must be accountable for completing each task or for making
15 progress towards completing each task. However, the department
16 or community-based lead agency may not force a young adult to
17 perform a task. If the young adult and the department or
18 community-based care provider are unable to agree on any part
19 of the plan, the young adult may appeal the decision under
20 chapter 120 in order to resolve the disagreement.

21 2. A young adult formerly in foster care is eligible
22 to apply for transitional support services if he or she has
23 reached 18 years of age but is not yet 23 years of age, was a
24 dependent child under ~~pursuant to~~ chapter 39, was living in
25 licensed out-of-home ~~foster~~ care or in subsidized independent
26 living at the time of his or her 18th birthday, and had spent
27 at least 6 months living in out-of-home ~~foster~~ care before
28 that date.

29 3. If at any time the services are no longer critical
30 to the young adult's own efforts to achieve self-sufficiency
31

1 and to develop a personal support system, they shall be
2 terminated.

3 (d) Payment of aftercare, ~~scholarship,~~ or transitional
4 support funds.--

5 1. Payment of aftercare, ~~scholarship,~~ or transitional
6 support funds shall be made directly to the recipient unless
7 the recipient requests in writing to the community-based care
8 lead agency, or the department, that the payments or a portion
9 of the payments be made directly on the recipient's behalf in
10 order to secure services such as housing, counseling,
11 education, or employment training as part of the young adult's
12 own efforts to achieve self-sufficiency.

13 2. The community-based care lead agency may purchase
14 housing, education, transportation, and employment services to
15 ensure the availability and affordability of specific
16 transitional services in order to allow the eligible young
17 adult to attain these services directly in lieu of receiving a
18 payment. Before purchasing the services, the community-based
19 care lead agency must have a plan describing the services to
20 be purchased, the rationale for doing so, and a specific range
21 of expenses for each service which is less than the cost if
22 that service were purchased by an individual young adult. The
23 plan must be approved by the department. However, an eligible
24 young adult who demonstrates the ability to obtain these
25 services independently and who prefers a direct payment shall
26 receive direct payment. A community-based lead agency's
27 purchase plan must be reviewed at least annually and evaluated
28 for its effectiveness in moving young adults to independence,
29 preventing homelessness among young adults, leading to the
30 achievement of a living wage in permanent employment settings,
31 and achieving cost-efficiency.

1 3. The young adult who resides with a foster family
2 may not be included as a child in calculating any licensing
3 restriction on the number of children in the foster home.

4 (e) Appeals process.--

5 1. The Department of Children and Family Services
6 shall adopt by rule a procedure by which a young adult may
7 appeal an eligibility determination or the department's
8 failure to provide aftercare, an educational and training
9 voucher scholarship, or transitional support services, or the
10 termination of such services, if ~~such~~ funds are available.

11 2. The procedure developed by the department must be
12 readily available to young adults, must provide timely
13 decisions, and must provide for an appeal to the Secretary of
14 Children and Family Services. The decision of the secretary
15 constitutes final agency action and is reviewable by the court
16 as provided in s. 120.68.

17 (6) ACCOUNTABILITY.--The department shall develop
18 outcome measures for the program and other performance
19 measures in order to maintain oversight of the program. The
20 department shall report on the outcome measures and the
21 department's oversight activities in a report to the
22 Legislature. The report must be prepared and sent to the
23 committees of jurisdiction for children and families in the
24 Senate and the House of Representatives at least once each
25 year. A copy of the report shall be forwarded to the Joint
26 Administrative Procedures Committee. The report must include:

27 (a) An evaluation of the goals and measures developed
28 under this section compared with the outcome and performance
29 of the department in achieving those goals and measures;

30 (b) A summary of data gathered under sub-subparagraph
31 (5)(b)5.1.; and

1 (c) Any rules adopted or proposed under the authority
2 or jurisdiction of this section since the last report. For the
3 purposes of the first report, any rules adopted or proposed
4 under the authority or jurisdiction of this section must be
5 included.

6 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.--The
7 Secretary of Children and Family Services shall establish the
8 Independent Living Services Advisory Council for the purpose
9 of reviewing and making recommendations concerning the
10 implementation and operation of the independent living
11 transition services. This advisory council shall continue to
12 function as specified in this subsection until the Legislature
13 determines that the advisory council can no longer provide a
14 valuable contribution to the department's efforts to achieve
15 the goals of the independent living transition services.

16 (a) Specifically, the advisory council shall assess
17 the implementation and operation of the system of independent
18 living transition services and advise the department on
19 actions that would improve the ability of the independent
20 living transition services to meet the established goals. The
21 advisory council shall keep the department informed of
22 problems being experienced with the services, barriers to the
23 effective and efficient integration of services and support
24 across systems, and successes that the system of independent
25 living transition services has achieved. The department shall
26 consider, but is not required to implement, the
27 recommendations of the advisory council.

