

Bill No. HB 7173, 2nd Eng.

Barcode 365914

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

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Senator Rich moved the following **substitute for amendment**
(660866):

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsections (1) and (6) of section 39.001, Florida Statutes, are amended, subsections (7) and (8) are renumbered as subsections (8) and (9) and amended, present subsection (9) is renumbered as subsection (10), and new subsections (7), (11), and (12) are added to that section, to read:

39.001 Purposes and intent; personnel standards and screening.--

(1) PURPOSES OF CHAPTER.--The purposes of this chapter are:

(a) To provide for the care, safety, and protection of children in an environment that fosters healthy social, emotional, intellectual, and physical development; to ensure secure and safe custody; ~~and~~ to promote the health and

1 well-being of all children under the state's care; and to
 2 prevent the occurrence of child abuse, neglect, and
 3 abandonment.

4 (b) To recognize that most families desire to be
 5 competent caregivers and providers for their children and that
 6 children achieve their greatest potential when families are
 7 able to support and nurture the growth and development of
 8 their children. Therefore, the Legislature finds that policies
 9 and procedures that provide for prevention and intervention
 10 through the department's child protection system should be
 11 based on the following principles:

12 1. The health and safety of the children served shall
 13 be of paramount concern.

14 2. The prevention and intervention should engage
 15 families in constructive, supportive, and nonadversarial
 16 relationships.

17 3. The prevention and intervention should intrude as
 18 little as possible into the life of the family, be focused on
 19 clearly defined objectives, and take the most parsimonious
 20 path to remedy a family's problems.

21 4. The prevention and intervention should be based
 22 upon outcome evaluation results that demonstrate success in
 23 protecting children and supporting families.

24 (c) To provide a child protection system that reflects
 25 a partnership between the department, other agencies, and
 26 local communities.

27 (d) To provide a child protection system that is
 28 sensitive to the social and cultural diversity of the state.

29 (e) To provide procedures which allow the department
 30 to respond to reports of child abuse, abandonment, or neglect
 31 in the most efficient and effective manner that ensures the

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1 health and safety of children and the integrity of families.

2 (f) To preserve and strengthen the child's family ties
3 whenever possible, removing the child from parental custody
4 only when his or her welfare cannot be adequately safeguarded
5 without such removal.

6 (g) To ensure that the parent or legal custodian from
7 whose custody the child has been taken assists the department
8 to the fullest extent possible in locating relatives suitable
9 to serve as caregivers for the child.

10 (h) To ensure that permanent placement with the
11 biological or adoptive family is achieved as soon as possible
12 for every child in foster care and that no child remains in
13 foster care longer than 1 year.

14 (i) To secure for the child, when removal of the child
15 from his or her own family is necessary, custody, care, and
16 discipline as nearly as possible equivalent to that which
17 should have been given by the parents; and to ensure, in all
18 cases in which a child must be removed from parental custody,
19 that the child is placed in an approved relative home,
20 licensed foster home, adoptive home, or independent living
21 program that provides the most stable and potentially
22 permanent living arrangement for the child, as determined by
23 the court. All placements shall be in a safe environment where
24 drugs and alcohol are not abused.

25 (j) To ensure that, when reunification or adoption is
26 not possible, the child will be prepared for alternative
27 permanency goals or placements, to include, but not be limited
28 to, long-term foster care, independent living, custody to a
29 relative on a permanent basis with or without legal
30 guardianship, or custody to a foster parent or legal custodian
31 on a permanent basis with or without legal guardianship.

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1 (k) To make every possible effort, when two or more
 2 children who are in the care or under the supervision of the
 3 department are siblings, to place the siblings in the same
 4 home; and in the event of permanent placement of the siblings,
 5 to place them in the same adoptive home or, if the siblings
 6 are separated, to keep them in contact with each other.

7 (1) To provide judicial and other procedures to assure
 8 due process through which children, parents, and guardians and
 9 other interested parties are assured fair hearings by a
 10 respectful and respected court or other tribunal and the
 11 recognition, protection, and enforcement of their
 12 constitutional and other legal rights, while ensuring that
 13 public safety interests and the authority and dignity of the
 14 courts are adequately protected.

15 (m) To ensure that children under the jurisdiction of
 16 the courts are provided equal treatment with respect to goals,
 17 objectives, services, and case plans, without regard to the
 18 location of their placement. It is the further intent of the
 19 Legislature that, when children are removed from their homes,
 20 disruption to their education be minimized to the extent
 21 possible.

22 (n) To create and maintain an integrated prevention
 23 framework that enables local communities, state agencies, and
 24 organizations to collaborate to implement efficient and
 25 properly applied evidence-based child abuse prevention
 26 practices.

27 (6) LEGISLATIVE INTENT FOR THE PREVENTION OF ABUSE,
 28 ABANDONMENT, AND NEGLECT OF CHILDREN.--The incidence of known
 29 child abuse, abandonment, and neglect has increased rapidly
 30 over the past 5 years. The impact that abuse, abandonment, or
 31 neglect has on the victimized child, siblings, family

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1 structure, and inevitably on all citizens of the state has
 2 caused the Legislature to determine that the prevention of
 3 child abuse, abandonment, and neglect shall be a priority of
 4 this state. To further this end, it is the intent of the
 5 Legislature that an Office of Child Abuse Prevention be
 6 established ~~a comprehensive approach for the prevention of~~
 7 ~~abuse, abandonment, and neglect of children be developed for~~
 8 ~~the state and that this planned, comprehensive approach be~~
 9 ~~used as a basis for funding.~~

10 (7) OFFICE OF CHILD ABUSE PREVENTION.--

11 (a) For purposes of establishing a comprehensive
 12 statewide approach for the prevention of child abuse,
 13 abandonment, and neglect, the Office of Child Abuse Prevention
 14 is created within the Executive Office of the Governor. The
 15 Governor shall appoint a director for the office who shall be
 16 subject to confirmation by the Senate.

17 (b) The director shall:

18 1. Assist in developing rules pertaining to
 19 implementation of child abuse prevention efforts.

20 2. Act as the Governor's liaison with state agencies,
 21 other state governments, and the public and private sectors on
 22 matters that relate to child abuse prevention.

23 3. Work to secure funding and other support for the
 24 state's child abuse prevention efforts, including, but not
 25 limited to, establishing cooperative relationships among state
 26 and private agencies.

27 4. Develop a strategic program and funding initiative
 28 that links the separate jurisdictional activities of state
 29 agencies with respect to child abuse prevention. The office
 30 may designate lead and contributing agencies to develop such
 31 initiatives.

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1 5. Advise the Governor and the Legislature on child
 2 abuse trends in this state, the status of current child abuse
 3 prevention programs and services, the funding of those
 4 programs and services, and the status of the office with
 5 regard to the development and implementation of the state
 6 child abuse prevention strategy.

7 6. Develop child abuse prevention public awareness
 8 campaigns to be implemented throughout the state.

9 (c) The office is authorized and directed to:

10 1. Oversee the preparation and implementation of the
 11 state plan established under subsection (8) and revise and
 12 update the state plan as necessary.

13 2. Provide for or make available continuing
 14 professional education and training in the prevention of child
 15 abuse and neglect.

16 3. Work to secure funding in the form of
 17 appropriations, gifts, and grants from the state, the Federal
 18 Government, and other public and private sources in order to
 19 ensure that sufficient funds are available for prevention
 20 efforts.

21 4. Make recommendations pertaining to agreements or
 22 contracts for the establishment and development of:

23 a. Programs and services for the prevention of child
 24 abuse and neglect.

25 b. Training programs for the prevention of child abuse
 26 and neglect.

27 c. Multidisciplinary and discipline-specific training
 28 programs for professionals with responsibilities affecting
 29 children, young adults, and families.

30 5. Monitor, evaluate, and review the development and
 31 quality of local and statewide services and programs for the

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1 prevention of child abuse and neglect and shall publish and
 2 distribute an annual report of its findings on or before
 3 January 1 of each year to the Governor, the Speaker of the
 4 House of Representatives, the President of the Senate, the
 5 secretary of each state agency affected by the report, and the
 6 appropriate substantive committees of the Legislature. The
 7 report shall include:

- 8 a. A summary of the activities of the office.
- 9 b. A summary detailing the demographic and geographic
 10 characteristics of families served by the prevention programs.
- 11 c. Recommendations, by state agency, for the further
 12 development and improvement of services and programs for the
 13 prevention of child abuse and neglect.
- 14 d. The budget requests and prevention program needs by
 15 state agency.

