

By the Committee on Health and Human Services Appropriations;  
and Senator Storms

603-08334-08

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1 A bill to be entitled

2 An act relating to independent living preparation for  
3 youth in foster care; amending s. 409.1451, F.S.;  
4 authorizing group home provider agencies and residential  
5 agencies to prepare and implement developmental plans for  
6 children in their care; requiring the Independent Living  
7 Services Advisory Council to research and advise the  
8 Department of Children and Family Services and the  
9 Legislature on specific methods to reduce the number of  
10 youth in foster care who attain the age of 18 and do not  
11 acquire a high school diploma or its equivalent; creating  
12 s. 743.046, F.S.; removing the disability of nonage for  
13 minor executing a contract for the purpose of securing  
14 utility services upon reaching 17 years of age; providing  
15 an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19 Section 1. Paragraph (a) of subsection (3) and subsection  
20 (7) of section 409.1451, Florida Statutes, are amended to read:

21 409.1451 Independent living transition services.--

22 (3) PREPARATION FOR INDEPENDENT LIVING.--

23 (a) It is the intent of the Legislature for the Department  
24 of Children and Family Services to assist older children in  
25 foster care and young adults who exit foster care at age 18 in  
26 making the transition to independent living and self-sufficiency  
27 as adults. The department shall provide such children and young  
28 adults with opportunities to participate in life skills  
29 activities in their foster families and communities which are

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30 reasonable and appropriate for their respective ages or for any  
31 special needs they may have and shall provide them with services  
32 to build life skills and increase their ability to live  
33 independently and become self-sufficient. To support the  
34 provision of opportunities for participation in age-appropriate  
35 life skills activities, the department shall:

36 1. Develop a list of age-appropriate activities and  
37 responsibilities to be offered to all children involved in  
38 independent living transition services and their foster parents.

39 2. Provide training for staff and foster parents to address  
40 the issues of older children in foster care in transitioning to  
41 adulthood, which shall include information on high school  
42 completion, grant applications, vocational school opportunities,  
43 supporting education and employment opportunities, and  
44 opportunities to participate in appropriate daily activities.

45 3. Develop procedures to maximize the authority of foster  
46 parents, group home provider agencies, residential agencies, or  
47 other authorized caregivers to approve participation in age-  
48 appropriate activities of children in their care. The age-  
49 appropriate activities and the authority of the foster parent, group home provider agency, residential agency, or other  
50 authorized caregiver shall be developed into a written plan that  
51 the foster parent or caregiver, the child, and the case manager  
52 all develop together, sign, and follow. This plan must include  
53 specific goals and objectives and be reviewed and updated no less  
54 than quarterly. Foster parents, group home provider agencies,  
55 residential agencies, or other authorized caregivers who have  
56 developed a written plan as described in this subparagraph shall  
57 not be held responsible under administrative rules or laws  
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59 | pertaining to state licensure or have their licensure status in  
60 | any manner jeopardized as a result of the actions of a child  
61 | engaged in the approved age-appropriate activities specified in  
62 | the written plan.

63 |         4. Provide opportunities for older children in foster care  
64 | to interact with mentors.

65 |         5. Develop and implement procedures for older children to  
66 | directly access and manage the personal allowance they receive  
67 | from the department in order to learn responsibility and  
68 | participate in age-appropriate life skills activities to the  
69 | extent feasible.

70 |         6. Make a good faith effort to fully explain, prior to  
71 | execution of any signature, if required, any document, report,  
72 | form, or other record, whether written or electronic, presented  
73 | to a child or young adult pursuant to this chapter and allow for  
74 | the recipient to ask any appropriate questions necessary to fully  
75 | understand the document. It shall be the responsibility of the  
76 | person presenting the document to the child or young adult to  
77 | comply with this subparagraph.

78 |         (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.--The  
79 | Secretary of Children and Family Services shall establish the  
80 | Independent Living Services Advisory Council for the purpose of  
81 | reviewing and making recommendations concerning the  
82 | implementation and operation of the independent living transition  
83 | services. This advisory council shall continue to function as  
84 | specified in this subsection until the Legislature determines  
85 | that the advisory council can no longer provide a valuable  
86 | contribution to the department's efforts to achieve the goals of  
87 | the independent living transition services.