28 (b) The advisory council shall report to the
29 appropriate substantive committees of the Senate and the House
30 of Representatives on the status of the implementation of the
31 system of independent living transition services; efforts to

1 publicize the availability of aftercare support services, the
2 Educational and Training Voucher Road to Independence
3 ~~Scholarship~~ Program, and transitional support services;
4 specific barriers to financial aid created by the scholarship
5 and possible solutions; the success of the services; problems
6 identified; recommendations for department or legislative
7 action; and the department's implementation of the
8 recommendations contained in the Independent Living Services
9 Integration Workgroup Report submitted to the Senate and the
10 House substantive committees December 31, 2002. This advisory
11 council report shall be submitted by December 31 of each year
12 that the council is in existence and shall be accompanied by a
13 report from the department which identifies the
14 recommendations of the advisory council and either describes
15 the department's actions to implement these recommendations or
16 provides the department's rationale for not implementing the
17 recommendations.

18 (c) Members of the advisory council shall be appointed
19 by the secretary of the department. The membership of the
20 advisory council must include, at a minimum, representatives
21 from the headquarters and district offices of the Department
22 of Children and Family Services, community-based care lead
23 agencies, the Agency for Workforce Innovation, the Department
24 of Education, the Agency for Health Care Administration, the
25 State Youth Advisory Board, Workforce Florida, Inc., the
26 Statewide Guardian Ad Litem Office, foster parents, recipients
27 of the services of the Educational and Training Voucher
28 Program, and advocates for foster children. The secretary
29 shall determine the length of the term to be served by each
30 member appointed to the advisory council, which may not exceed
31 4 years.

1 (d) The Department of Children and Family Services
2 shall provide administrative support to the Independent Living
3 Advisory Council to accomplish its assigned tasks. The
4 advisory council shall be afforded access to all appropriate
5 data from the department, each community-based care lead
6 agency, and other relevant agencies in order to accomplish the
7 tasks set forth in this section. The data collected may not
8 include any information that would identify a specific child
9 or young adult.

10 (8) PERSONAL PROPERTY.--Property acquired on behalf of
11 clients of this program shall become the personal property of
12 the clients and is not subject to the requirements of chapter
13 273 relating to state-owned tangible personal property. Such
14 property continues to be subject to applicable federal laws.

15 (9) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN
16 FOSTER CARE.--The department shall enroll in the Florida
17 KidCare program, outside the open enrollment period, each
18 young adult who is eligible as described in paragraph (2)(b)
19 and who has not yet reached his or her 19th birthday.

20 (a) A young adult who was formerly in foster care at
21 the time of his or her 18th birthday and who is 18 years of
22 age but not yet 19, shall pay the premium for the Florida
23 KidCare program as required in s. 409.814.

24 (b) A young adult who has health insurance coverage
25 from a third party through his or her employer or who is
26 eligible for Medicaid is not eligible for enrollment under
27 this subsection.

28 (10) RULEMAKING.--The department shall adopt by rule
29 procedures to administer this section, including balancing the
30 goals of normalcy and safety for the youth and providing the
31 caregivers with as much flexibility as possible to enable the

1 youth to participate in normal life experiences. The
2 department shall not adopt rules relating to reductions in
3 voucher amounts ~~scholarship awards~~. The department shall
4 engage in appropriate planning to prevent, to the extent
5 possible, a reduction in voucher amounts ~~scholarship awards~~
6 after issuance. The department may not limit the amount of
7 aftercare or transitional funding an eligible young adult may
8 receive. The amount of any funds given through a voucher shall
9 be determined by the specific needs of each young adult and
10 the availability of funds.

11 (11) CONTRACT WITH A NONPROFIT ENTITY.--The department
12 may contract with a qualified nonprofit entity operating in
13 this state to coordinate and manage all services described in
14 this section and to disburse all funds used to provide the
15 services needed by young adults, including case-management
16 services, administrative functions, related support services,
17 and out-of-home-care services for eligible youths. The
18 contract must include funding for all operations and
19 administrative services conducted by the department on July 1,
20 2006. The entity must coordinate and manage these services but
21 it may not directly provide services unless the selected
22 entity is providing these services within a community-based
23 care project on July 1, 2006. The selected entity may not
24 increase its service area or the scope of its services beyond
25 that which it was contracted to provide on the date of its
26 selection. Thereafter, the entity must contract with a
27 community-based care lead agency or local providers having
28 specific skills and experience in providing the direct
29 services described in this section.

30 Section 2. Subsection (4) of section 409.903, Florida
31 Statutes, is amended to read:

1 409.903 Mandatory payments for eligible persons.--The
2 agency shall make payments for medical assistance and related
3 services on behalf of the following persons who the
4 department, or the Social Security Administration by contract
5 with the Department of Children and Family Services,
6 determines to be eligible, subject to the income, assets, and
7 categorical eligibility tests set forth in federal and state
8 law. Payment on behalf of these Medicaid eligible persons is
9 subject to the availability of moneys and any limitations
10 established by the General Appropriations Act or chapter 216.