16 ~~(8)(7)~~ PLAN FOR COMPREHENSIVE APPROACH.--

17 (a) The office ~~department~~ shall develop a state plan
 18 for the prevention of abuse, abandonment, and neglect of
 19 children and shall submit the state plan to the Speaker of the
 20 House of Representatives, the President of the Senate, and the
 21 Governor no later than December 31, 2007 ~~January 1, 1983~~. The
 22 Department of Children and Family Services, the Department of
 23 Corrections, the Department of Education, the Department of
 24 Health, the Department of Juvenile Justice, the Department of
 25 Law Enforcement, the Agency for Persons with Disabilities, and
 26 the Agency for Workforce Innovation ~~The Department of~~
 27 ~~Education and the Division of Children's Medical Services~~
 28 ~~Prevention and Intervention of the Department of Health~~ shall
 29 participate and fully cooperate in the development of the
 30 state plan at both the state and local levels. Furthermore,
 31 appropriate local agencies and organizations shall be provided

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1 an opportunity to participate in the development of the state
2 plan at the local level. Appropriate local groups and
3 organizations shall include, but not be limited to, community
4 mental health centers; guardian ad litem programs for children
5 under the circuit court; the school boards of the local school
6 districts; the Florida local advocacy councils;
7 community-based care lead agencies; private or public
8 organizations or programs with recognized expertise in working
9 with child abuse prevention programs for children and
10 families; private or public organizations or programs with
11 recognized expertise in working with children who are sexually
12 abused, physically abused, emotionally abused, abandoned, or
13 neglected and with expertise in working with the families of
14 such children; private or public programs or organizations
15 with expertise in maternal and infant health care;
16 multidisciplinary child protection teams; child day care
17 centers; law enforcement agencies; ~~and~~ and the circuit courts,
18 when guardian ad litem programs are not available in the local
19 area. The state plan to be provided to the Legislature and the
20 Governor shall include, as a minimum, the information required
21 of the various groups in paragraph (b).

22 (b) The development of the ~~comprehensive~~ state plan
23 shall be accomplished in the following manner:

- 24 1. The office shall establish a Child Abuse Prevention
25 Advisory Council composed of representatives from each state
26 agency and appropriate local agencies and organizations
27 specified in paragraph (a). The advisory council shall serve
28 as the research arm of the office and ~~The department shall~~
29 ~~establish an interprogram task force comprised of the Program~~
30 ~~Director for Family Safety, or a designee, a representative~~
31 ~~from the Child Care Services Program Office, a representative~~

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1 ~~from the Family Safety Program Office, a representative from~~
2 ~~the Mental Health Program Office, a representative from the~~
3 ~~Substance Abuse Program Office, a representative from the~~
4 ~~Developmental Disabilities Program Office, and a~~
5 ~~representative from the Division of Children's Medical~~
6 ~~Services Prevention and Intervention of the Department of~~
7 ~~Health. Representatives of the Department of Law Enforcement~~
8 ~~and of the Department of Education shall serve as ex officio~~
9 ~~members of the interprogram task force. The interprogram task~~
10 ~~force shall be responsible for:~~

11 a. Assisting in developing a plan of action for better
12 coordination and integration of the goals, activities, and
13 funding pertaining to the prevention of child abuse,
14 abandonment, and neglect conducted by the office ~~department~~ in
15 order to maximize staff and resources at the state level. The
16 plan of action shall be included in the state plan.

17 b. Assisting in providing a basic format to be
18 utilized by the districts in the preparation of local plans of
19 action in order to provide for uniformity in the district
20 plans and to provide for greater ease in compiling information
21 for the state plan.

22 c. Providing the districts with technical assistance
23 in the development of local plans of action, if requested.

24 d. Assisting in examining the local plans to determine
25 if all the requirements of the local plans have been met and,
26 if they have not, informing the districts of the deficiencies
27 and requesting the additional information needed.

28 e. Assisting in preparing the state plan for
29 submission to the Legislature and the Governor. Such
30 preparation shall include the incorporation into the state
31 plan ~~collapsing~~ of information obtained from the local plans,

1 the cooperative plans with the members of the advisory council
 2 ~~Department of Education~~, and the plan of action for
 3 coordination and integration of state departmental activities
 4 ~~into one comprehensive plan~~. The state ~~comprehensive~~ plan
 5 shall include a section reflecting general conditions and
 6 needs, an analysis of variations based on population or
 7 geographic areas, identified problems, and recommendations for
 8 change. In essence, the state plan shall provide an analysis
 9 and summary of each element of the local plans to provide a
 10 statewide perspective. The state plan shall also include each
 11 separate local plan of action.

12 f. Conducting a feasibility study on the establishment
 13 of a Children's Cabinet.

14 ~~g.f.~~ Working with the specified state agency in
 15 fulfilling the requirements of subparagraphs 2., 3., 4., and
 16 5.

17 2. The office, the department, the Department of
 18 Education, and the Department of Health shall work together in
 19 developing ways to inform and instruct parents of school
 20 children and appropriate district school personnel in all
 21 school districts in the detection of child abuse, abandonment,
 22 and neglect and in the proper action that should be taken in a
 23 suspected case of child abuse, abandonment, or neglect, and in
 24 caring for a child's needs after a report is made. The plan
 25 for accomplishing this end shall be included in the state
 26 plan.

27 3. The office, the department, the Department of Law
 28 Enforcement, and the Department of Health shall work together
 29 in developing ways to inform and instruct appropriate local
 30 law enforcement personnel in the detection of child abuse,
 31 abandonment, and neglect and in the proper action that should

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1 be taken in a suspected case of child abuse, abandonment, or
2 neglect.

3 4. Within existing appropriations, the office
4 ~~department~~ shall work with other appropriate public and
5 private agencies to emphasize efforts to educate the general
6 public about the problem of and ways to detect child abuse,
7 abandonment, and neglect and in the proper action that should
8 be taken in a suspected case of child abuse, abandonment, or
9 neglect. The plan for accomplishing this end shall be included
10 in the state plan.

11 5. The office, the department, the Department of
12 Education, and the Department of Health shall work together on
13 the enhancement or adaptation of curriculum materials to
14 assist instructional personnel in providing instruction
15 through a multidisciplinary approach on the identification,
16 intervention, and prevention of child abuse, abandonment, and
17 neglect. The curriculum materials shall be geared toward a
18 sequential program of instruction at the four progressional
19 levels, K-3, 4-6, 7-9, and 10-12. Strategies for encouraging
20 all school districts to utilize the curriculum are to be
21 included in the ~~comprehensive~~ state plan for the prevention of
22 child abuse, abandonment, and neglect.

23 6. Each district of the department shall develop a
24 plan for its specific geographical area. The plan developed at
25 the district level shall be submitted to the advisory council
26 ~~interprogram task force~~ for utilization in preparing the state
27 plan. The district local plan of action shall be prepared with
28 the involvement and assistance of the local agencies and
29 organizations listed in this paragraph ~~(a)~~, as well as
30 representatives from those departmental district offices
31 participating in the treatment and prevention of child abuse,

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1 abandonment, and neglect. In order to accomplish this, the
 2 ~~office district administrator in each district~~ shall establish
 3 a task force on the prevention of child abuse, abandonment,
 4 and neglect. The ~~office district administrator~~ shall appoint
 5 the members of the task force in accordance with the
 6 membership requirements of this section. ~~The office in~~
 7 ~~addition, the district administrator shall ensure that each~~
 8 ~~subdistrict is represented on the task force; and, if the~~
 9 ~~district does not have subdistricts, the district~~
 10 ~~administrator~~ shall ensure that both urban and rural areas are
 11 represented on the task force. The task force shall develop a
 12 written statement clearly identifying its operating
 13 procedures, purpose, overall responsibilities, and method of
 14 meeting responsibilities. The district plan of action to be
 15 prepared by the task force shall include, but shall not be
 16 limited to:

17 a. Documentation of the magnitude of the problems of
 18 child abuse, including sexual abuse, physical abuse, and
 19 emotional abuse, and child abandonment and neglect in its
 20 geographical area.

21 b. A description of programs currently serving abused,
 22 abandoned, and neglected children and their families and a
 23 description of programs for the prevention of child abuse,
 24 abandonment, and neglect, including information on the impact,
 25 cost-effectiveness, and sources of funding of such programs.

26 c. A continuum of programs and services necessary for
 27 a comprehensive approach to the prevention of all types of
 28 child abuse, abandonment, and neglect as well as a brief
 29 description of such programs and services.

30 d. A description, documentation, and priority ranking
 31 of local needs related to child abuse, abandonment, and

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1 neglect prevention based upon the continuum of programs and
2 services.

3 e. A plan for steps to be taken in meeting identified
4 needs, including the coordination and integration of services
5 to avoid unnecessary duplication and cost, and for alternative
6 funding strategies for meeting needs through the reallocation
7 of existing resources, utilization of volunteers, contracting
8 with local universities for services, and local government or
9 private agency funding.