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88 (a) Specifically, the advisory council shall assess the  
89 implementation and operation of the system of independent living  
90 transition services and advise the department on actions that  
91 would improve the ability of the independent living transition  
92 services to meet the established goals. The advisory council  
93 shall keep the department informed of problems being experienced  
94 with the services, barriers to the effective and efficient  
95 integration of services and support across systems, and successes  
96 that the system of independent living transition services has  
97 achieved. The department shall consider, but is not required to  
98 implement, the recommendations of the advisory council.

99 (b) The advisory council shall report to the appropriate  
100 substantive committees of the Senate and the House of  
101 Representatives on the status of the implementation of the system  
102 of independent living transition services; efforts to publicize  
103 the availability of aftercare support services, the Road-to-  
104 Independence Program, and transitional support services; the  
105 success of the services; problems identified; recommendations for  
106 department or legislative action; and the department's  
107 implementation of the recommendations contained in the  
108 Independent Living Services Integration Workgroup Report  
109 submitted to the Senate and the House substantive committees  
110 December 31, 2002. This advisory council report shall be  
111 submitted by December 31 of each year that the council is in  
112 existence and shall be accompanied by a report from the  
113 department which identifies the recommendations of the advisory  
114 council and either describes the department's actions to  
115 implement these recommendations or provides the department's  
116 rationale for not implementing the recommendations.

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117 (c) Members of the advisory council shall be appointed by  
118 the secretary of the department. The membership of the advisory  
119 council must include, at a minimum, representatives from the  
120 headquarters and district offices of the Department of Children  
121 and Family Services, community-based care lead agencies, the  
122 Agency for Workforce Innovation, the Department of Education, the  
123 Agency for Health Care Administration, the State Youth Advisory  
124 Board, Workforce Florida, Inc., the Statewide Guardian Ad Litem  
125 Office, foster parents, recipients of Road-to-Independence  
126 Program funding, and advocates for foster children. The secretary  
127 shall determine the length of the term to be served by each  
128 member appointed to the advisory council, which may not exceed 4  
129 years.

130 (d) The Department of Children and Family Services shall  
131 provide administrative support to the Independent Living Services  
132 Advisory Council to accomplish its assigned tasks. The advisory  
133 council shall be afforded access to all appropriate data from the  
134 department, each community-based care lead agency, and other  
135 relevant agencies in order to accomplish the tasks set forth in  
136 this section. The data collected may not include any information  
137 that would identify a specific child or young adult.

138 (e) The advisory council report that is due by December 31,  
139 2008, shall include a specific analysis and recommendations for  
140 the department and the Legislature to consider regarding youth  
141 who have turned 18 while in foster care and who have not earned a  
142 standard high school diploma or its equivalent as described in s.  
143 1003.43 or s. 1003.435, or have not earned a special diploma or  
144 special certificate of completion as described in s. 1003.438.  
145 The council shall consider and report on the most effective

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146 strategies to assist these specific young adults in completing  
147 high school or its equivalent through the examination of  
148 practices by other states, evidence-based practices, and  
149 promising strategies throughout this state and the country.  
150 Furthermore, the council shall recommend specific policy or  
151 statutory changes that are needed to facilitate the  
152 implementation of these strategies leading to the successful  
153 completion of high school for these specific young adults.

154 Section 2. Section 743.046, Florida Statutes, is created to  
155 read:

156 743.046 Removal of disabilities of minors; agreements for  
157 utility services.--For the sole purpose of enabling a minor in  
158 foster care to secure utility services at a residential property  
159 upon becoming an adult, the disability of nonage of minors is  
160 removed for all minors who have reached 17 years of age, have  
161 been adjudicated dependent, and are in the legal custody of the  
162 Department of Children and Family Services through foster care or  
163 subsidized independent living. Such minors may make and execute  
164 contracts, agreements, releases, and all other instruments  
165 necessary for securing utility services at a residential property  
166 upon becoming 17 years of age. The contracts or other agreements  
167 made by the minor shall have the same effect as though they were  
168 the obligations of persons who are adults. A minor seeking to  
169 enter into such contracts or agreements or execute other  
170 necessary instruments that are incidental to securing utility  
171 services must present a court order removing the disabilities of  
172 nonage for the purpose of this section.

173 Section 3. This act shall take effect July 1, 2008.