11 (4) A child who is eligible under Title IV-E of the
12 Social Security Act for subsidized board payments, foster
13 care, or adoption subsidies, and a child for whom the state
14 has assumed temporary or permanent responsibility and who does
15 not qualify for Title IV-E assistance but is in foster care,
16 shelter or emergency shelter care, or subsidized adoption.
17 This category includes any young adult a child who is eligible
18 to receive services under s. 409.1451(5), until the young
19 adult reaches the age of 21, without regard to any income,
20 resource, or categorical eligibility test that is otherwise
21 required. If the young adult has other health insurance
22 coverage, he or she is not eligible for payments for medical
23 assistance under this section. The Department of Children and
24 Family Services shall notify the agency no later than 10 days
25 after it opens a case for child welfare services in the
26 HomeSafeNet system for a Medicaid recipient. If the recipient
27 is a member of a Medicaid prepaid health plan, the agency shall
28 notify the prepaid health plan within 10 days. Whenever a
29 child is under the supervision or care and custody of the
30 Department of Children and Family Services and is receiving
31 health care benefits under Medicaid, the agency shall make

1 available all health care records, including behavioral health
2 and all prescription drugs, on a continuous basis and no less
3 than daily. The agency shall make these records available in
4 an electronic format to enable the department and a
5 community-based care lead agency to create an electronic
6 health record for each child in the database of their choice
7 and have it refreshed minimally every 24 hours. The agency is
8 not required to make this information available in multiple
9 formats, but must be in a format that is sufficient for the
10 department and a community-based care lead agency to use in
11 creating the electronic medical health record. ~~was eligible~~
12 ~~under Title IV E of the Social Security Act for foster care or~~
13 ~~the state provided foster care, who exited foster care due to~~
14 ~~attaining the age of 18 years, and who has been awarded a~~
15 ~~Road to Independence Scholarship.~~

16 Section 3. Paragraph (c) of subsection (2) of section
17 1009.25, Florida Statutes, is amended to read:

18 1009.25 Fee exemptions.--

19 (2) The following students are exempt from the payment
20 of tuition and fees, including lab fees, at a school district
21 that provides postsecondary career programs, community
22 college, or state university:

23 (c) A ~~student who the state has determined is eligible~~
24 ~~for the Road to Independence Scholarship, regardless of~~
25 ~~whether an award is issued or not, or a student who is or was~~
26 ~~at the time he or she reached 18 years of age in the custody~~
27 ~~of the department or a relative under s. 39.5085, or who is~~
28 ~~adopted from the Department of Children and Family Services~~
29 ~~after May 5, 1997, or, having spent 6 months in the custody of~~
30 ~~the department after the age of 16, was placed in a~~
31 ~~guardianship by the court.~~ Such exemption includes fees

1 associated with enrollment in career-preparatory instruction
2 and completion of the college-level communication and
3 computation skills testing program. Such an exemption is
4 available to any student who was in the custody of a relative
5 under s. 39.5085 at the time he or she reached 18 years of age
6 or was adopted from the Department of Children and Family
7 Services after May 5, 1997; however, the exemption remains
8 valid for no more than 4 years after the date of graduation
9 from high school.

10 Section 4. This act shall take effect July 1, 2006.

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SENATE SUMMARY

1 Provides that children placed with a court-approved
2 nonrelative are eligible for independent living
3 transition services. Requires the Department of Children
4 and Family Services to incorporate the authority of
5 foster parents and caregivers to approve age-appropriate
6 activities into a written plan. Requires the department
7 to make a good-faith effort to fully explain the
8 substance of a document before asking a child to sign the
9 document. Provides that eligible children actively
10 participate in planning and executing their educational
11 and career paths. Provides legislative intent that every
12 foster care child have the opportunity to complete high
13 school, attend postsecondary or vocational training, and
14 find a job as he or she moves from foster care to
15 complete independence. Requires the department or the
16 community-based lead agency to develop a plan to provide
17 services to young adults leaving foster care. Requires
18 the department to approve the plan. Provides that the
19 Educational and Training Vouchers Program replace the
20 Road-to-Independence Program. Revises eligibility
21 criteria for educational and training vouchers. Provides
22 that the value of a voucher may be disregarded for
23 purposes of determining the eligibility of the recipient
24 for, or the amount of, any other federal or
25 federally-supported assistance. Provides that the size of
26 the voucher grant is based on the individualized needs of
27 the applicant and the availability of funding. Provides
28 that payments for educational and training vouchers be
29 made directly to the recipient by direct deposit.
30 Provides exceptions. Requires the department or
31 community-based care provider to work with the young
adult to develop a transitional plan for the young adult.
Provides for contents of the plan. Authorizes the
community-based care lead agency to purchase certain
services for the young adult to ensure the availability
and affordability of specific transitional services in
lieu of receiving a payment. Requires the department to
approve the purchase plan. Provides accountability and
oversight of the program. Requires the department to
provide administrative support to the Independent Living
Advisory Council. Authorizes the department to contract
with a qualified nonprofit entity to coordinate and
manage all services and to disburse all funds used to
provide the services needed by young adults. Prohibits
the independent entity from directly providing services
unless the selected entity is providing the service on a
specified date. Provides that young adults receiving
independent living transition services are eligible for
Medicaid services. Provides that young adults in the
Educational and Training Voucher Program are exempt from
paying tuition and fees.