10 f. A description of barriers to the accomplishment of
11 a comprehensive approach to the prevention of child abuse,
12 abandonment, and neglect.

13 g. Recommendations for changes that can be
14 accomplished only at the state program level or by legislative
15 action.

16 ~~(9)(8)~~ FUNDING AND SUBSEQUENT PLANS.--

17 (a) All budget requests submitted by the office, the
18 department, the Department of Health, the Department of
19 Education, the Department of Juvenile Justice, the Department
20 of Corrections, the Agency for Persons with Disabilities, the
21 Agency for Workforce Innovation, or any other agency to the
22 Legislature for funding of efforts for the prevention of child
23 abuse, abandonment, and neglect shall be based on the state
24 plan developed pursuant to this section.

25 (b) The office ~~department at the state and district~~
26 ~~levels~~ and the other agencies and organizations listed in
27 paragraph(8)(a) ~~(7)(a)~~ shall readdress the state plan and
28 make necessary revisions every 5 years, at a minimum. Such
29 revisions shall be submitted to the Speaker of the House of
30 Representatives and the President of the Senate no later than
31 June 30 of each year divisible by 5. At least biennially, the

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1 office shall review the state plan and make any necessary
 2 revisions based on changing needs and program evaluation
 3 results. An annual progress report shall be submitted to
 4 update the state plan in the years between the 5-year
 5 intervals. In order to avoid duplication of effort, these
 6 required plans may be made a part of or merged with other
 7 plans required by either the state or Federal Government, so
 8 long as the portions of the other state or Federal Government
 9 plan that constitute the state plan for the prevention of
 10 child abuse, abandonment, and neglect are clearly identified
 11 as such and are provided to the Speaker of the House of
 12 Representatives and the President of the Senate as required
 13 above.

14 (11) RULEMAKING.--The Executive Office of the Governor
 15 shall adopt rules pursuant to ss. 120.536(1) and 120.54 to
 16 implement the provisions of this section.

17 (12) EVALUATION.--By February 1, 2009, the Legislature
 18 shall evaluate the office and determine whether it should
 19 continue to be housed in the Executive Office of the Governor
 20 or transferred to a state agency.

21 Section 2. Section 39.0014, Florida Statutes, is
 22 amended to read:

23 39.0014 Responsibilities of public agencies.--All
 24 state, county, and local agencies shall cooperate, assist, and
 25 provide information to the Office of Child Abuse Prevention
 26 and the department as will enable them it to fulfill their
 27 its responsibilities under this chapter.

28 Section 3. Paragraph (b) of subsection (3) of section
 29 39.0015, Florida Statutes, is amended to read:

30 39.0015 Child abuse prevention training in the
 31 district school system.--

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1 (3) DEFINITIONS.--As used in this section:

2 (b) "Child abuse" means those acts as defined in ss.
3 39.01(1), (2), (30), (43), (45), ~~(53)~~ ~~(52)~~ , and ~~(64)~~ ~~(63)~~,
4 827.04, and 984.03(1), (2), and (37).

5 Section 4. Subsections (47) through (72) of section
6 39.01, Florida Statutes, are renumbered as subsections (48)
7 through (73), present subsection (10) is amended, and a new
8 subsection (47) is added to that section, to read:

9 39.01 Definitions.--When used in this chapter, unless
10 the context otherwise requires:

11 (10) "Caregiver" means the parent, legal custodian,
12 adult household member, or other person responsible for a
13 child's welfare as defined in subsection ~~(48)~~ ~~(47)~~.

14 (47) "Office" means the Office of Child Abuse
15 Prevention within the Executive Office of the Governor.

16 Section 5. Subsection (2) of section 39.013, Florida
17 Statutes, is amended to read:

18 39.013 Procedures and jurisdiction; right to
19 counsel.--

20 (2) The circuit court shall have exclusive original
21 jurisdiction of all proceedings under this chapter, of a child
22 voluntarily placed with a licensed child-caring agency, a
23 licensed child-placing agency, or the department, and of the
24 adoption of children whose parental rights have been
25 terminated under this chapter. Jurisdiction attaches when the
26 initial shelter petition, dependency petition, or termination
27 of parental rights petition is filed or when a child is taken
28 into the custody of the department. The circuit court may
29 assume jurisdiction over any such proceeding regardless of
30 whether the child was in the physical custody of both parents,
31 was in the sole legal or physical custody of only one parent,

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1 caregiver, or some other person, or was in the physical or
2 legal custody of no person when the event or condition
3 occurred that brought the child to the attention of the court.
4 When the court obtains jurisdiction of any child who has been
5 found to be dependent, the court shall retain jurisdiction,
6 unless relinquished by its order, until the child reaches 18
7 years of age. However, if a youth petitions the court at any
8 time before his or her 19th birthday requesting the court's
9 continued jurisdiction, the juvenile court may retain
10 jurisdiction under this chapter for a period not to exceed 1
11 year following the youth's 18th birthday for the purpose of
12 determining whether appropriate aftercare support,
13 Road-to-Independence Program ~~Scholarship~~, transitional
14 support, mental health, and developmental disability services,
15 to the extent otherwise authorized by law, have been provided
16 to the formerly dependent child who was in the legal custody
17 of the department immediately before his or her 18th birthday.
18 If a petition for special immigrant juvenile status and an
19 application for adjustment of status have been filed on behalf
20 of a foster child and the petition and application have not
21 been granted by the time the child reaches 18 years of age,
22 the court may retain jurisdiction over the dependency case
23 solely for the purpose of allowing the continued consideration
24 of the petition and application by federal authorities. Review
25 hearings for the child shall be set solely for the purpose of
26 determining the status of the petition and application. The
27 court's jurisdiction terminates upon the final decision of the
28 federal authorities. Retention of jurisdiction in this
29 instance does not affect the services available to a young
30 adult under s. 409.1451. The court may not retain jurisdiction
31 of the case after the immigrant child's 22nd birthday.

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1 Section 6. Paragraph (a) of subsection (2) of section
2 39.202, Florida Statutes, is amended to read:

3 39.202 Confidentiality of reports and records in cases
4 of child abuse or neglect.--

5 (2) Except as provided in subsection (4), access to
6 such records, excluding the name of the reporter which shall
7 be released only as provided in subsection (5), shall be
8 granted only to the following persons, officials, and
9 agencies:

10 (a) Employees, authorized agents, or contract
11 providers of the department, the Department of Health, or
12 county agencies responsible for carrying out:

- 13 1. Child or adult protective investigations;
- 14 2. Ongoing child or adult protective services;
- 15 3. Early intervention and prevention services;

16 ~~4.3.~~ Healthy Start services; ~~or~~

17 ~~5.4.~~ Licensure or approval of adoptive homes, foster
18 homes, or child care facilities, or family day care homes or
19 informal child care providers who receive subsidized child
20 care funding, or other homes used to provide for the care and
21 welfare of children; or-

22 ~~6.5.~~ Services for victims of domestic violence when
23 provided by certified domestic violence centers working at the
24 department's request as case consultants or with shared
25 clients.

26
27 Also, employees or agents of the Department of Juvenile
28 Justice responsible for the provision of services to children,
29 pursuant to chapters 984 and 985.

30 Section 7. Subsection (1) of section 39.302, Florida
31 Statutes, is amended to read:

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1 39.302 Protective investigations of institutional
2 child abuse, abandonment, or neglect.--

3 (1) The department shall conduct a child protective
4 investigation of each report of institutional child abuse,
5 abandonment, or neglect. Upon receipt of a report that alleges
6 that an employee or agent of the department, or any other
7 entity or person covered by s. 39.01(31) or (48) ~~(47)~~, acting
8 in an official capacity, has committed an act of child abuse,
9 abandonment, or neglect, the department shall initiate a child
10 protective investigation within the timeframe established by
11 the central abuse hotline pursuant to s. 39.201(5) and orally
12 notify the appropriate state attorney, law enforcement agency,
13 and licensing agency. These agencies shall immediately conduct
14 a joint investigation, unless independent investigations are
15 more feasible. When conducting investigations onsite or having
16 face-to-face interviews with the child, such investigation
17 visits shall be unannounced unless it is determined by the
18 department or its agent that such unannounced visits would
19 threaten the safety of the child. When a facility is exempt
20 from licensing, the department shall inform the owner or
21 operator of the facility of the report. Each agency conducting
22 a joint investigation shall be entitled to full access to the
23 information gathered by the department in the course of the
24 investigation. A protective investigation must include an
25 onsite visit of the child's place of residence. In all cases,
26 the department shall make a full written report to the state
27 attorney within 3 working days after making the oral report. A
28 criminal investigation shall be coordinated, whenever
29 possible, with the child protective investigation of the
30 department. Any interested person who has information
31 regarding the offenses described in this subsection may

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1 forward a statement to the state attorney as to whether
 2 prosecution is warranted and appropriate. Within 15 days after
 3 the completion of the investigation, the state attorney shall
 4 report the findings to the department and shall include in
 5 such report a determination of whether or not prosecution is
 6 justified and appropriate in view of the circumstances of the
 7 specific case.

8 Section 8. Paragraph (a) of subsection (6) of section
 9 39.701, Florida Statutes, is amended to read:

10 39.701 Judicial review.--

11 (6)(a) In addition to paragraphs (1)(a) and (2)(a),
 12 the court shall hold a judicial review hearing within 90 days
 13 after a youth's 17th birthday. The court shall also issue an
 14 order, separate from the order on judicial review, that the
 15 disability of nonage of the youth has been removed pursuant to
 16 s. 743.045. The court ~~and~~ shall continue to hold timely
 17 judicial review hearings thereafter. In addition, the court
 18 may review the status of the child more frequently during the
 19 year prior to the youth's 18th birthday if necessary. At each
 20 review held under this subsection, in addition to any
 21 information or report provided to the court, the foster
 22 parent, legal custodian, guardian ad litem, and the child
 23 shall be given the opportunity to address the court with any
 24 information relevant to the child's best interests,
 25 particularly as it relates to independent living transition
 26 services. In addition to any information or report provided to
 27 the court, the department shall include in its judicial review
 28 social study report written verification that the child:

- 29 1. Has been provided with a current Medicaid card and
 30 has been provided all necessary information concerning the
 31 Medicaid program sufficient to prepare the youth to apply for

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1 coverage upon reaching age 18, if such application would be
2 appropriate.

3 2. Has been provided with a certified copy of his or
4 her birth certificate and, if the child does not have a valid
5 driver's license, a Florida identification card issued under
6 s. 322.051.

7 3. Has been provided information relating to Social
8 Security Insurance benefits if the child is eligible for these
9 benefits. If the child has received these benefits and they
10 are being held in trust for the child, a full accounting of
11 those funds must be provided and the child must be informed
12 about how to access those funds.

13 4. Has been provided with information and training
14 related to budgeting skills, interviewing skills, and
15 parenting skills.

16 5. Has been provided with all relevant information
17 related to the Road-to-Independence Program ~~Scholarship~~,
18 including, but not limited to, eligibility requirements, forms
19 necessary to apply, and assistance in completing the forms.
20 The child shall also be informed that, if he or she is
21 eligible for the Road-to-Independence ~~Scholarship~~ Program, he
22 or she may reside with the licensed foster family or group
23 care provider with whom the child was residing at the time of
24 attaining his or her 18th birthday or may reside in another
25 licensed foster home or with a group care provider arranged by
26 the department.

27 6. Has an open bank account, or has identification
28 necessary to open an account, and has been provided with
29 essential banking skills.

30 7. Has been provided with information on public
31 assistance and how to apply.

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

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

9 10. Has been encouraged to attend all judicial review
10 hearings occurring after his or her 17th birthday.

11 Section 9. Subsection (1) and paragraph (b) of
12 subsection (2) of section 402.164, Florida Statutes, are
13 amended to read:

14 402.164 Legislative intent; definitions.--

15 (1)(a) It is the intent of the Legislature to use
16 citizen volunteers as members of the Florida Statewide
17 Advocacy Council and the Florida local advocacy councils, and
18 to have volunteers operate a network of councils that shall,
19 without interference by an executive agency, undertake to
20 discover, monitor, investigate, and determine the presence of
21 conditions or individuals that constitute a threat to the
22 rights, health, safety, or welfare of persons who receive
23 services from state agencies.

24 (b) It is the further intent of the Legislature that
25 the monitoring and investigation shall safeguard the health,
26 safety, and welfare of consumers of services provided by these
27 state agencies.

28 (c) It is the further intent of the Legislature that
29 state agencies cooperate with the councils in forming
30 interagency agreements to provide the councils with authorized
31 client records so that the councils may monitor services and

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1 investigate claims.

2 (2) As used in ss. 402.164-402.167, the term:

3 (b) "Client" means a client of the Agency for Persons
4 with Disabilities, the Agency for Health Care Administration,
5 the Department of Children and Family Services, or the
6 Department of Elderly Affairs, as defined in s. 393.063, s.
7 394.67, s. 397.311, or s. 400.960, a forensic client or client
8 as defined in s. 916.106, a child or youth as defined in s.
9 39.01, a child as defined in s. 827.01, a family as defined in
10 s. 414.0252, a participant as defined in s. 400.551, a
11 resident as defined in s. 400.402, a Medicaid recipient or
12 recipient as defined in s. 409.901, a child receiving child
13 care as defined in s. 402.302, a disabled adult as defined in
14 s. 410.032 or s. 410.603, or a victim as defined in s. 39.01
15 or s. 415.102 as each definition applies within its respective
16 chapter.

17 Section 10. Subsections (2), (5), and (7) and
18 paragraph (a) of subsection (8) of section 402.165, Florida
19 Statutes, are amended to read:

20 402.165 Florida Statewide Advocacy Council;
21 confidential records and meetings.--

22 (2) Members of the statewide council shall be
23 appointed to serve terms of 4 years, subject to termination at
24 the pleasure of the Governor prior to expiration of such
25 period. A member may not serve more than two full consecutive
26 terms.

27 (5)(a) Members of the statewide council shall receive
28 no compensation, but are entitled to be reimbursed for per
29 diem and travel expenses in accordance with s. 112.061.

30 (b) The Governor shall select an executive director
31 who shall serve at the pleasure of the Governor and shall

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1 perform the duties delegated to him or her by the council. The
 2 compensation of the executive director and staff shall be
 3 established in accordance with the rules of the Selected
 4 Exempt Service. The Governor shall give priority consideration
 5 in the selection of an executive director to an individual
 6 with professional expertise in research design, statistical
 7 analysis, or agency evaluation and analysis.

8 (c) The council may apply for, receive, and accept
 9 grants, gifts, donations, bequests, and other payments
 10 including money or property, real or personal, tangible or
 11 intangible, and service from any governmental or other public
 12 or private entity or person and make arrangements as to the
 13 use of same.

14 (d) The statewide council shall annually prepare a
 15 budget request that, after it is approved by the council,
 16 shall be submitted to the Governor. The budget shall include a
 17 request for funds to carry out the activities of the statewide
 18 council and the local councils.

19 (7) The responsibilities of the statewide council
 20 include, but are not limited to:

21 (a) Serving as an independent third-party mechanism
 22 for protecting the constitutional and human rights of clients
 23 within programs or facilities operated, funded, or contracted
 24 by any state agency that provides client services.

25 (b) Monitoring, by site visit and through access to
 26 records, the delivery and use of services, programs, or
 27 facilities operated, funded, or contracted by any state agency
 28 that provides client services, for the purpose of preventing
 29 abuse or deprivation of the constitutional and human rights of
 30 clients. The statewide council may conduct an unannounced site
 31 visit or monitoring visit that involves the inspection of

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1 records if the visit is conditioned upon a complaint. A
 2 complaint may be generated by the council itself, after
 3 consulting with the Governor's office, if information from any
 4 state agency that provides client services or from other
 5 sources indicates a situation at the program or facility that
 6 indicates possible abuse or neglect or deprivation of the
 7 constitutional and human rights of clients. The statewide
 8 council shall establish and follow uniform criteria for the
 9 review of information and generation of complaints. The
 10 statewide council shall develop a written protocol for all
 11 complaints it generates to provide the Governor's office with
 12 information including the nature of the abuse or neglect, the
 13 agencies involved, the populations or numbers of individuals
 14 affected, the types of records necessary to complete the
 15 investigation, and a strategy for approaching the problem.
 16 Routine program monitoring and reviews that do not require an
 17 examination of records may be made unannounced.

18 (c) Receiving, investigating, and resolving reports of
 19 abuse or deprivation of constitutional and human rights
 20 referred to the statewide council by a local council. If a
 21 matter constitutes a threat to the life, safety, or health of
 22 clients or is multiservice-area in scope, the statewide
 23 council may exercise its powers without the necessity of a
 24 referral from a local council.

25 (d) Reviewing existing programs or services and new or
 26 revised programs of the state agencies that provide client
 27 services and making recommendations as to how the rights of
 28 clients are affected.

29 (e) Submitting an annual report to the Legislature, no
 30 later than December 30 of each calendar year, concerning
 31 activities, recommendations, and complaints reviewed or

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1 developed by the council during the year.

2 (f) Conducting meetings at least once ~~six times~~ a year
3 at the call of the chair and at other times at the call of the
4 Governor or by written request of eight ~~six~~ members of the
5 council, including the executive director.

6 (g) Developing and adopting uniform procedures to be
7 used to carry out the purpose and responsibilities of the
8 statewide council and the local councils.

9 (h) Supervising the operations of the local councils
10 and monitoring the performance and activities of all local
11 councils and providing technical assistance to members of
12 local councils.

13 (i) Providing for the development and presentation of
14 a standardized training program for members of local councils.

15 (j) Developing and maintaining interagency agreements
16 between the council and the state agencies providing client
17 services. The interagency agreements shall address the
18 coordination of efforts and identify the roles and
19 responsibilities of the statewide and local councils and each
20 agency in fulfillment of their responsibilities, including
21 access to records. The interagency agreements shall explicitly
22 define a process that the statewide and local councils shall
23 use to request records from the agency and shall define a
24 process for appeal when disputes about access to records arise
25 between agency staff and council members. Interagency
26 agreements shall be renewed annually and shall be completed
27 and reported to the Governor no later than February 1.

28 (8)(a) In the performance of its duties, the statewide
29 council shall have:

30 1. Authority to receive, investigate, seek to
31 conciliate, hold hearings on, and act on complaints that

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1 allege any abuse or deprivation of constitutional or human
2 rights of persons who receive client services from any state
3 agency.

4 2. Access to all client records, files, and reports
5 from any program, service, or facility that is operated,
6 funded, or contracted by any state agency that provides client
7 services and any records that are material to its
8 investigation and are in the custody of any other agency or
9 department of government. The council's investigation or
10 monitoring shall not impede or obstruct matters under
11 investigation by law enforcement agencies or judicial
12 authorities. Access shall not be granted if a specific
13 procedure or prohibition for reviewing records is required by
14 federal law and regulation that supersedes state law. Access
15 shall not be granted to the records of a private licensed
16 practitioner who is providing services outside the state
17 agency, or outside a state facility, and whose client is
18 competent and refuses disclosure.

19 3. Standing to petition the circuit court for access
20 to client records that are confidential as specified by law.
21 The petition shall be filed with notice and opportunity to be
22 heard by the state agency and shall state the specific reasons
23 for which the council is seeking access and the intended use
24 of such information. The circuit court may authorize council
25 access to the records upon a finding that access is directly
26 related to an investigation regarding the possible deprivation
27 of constitutional or human rights or the abuse of a client.
28 Original client files, agency records, and reports may not be
29 removed from a state agency, but copies must be provided to
30 the council and the local councils at the agency's expense.
31 Under no circumstance shall the council have access to

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1 confidential adoption records once the adoption is finalized
 2 by a court in accordance with ss. 39.0132, 63.022, and 63.162.
 3 Upon completion of a general investigation of practices and
 4 procedures of a state agency, the statewide council shall
 5 report its findings to that agency.

6 Section 11. Section 409.1451, Florida Statutes, is
 7 amended to read:

8 409.1451 Independent living transition services.--

9 (1) SYSTEM OF SERVICES.--

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

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

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

30 (d) For children in foster care, independent living
 31 transition services are not an alternative to adoption.

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1 Independent living transition services may occur concurrently
2 with continued efforts to locate and achieve placement in
3 adoptive families for older children in foster care.

4 (2) ELIGIBILITY.--

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

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

20 (3) PREPARATION FOR INDEPENDENT LIVING.--

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

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1 self-sufficient. To support the provision of opportunities for
2 participation in age-appropriate life skills activities, the
3 department shall:

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

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

15 3. Develop procedures to maximize the authority of
16 foster parents or caregivers to approve participation in
17 age-appropriate activities of children in their care. The
18 age-appropriate activities and the authority of the foster
19 parent or caregiver shall be developed into a written plan
20 that the foster parent or caregiver, the child, and the case
21 manager all develop together, sign, and follow. This plan must
22 include specific goals and objectives and be reviewed and
23 updated no less than quarterly.

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 6. Make a good faith effort to fully explain, prior to

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1 execution of any signature, if required, any document, report,
 2 form, or other record, whether written or electronic,
 3 presented to a child or young adult pursuant to this chapter
 4 and allow for the recipient to ask any appropriate questions
 5 necessary to fully understand the document. It shall be the
 6 responsibility of the person presenting the document to the
 7 child or young adult to comply with this subparagraph.

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

16 1. For children in foster care who have reached 13
 17 years of age, ~~entering the 9th grade, their foster parents,~~
 18 ~~and~~ the department or community-based provider shall ensure
 19 that the child's case plan includes an educational and career
 20 path ~~be active participants in choosing a post-high school~~
 21 ~~goal~~ based upon both the abilities and interests of each
 22 child. The child, the foster parents, and a teacher or other
 23 school staff member shall be included to the fullest extent
 24 possible in developing the path. The path shall be reviewed at
 25 each judicial hearing as part of the case plan and ~~goal~~ shall
 26 accommodate the needs of children served in exceptional
 27 education programs to the extent appropriate for each
 28 individual. Such children may continue to follow the courses
 29 outlined in the district school board student progression
 30 plan. Children in foster care, with the assistance of their
 31 foster parents, and the department or community-based provider

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1 shall choose one of the following postsecondary goals:

2 a. Attending a 4-year college or university, a
3 community college plus university, or a military academy;

4 b. Receiving a 2-year postsecondary degree;

5 c. Attaining a postsecondary career and technical
6 certificate or credential; or

7 d. Beginning immediate employment, including
8 apprenticeship, after completion of a high school diploma or
9 its equivalent, or enlisting in the military.

10 2. In order to assist the child in foster care in
11 achieving his or her chosen goal, the department or
12 community-based provider shall, with the participation of the
13 child and foster parents, identify:

14 a. The core courses necessary to qualify for a chosen
15 goal.

16 b. Any elective courses which would provide additional
17 help in reaching a chosen goal.

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

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

25 3. In order to complement educational goals, the
26 department and community-based providers are encouraged to
27 form partnerships with the business community to support
28 internships, apprenticeships, or other work-related
29 opportunities.

30 4. The department and community-based providers shall
31 ensure that children in foster care and their foster parents

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1 are made aware of the postsecondary goals available and shall
2 assist in identifying the coursework necessary to enable the
3 child to reach the chosen goal.

4 (c) All children in foster care and young adults
5 formerly in foster care are encouraged to take part in
6 learning opportunities that result from participation in
7 community service activities.

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

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

23 (a) Preindependent living services.--

24 1. Preindependent living services include, but are not
25 limited to, life skills training, educational field trips, and
26 conferences. The specific services to be provided to a child
27 shall be determined using a preindependent living assessment.

28 2. A child who has reached 13 years of age but is not
29 yet 15 years of age who is in foster care is eligible for such
30 services.

31 3. The department shall conduct an annual staffing for

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1 each child who has reached 13 years of age but is not yet 15
 2 years of age to ensure that the preindependent living training
 3 and services to be provided as determined by the
 4 preindependent living assessment are being received and to
 5 evaluate the progress of the child in developing the needed
 6 independent living skills.

7 4. At the first annual staffing that occurs following
 8 a child's 14th birthday, and at each subsequent staffing, the
 9 department or community-based provider shall ensure that the
 10 child's case plan includes an educational and career path
 11 based upon both the abilities and interests of each child and
 12 shall provide to each child detailed personalized information
 13 on services provided by the Road-to-Independence ~~Scholarship~~
 14 Program, including requirements for eligibility; on other
 15 grants, scholarships, and waivers that are available and
 16 should be sought by the child with assistance from the
 17 department, including, but not limited to, the Bright Futures
 18 Scholarship Program, as provided in ss. 1009.53-1009.538; on
 19 application deadlines; and on grade requirements for such
 20 programs.

21 5. Information related to both the preindependent
 22 living assessment and all staffings, which shall be reduced to
 23 writing and signed by the child participant, shall be included
 24 as a part of the written report required to be provided to the
 25 court at each judicial review held pursuant to s. 39.701.

26 (b) Life skills services.--

27 1. Life skills services may include, but are not
 28 limited to, independent living skills training, including
 29 training to develop banking and budgeting skills, interviewing
 30 skills, parenting skills, and time management or
 31 organizational skills, educational support, employment

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1 training, and counseling. Children receiving these services
 2 should also be provided with information related to social
 3 security insurance benefits and public assistance. The
 4 specific services to be provided to a child shall be
 5 determined using an independent life skills assessment.

6 2. A child who has reached 15 years of age but is not
 7 yet 18 years of age who is in foster care is eligible for such
 8 services.

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

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

24 5. Information related to both the independent life
 25 skills assessment and all staffings, which shall be reduced to
 26 writing and signed by the child participant, shall be included
 27 as a part of the written report required to be provided to the
 28 court at each judicial review held pursuant to s. 39.701.

29 (c) Subsidized independent living services.--

30 1. Subsidized independent living services are living
 31 arrangements that allow the child to live independently of the

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1 daily care and supervision of an adult in a setting that is
2 not required to be licensed under s. 409.175.

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

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

11 b. Is able to demonstrate independent living skills,
12 as determined by the department, using established procedures
13 and assessments.

14 3. Independent living arrangements established for a
15 child must be part of an overall plan leading to the total
16 independence of the child from the department's supervision.
17 The plan must include, but need not be limited to, a
18 description of the skills of the child and a plan for learning
19 additional identified skills; the behavior that the child has
20 exhibited which indicates an ability to be responsible and a
21 plan for developing additional responsibilities, as
22 appropriate; a plan for future educational, vocational, and
23 training skills; present financial and budgeting capabilities
24 and a plan for improving resources and ability; a description
25 of the proposed residence; documentation that the child
26 understands the specific consequences of his or her conduct in
27 the independent living program; documentation of proposed
28 services to be provided by the department and other agencies,
29 including the type of service and the nature and frequency of
30 contact; and a plan for maintaining or developing

31 relationships with the family, other adults, friends, and the

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1 community, as appropriate.

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

6 (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER
7 CARE.--Based on the availability of funds, the department
8 shall provide or arrange for the following services to young
9 adults formerly in foster care who meet the prescribed
10 conditions and are determined eligible by the department. The
11 department, or a community-based care lead agency when the
12 agency is under contract with the department to provide the
13 services described under this subsection, shall develop a plan
14 to implement those services. A plan shall be developed for
15 each community-based care service area in the state. Each plan
16 that is developed by a community-based care lead agency shall
17 be submitted to the department. Each plan shall include the
18 number of young adults to be served each month of the fiscal
19 year and specify the number of young adults who will reach 18
20 years of age who will be eligible for the plan and the number
21 of young adults who will reach 23 years of age and will be
22 ineligible for the plan or who are otherwise ineligible during
23 each month of the fiscal year; staffing requirements and all
24 related costs to administer the services and program;
25 expenditures to or on behalf of the eligible recipients; costs
26 of services provided to young adults through an approved plan
27 for housing, transportation, and employment; reconciliation of
28 these expenses and any additional related costs with the funds
29 allocated for these services; and an explanation of and a plan
30 to resolve any shortages or surpluses in order to end the
31 fiscal year with a balanced budget. The categories of

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1 services available to assist a young adult formerly in foster
2 care to achieve independence are:

3 (a) Aftercare support services.--

4 1. Aftercare support services are available to assist
5 young adults who were formerly in foster care in their efforts
6 to continue to develop the skills and abilities necessary for
7 independent living. The aftercare support services available
8 include, but are not limited to, the following:

9 a. Mentoring and tutoring.

10 b. Mental health services and substance abuse
11 counseling.

12 c. Life skills classes, including credit management
13 and preventive health activities.

14 d. Parenting classes.

15 e. Job and career skills training.

16 f. Counselor consultations.

17 g. Temporary financial assistance.

18 h. Financial literacy skills training.

19
20 The specific services to be provided under this subparagraph
21 shall be determined by an aftercare services assessment and
22 may be provided by the department or through referrals in the
23 community.

24 2. Temporary assistance provided to prevent
25 homelessness shall be provided as expeditiously as possible
26 and within the limitations defined by the department.

27 ~~3.2.~~ A young adult who has reached 18 years of age but
28 is not yet 23 years of age who leaves foster care at 18 years
29 of age but who requests services prior to reaching 23 years of
30 age is eligible for such services.

31 (b) Road-to-Independence ~~Scholarship~~ Program.--

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

10 2. A young adult who has reached 18 years of age but
11 is not yet 21 years of age is eligible for the initial award,
12 and a young adult under 23 years of age is eligible for
13 renewal awards, if he or she:

14 a. Was a dependent child, under chapter 39, and was
15 living in licensed foster care or in subsidized independent
16 living at the time of his or her 18th birthday or is currently
17 in licensed foster care or subsidized independent living, was
18 adopted from foster care after reaching 16 years of age, or,
19 after spending at least 6 months in the custody of the
20 department after reaching 16 years of age, was placed in a
21 guardianship by the court ;

22 b. Spent at least 6 months living in foster care
23 before reaching his or her 18th birthday;

24 c. Is a resident of this state as defined in s.
25 1009.40; and

26 d. Meets one of the following qualifications:

27 (I) Has earned a standard high school diploma or its
28 equivalent as described in s. 1003.43 or s. 1003.435, or has
29 earned a special diploma or special certificate of completion
30 as described in s. 1003.438, and has been admitted for
31 full-time enrollment in an eligible postsecondary education

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1 institution as defined in s. 1009.533;

2 (II) Is enrolled full time in an accredited high
3 school; or

4 (III) Is enrolled full time in an accredited adult
5 education program designed to provide the student with a high
6 school diploma or its equivalent.

7 3. A young adult applying for the a
8 Road-to-Independence Program Scholarship must apply for any
9 other grants and scholarships for which he or she may qualify.
10 The department shall assist the young adult in the application
11 process and may use the federal financial aid grant process to
12 determine the funding needs of the young adult.

13 4. An award shall be available to a young adult who is
14 considered a full-time student or its equivalent by the
15 educational institution in which he or she is enrolled, unless
16 that young adult has a recognized disability preventing
17 full-time attendance. The amount of the award, whether it is
18 being used by a young adult working toward completion of a
19 high school diploma or its equivalent or working toward
20 completion of a postsecondary education program, shall be
21 determined based on an assessment of the funding needs of the
22 young adult. This assessment must consider the young adult's
23 living and educational costs and other grants, scholarships,
24 waivers, earnings, and other income to be received by the
25 young adult. An award shall be available only to the extent
26 that other grants and scholarships are not sufficient to meet
27 the living and educational needs of the young adult, but an
28 award may not be less than \$25 in order to maintain Medicaid
29 eligibility for the young adult as provided in s. 409.903.

30 5. The amount of the award may be disregarded for
31 purposes of determining the eligibility for, or the amount of,

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1 any other federal or federally supported assistance.

2 6.5.a. The department must advertise the criteria,
3 application procedures, and availability of the program to:

4 (I) Children and young adults in, leaving, or formerly
5 in foster care.

6 (II) Case managers.

7 (III) Guidance and family services counselors.

8 (IV) Principals or other relevant school

9 administrators. (V) Guardians ad litem.

10 (VI) Foster parents. and must ensure that the children
11 and young adults leaving foster care, foster parents, or
12 family services counselors are informed of the availability of
13 the program and the application procedures.

14 ~~b. A young adult must apply for the initial award~~
15 ~~during the 6 months immediately preceding his or her 18th~~
16 ~~birthday, and the department shall provide assistance with the~~
17 ~~application process. A young adult who fails to make an~~
18 ~~initial application, but who otherwise meets the criteria for~~
19 ~~an initial award, may make one application for the initial~~
20 ~~award if the application is made before the young adult's 21st~~
21 ~~birthday. If the young adult does not apply for an initial~~
22 ~~award before his or her 18th birthday, the department shall~~
23 ~~inform that young adult of the opportunity to apply before~~
24 ~~turning 21 years of age.~~

25 ~~b.c. If funding for the program is available, The~~
26 ~~department shall issue awards from the scholarship program for~~
27 ~~each young adult who meets all the requirements of the program~~
28 ~~to the extent funding is available.~~

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

31 ~~d.e. A young adult who is eligible for the~~

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1 Road-to-Independence Program, transitional support services,
 2 or aftercare services and who so desires shall be allowed to
 3 reside with the licensed foster family or group care provider
 4 with whom he or she was residing at the time of attaining his
 5 or her 18th birthday or to reside in another licensed foster
 6 home or with a group care provider arranged by the department.

7 e.f. If the award recipient transfers from one
 8 eligible institution to another and continues to meet
 9 eligibility requirements, the award must be transferred with
 10 the recipient.

11 f.g. ~~Scholarship~~ Funds awarded to any eligible young
 12 adult under this program are in addition to any other services
 13 or funds provided to the young adult by the department through
 14 transitional support services or aftercare services ~~its~~
 15 ~~independent living transition services.~~

16 g.h. The department shall provide information
 17 concerning young adults receiving funding through the
 18 Road-to-Independence ~~Program~~ ~~Scholarship~~ to the Department of
 19 Education for inclusion in the student financial assistance
 20 database, as provided in s. 1009.94.

21 h.i. ~~Scholarship~~ Funds are intended to help eligible
 22 young adults ~~students~~ who are former foster children in this
 23 state to receive the educational and vocational training
 24 needed to become independent and self-supporting. The funds
 25 shall be terminated when the young adult has attained one of
 26 four postsecondary goals under subsection (3) or reaches 23
 27 years of age, whichever occurs earlier. In order to initiate
 28 postsecondary education, to allow for a change in career goal,
 29 or to obtain additional skills in the same educational or
 30 vocational area, a young adult may earn no more than two
 31 diplomas, certificates, or credentials. A young adult

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1 | attaining an associate of arts or associate of science degree
 2 | shall be permitted to work toward completion of a bachelor of
 3 | arts or a bachelor of science degree or an equivalent
 4 | undergraduate degree. Road-to-Independence Program ~~Scholarship~~
 5 | funds may not be used for education or training after a young
 6 | adult has attained a bachelor of arts or a bachelor of science
 7 | degree or an equivalent undergraduate degree.

8 | *i.j.* The department shall evaluate and renew each
 9 | award annually during the 90-day period before the young
 10 | adult's birthday. In order to be eligible for a renewal award
 11 | for the subsequent year, the young adult must:

12 | (I) Complete the number of hours, or the equivalent
 13 | considered full time by the educational institution, unless
 14 | that young adult has a recognized disability preventing
 15 | full-time attendance, in the last academic year in which the
 16 | young adult earned an award ~~a scholarship~~, except for a young
 17 | adult who meets the requirements of s. 1009.41.

18 | (II) Maintain appropriate progress as required by the
 19 | educational institution, except that, if the young adult's
 20 | progress is insufficient to renew the award ~~scholarship~~ at any
 21 | time during the eligibility period, the young adult may
 22 | restore eligibility by improving his or her progress to the
 23 | required level.

24 | *j.k.* ~~Scholarship~~ Funds may be terminated during the
 25 | interim between an award and the evaluation for a renewal
 26 | award if the department determines that the award recipient is
 27 | no longer enrolled in an educational institution as defined in
 28 | sub-subparagraph 2.d., or is no longer a state resident. The
 29 | department shall notify a recipient ~~student~~ who is terminated
 30 | and inform the recipient ~~student~~ of his or her right to
 31 | appeal.

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1 ~~k.1.~~ An award recipient who does not qualify for a
2 renewal award or who chooses not to renew the award may
3 subsequently apply for reinstatement. An application for
4 reinstatement must be made before the young adult reaches 23
5 years of age, and a student may not apply for reinstatement
6 more than once. In order to be eligible for reinstatement, the
7 young adult must meet the eligibility criteria and the
8 criteria for award renewal for the ~~scholarship~~ program.

9 (c) Transitional support services.--

10 1. In addition to any services provided through
11 aftercare support or the Road-to-Independence Program
12 ~~Scholarship~~, a young adult formerly in foster care may receive
13 other appropriate short-term funding and services, which may
14 include financial, housing, counseling, employment, education,
15 mental health, disability, and other services, if the young
16 adult demonstrates that the services are critical to the young
17 adult's own efforts to achieve self-sufficiency and to develop
18 a personal support system. The department or community-based
19 care provider shall work with the young adult in developing a
20 joint transition plan that is consistent with a needs
21 assessment identifying the specific need for transitional
22 services to support the young adult's own efforts. The young
23 adult must have specific tasks to complete or maintain
24 included in the plan and be accountable for the completion of
25 or making progress towards the completion of these tasks. If
26 the young adult and the department or community-based care
27 provider cannot come to agreement regarding any part of the
28 plan, the young adult may access a grievance process to its
29 full extent in an effort to resolve the disagreement.

30 2. A young adult formerly in foster care is eligible
31 to apply for transitional support services if he or she has

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1 reached 18 years of age but is not yet 23 years of age, was a
 2 dependent child pursuant to chapter 39, was living in licensed
 3 foster care or in subsidized independent living at the time of
 4 his or her 18th birthday, and had spent at least 6 months
 5 living in foster care before that date.

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

10 (d) Payment of aftercare, Road-to-Independence Program
 11 ~~scholarship~~, or transitional support funds.--

12 1. Payment of aftercare, Road-to-Independence Program
 13 ~~scholarship~~, or transitional support funds shall be made
 14 directly to the recipient unless the recipient requests in
 15 writing to the community-based care lead agency, or the
 16 department, that the payments or a portion of the payments be
 17 made directly on the recipient's behalf in order to secure
 18 services such as housing, counseling, education, or employment
 19 training as part of the young adult's own efforts to achieve
 20 self-sufficiency.

21 2. After the completion of aftercare support services
 22 that satisfy the requirements of sub-subparagraph (a)1.h.,
 23 payment of awards under the Road-to-Independence Program shall
 24 be made by direct deposit to the recipient, unless the
 25 recipient requests in writing to the community-based care lead
 26 agency or the department that:

27 a. The payments be made directly to the recipient by
 28 check or warrant;

29 b. The payments or a portion of the payments be made
 30 directly on the recipient's behalf to institutions the
 31 recipient is attending to maintain eligibility under this

1 section; or

2 c. The payments be made on a two-party check to a
3 business or landlord for a legitimate expense, whether
4 reimbursed or not. A legitimate expense for the purposes of
5 this sub-subparagraph shall include automobile repair or
6 maintenance expenses; educational, job, or training expenses;
7 and costs incurred, except legal costs, fines, or penalties,
8 when applying for or executing a rental agreement for the
9 purposes of securing a home or residence.

10 3. The community-based care lead agency may purchase
11 housing, transportation, or employment services to ensure the
12 availability and affordability of specific transitional
13 services thereby allowing an eligible young adult to utilize
14 these services in lieu of receiving a direct payment. Prior to
15 purchasing such services, the community-based care lead agency
16 must have a plan approved by the department describing the
17 services to be purchased, the rationale for purchasing the
18 services, and a specific range of expenses for each service
19 that is less than the cost of purchasing the service by an
20 individual young adult. The plan must include a description of
21 the transition of a young adult using these services into
22 independence and a timeframe for achievement of independence.
23 An eligible young adult who prefers a direct payment shall
24 receive such payment. The plan must be reviewed annually and
25 evaluated for cost-efficiency and for effectiveness in
26 assisting young adults in achieving independence, preventing
27 homelessness among young adults, and enabling young adults to
28 earn a livable wage in a permanent employment situation.

29 4. The young adult who resides with a foster family
30 may not be included as a child in calculating any licensing
31 restriction on the number of children in the foster home.

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1 (e) Appeals process.--

2 1. The Department of Children and Family Services
3 shall adopt by rule a procedure by which a young adult may
4 appeal an eligibility determination or the department's
5 failure to provide aftercare, Road-to-Independence Program
6 scholarship, or transitional support services, or the
7 termination of such services, if such funds are available.

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

14 (6) ACCOUNTABILITY.--The department shall develop
15 outcome measures for the program and other performance
16 measures in order to maintain oversight of the program. The
17 department shall prepare a report on the outcome measures and
18 the department's oversight activities and submit the report to
19 the President of the Senate, the Speaker of the House of
20 Representatives, and the committees with jurisdiction over
21 issues relating to children and families in the Senate and the
22 House of Representatives no later than January 31 of each
23 year. The report must include:

24 (a) An analysis of performance on the outcome measures
25 developed under this section reported for each community-based
26 care lead agency and compared with the performance of the
27 department on the same measures.

28 (b) A description of the department's oversight of the
29 program, including, by lead agency, any programmatic or fiscal
30 deficiencies found, corrective actions required, and current
31 status of compliance.

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

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

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

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

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

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

29 (d) The Department of Children and Family Services
 30 shall provide administrative support to the Independent Living
 31 Services Advisory Council to accomplish its assigned tasks.

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1 The advisory council shall be afforded access to all
 2 appropriate data from the department, each community-based
 3 care lead agency, and other relevant agencies in order to
 4 accomplish the tasks set forth in this section. The data
 5 collected may not include any information that would identify
 6 a specific child or young adult.

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

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

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

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

25 (10) RULEMAKING.--The department shall adopt by rule
 26 procedures to administer this section, including balancing the
 27 goals of normalcy and safety for the youth and providing the
 28 caregivers with as much flexibility as possible to enable the
 29 youth to participate in normal life experiences. The
 30 department shall not adopt rules relating to reductions in
 31 ~~scholarship~~ awards. The department shall engage in appropriate

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1 | planning to prevent, to the extent possible, a reduction in
2 | ~~scholarship~~ awards after issuance.

3 | Section 12. Paragraph (b) of subsection (2) of section
4 | 409.175, Florida Statutes, is amended to read:

5 | 409.175 Licensure of family foster homes, residential
6 | child-caring agencies, and child-placing agencies; public
7 | records exemption.--

8 | (2) As used in this section, the term:

9 | (b) "Boarding school" means a school which is
10 | accredited by the Florida Council of Independent Schools or
11 | the Southern Association of Colleges and Schools; which is
12 | accredited by the Council on Accreditation, the Commission on
13 | Accreditation of Rehabilitation Facilities, or the Coalition
14 | for Residential Education; and which is registered with the
15 | Department of Education as a school. Its program must follow
16 | established school schedules, with holiday breaks and summer
17 | recesses in accordance with other public and private school
18 | programs. The children in residence must customarily return to
19 | their family homes or legal guardians during school breaks and
20 | must not be in residence year-round, except that this
21 | provision does not apply to foreign students. The parents of
22 | these children retain custody and planning and financial
23 | responsibility. A boarding school currently in existence and
24 | a boarding school opening and seeking accreditation has 3
25 | years to comply with the requirements of this paragraph. A
26 | boarding school must provide proof of accreditation or
27 | documentation of the accreditation process upon request. A
28 | boarding school that cannot produce the required documentation
29 | or that has not registered with the Department of Education
30 | shall be considered to be providing residential group care
31 | without a license. The department may impose administrative

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1 sanctions or seek civil remedies as provided under paragraph
2 (11)(a).

3 Section 13. Subsection (4) of section 409.903, Florida
4 Statutes, is amended to read:

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

15 (4) A child who is eligible under Title IV-E of the
16 Social Security Act for subsidized board payments, foster
17 care, or adoption subsidies, and a child for whom the state
18 has assumed temporary or permanent responsibility and who does
19 not qualify for Title IV-E assistance but is in foster care,
20 shelter or emergency shelter care, or subsidized adoption.

21 This category includes a young adult who is eligible to
22 receive services under s. 409.1451(5), until the young adult
23 reaches 20 years of age, without regard to any income,
24 resource, or categorical eligibility test that is otherwise
25 required. This category also includes a person who as a child
26 ~~who~~ was eligible under Title IV-E of the Social Security Act
27 for foster care or the state-provided foster care, who exited
28 ~~foster care due to attaining the age of 18 years,~~ and who is a
29 participant in the ~~has been awarded a~~ Road-to-Independence
30 Program Scholarship.

31 Section 14. Section 743.045, Florida Statutes, is

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1 created to read:

2 743.045 Removal of disabilities of minors; executing
3 contracts for a residential lease.--For the sole purpose of
4 ensuring that a youth in foster care will be able to execute a
5 contract for the lease of residential property upon the
6 youth's 18th birthday, the disability of nonage of minors is
7 removed for all youth who have reached 17 years of age, have
8 been adjudicated dependent, and are in the legal custody of
9 the Department of Children and Family Services through foster
10 care or subsidized independent living. These youth are
11 authorized to make and execute contracts, releases, and all
12 other instruments necessary for the purpose of entering into a
13 contract for the lease of residential property upon the
14 youth's 18th birthday. The contracts or other instruments made
15 by the youth shall have the same effect as though they were
16 the obligations of persons who were not minors. A youth
17 seeking to enter into such lease contracts or execute other
18 necessary instruments that are incidental to entering into a
19 lease must present an order from a court of competent
20 jurisdiction removing the disabilities of nonage of the minor
21 under this section.

22 Section 15. Paragraph (c) of subsection (2) of section
23 1009.25, Florida Statutes, is amended to read:

24 1009.25 Fee exemptions.--

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

29 (c) A student who ~~the state has determined is eligible~~
30 ~~for the Road to Independence Scholarship, regardless of~~
31 ~~whether an award is issued or not, or a student who is or was~~

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1 at the time he or she reached 18 years of age in the custody
 2 of the Department of Children and Family Services or a
 3 relative under s. 39.5085, ~~or~~ who is adopted from the
 4 Department of Children and Family Services after May 5, 1997,
 5 or who, after spending at least 6 months in the custody of the
 6 department after reaching 16 years of age, was placed in a
 7 guardianship by the court. Such exemption includes fees
 8 associated with enrollment in career-preparatory instruction
 9 and completion of the college-level communication and
 10 computation skills testing program. Such an exemption is
 11 available to any student who was in the custody of a relative
 12 under s. 39.5085 at the time he or she reached 18 years of age
 13 or was adopted from the Department of Children and Family
 14 Services after May 5, 1997; however, the exemption remains
 15 valid for no more than 4 years after the date of graduation
 16 from high school.

17 Section 16. For fiscal year 2006-2007, the sum of
 18 \$243,557 is appropriated from the General Revenue Fund to the
 19 Executive Office of the Governor for the establishment of the
 20 Office of Child Abuse Prevention, the sum of \$236,376 is
 21 appropriated from the General Revenue Fund to the Department
 22 of Children and Family Services to handle the increased
 23 workload as a result of the mandatory reporting requirement
 24 for public school personnel, and the sum of \$2,802,522 is
 25 appropriated from the General Revenue Fund and the sum of
 26 \$3,994,766 is appropriated from the Medical Care Trust Fund to
 27 the Agency for Health Care Administration to fund the Medicaid
 28 expansion.

29 Section 17. This act shall take effect July 1, 2006,
 30 except that s. 409.1451(2) and (5)(b)2.a., Florida Statutes,
 31 as amended by this act, shall take effect only if a specific

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1 appropriation to fund the provisions of those sections is made
2 in the General Appropriations Act for fiscal year 2006-2007.

3
4

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

6 And the title is amended as follows:

7 Delete everything before the enacting clause

8

9 and insert:

10

A bill to be entitled

11

An act relating to the welfare of children;
amending s. 39.001, F.S.; providing additional
purposes of ch. 39, F.S.; revising legislative
intent; creating the Office of Child Abuse
Prevention within the Executive Office of the
Governor; directing the Governor to appoint a
director of the office; providing duties and
responsibilities of the director; providing
procedures for evaluation of child abuse
prevention programs; requiring a report to the
Governor, Legislature, secretaries of certain
state agencies, and certain committees of the
Legislature; providing for information to be
included in the report; providing for the
development and implementation of a state plan
for the coordination of child abuse prevention
programs and services; establishing a Child
Abuse Prevention Advisory Council; providing
for membership, duties, and responsibilities;
requiring requests for funding to be based on
the state plan; providing for review and

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1 revision of the state plan; granting rulemaking
2 authority to the Executive Office of the
3 Governor; requiring the Legislature to evaluate
4 the office by a specified date; amending s.
5 39.0014, F.S.; providing responsibilities of
6 the office under ch. 39, F.S.; amending s.
7 39.01, F.S.; providing and revising
8 definitions; amending s. 39.202, F.S.;
9 providing access to records for agencies that
10 provide early intervention and prevention
11 services; amending ss. 39.0015, 39.013, and
12 39.302, F.S.; conforming cross-references and
13 terminology; amending s. 39.701, F.S.;
14 requiring the court to issue an order that is
15 separate from other judicial review orders;
16 amending s. 402.164, F.S.; establishing
17 legislative intent for the statewide and local
18 advocacy councils; revising a definition;
19 amending s. 402.165, F.S.; providing for
20 termination of members of the statewide
21 council; providing guidelines for selection of
22 the executive director of the Florida Statewide
23 Advocacy Council; establishing a process for
24 investigating reports of abuse; revising
25 council meeting requirements; providing
26 requirements for interagency agreements;
27 requiring interagency agreements to be renewed
28 annually and submitted to the Governor by a
29 specified date; providing additional
30 requirements for the statewide council to
31 petition the circuit court for access to

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1 certain records; amending s. 409.1451, F.S.,
2 relating to independent living transition
3 services; revising eligibility requirements for
4 certain young adults; revising duties of the
5 Department of Children and Family Services
6 regarding independent living transition
7 services; including additional parties in the
8 review of a child's academic performance;
9 requiring the department or a community-based
10 care lead agency under contract with the
11 department to develop a plan for delivery of
12 such services; requiring additional aftercare
13 support services; providing additional
14 qualifications to receive an award under the
15 Road-to-Independence Program; deleting certain
16 time restrictions for submitting applications;
17 providing procedures for the payment of awards;
18 requiring collaboration between certain parties
19 in the development of a plan regarding the
20 provision of transitional services; requiring a
21 community-based care lead agency to develop a
22 plan for purchase and delivery of such services
23 and requiring department approval prior to
24 implementation; requiring the department to
25 submit a report annually to the Legislature on
26 performance, oversight, and rule development;
27 permitting the Independent Living Services
28 Advisory Council to have access to certain data
29 held by the department and certain agencies;
30 amending s. 409.175, F.S.; revising the
31 definition of the term "boarding school" to

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1 require such schools to meet certain standards
2 within a specified timeframe; amending s.
3 409.903, F.S.; providing eligibility criteria
4 for certain persons to qualify for medical
5 assistance payments; creating s. 743.045, F.S.;
6 removing the disability of nonage for certain
7 youth in the legal custody of the Department of
8 Children and Family Services; amending s.
9 1009.25, F.S.; providing additional criteria
10 for a student to qualify for an exemption from
11 certain tuition and fees; providing a
12 contingent effective date.

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