

By Senator Hill

1-03427-08

20082408__

1 A bill to be entitled
2 An act relating to relative caretakers; amending s.
3 39.5085, F.S.; revising the term relative caretaker to
4 include all persons related by blood, marriage, or
5 adoption to the parent or stepparent of a child; amending
6 ss. 414.0252 and 414.095, F.S.; conforming provisions to
7 changes made by the act; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
10

11 Section 1. Paragraph (a) of subsection (2) of section
12 39.5085, Florida Statutes, is amended to read:

13 39.5085 Relative Caregiver Program.--

14 (2) (a) The Department of Children and Family Services shall
15 establish and operate the Relative Caregiver Program pursuant to
16 eligibility guidelines established in this section as further
17 implemented by rule of the department. The Relative Caregiver
18 Program shall, within the limits of available funding, provide
19 financial assistance to:

20 1. Relatives who are related ~~within the fifth degree~~ by
21 blood, ~~or~~ marriage, or adoption to the parent or stepparent of a
22 child and who are caring full-time for that dependent child in
23 the role of substitute parent as a result of a court's
24 determination of child abuse, neglect, or abandonment and
25 subsequent placement with the relative under this chapter.

26 2. Relatives who are related ~~within the fifth degree~~ by
27 blood, ~~or~~ marriage, or adoption to the parent or stepparent of a
28 child and who are caring full-time for that dependent child, and
29 a dependent half-brother or half-sister of that dependent child,

1-03427-08

20082408__

30 | in the role of substitute parent as a result of a court's
31 | determination of child abuse, neglect, or abandonment and
32 | subsequent placement with the relative under this chapter.

33 |
34 | The placement may be court-ordered temporary legal custody to the
35 | relative under protective supervision of the department pursuant
36 | to s. 39.521(1)(b)3., or court-ordered placement in the home of a
37 | relative as a permanency option under s. 39.6221 or s. 39.6231 or
38 | under former s. 39.622 if the placement was made before July 1,
39 | 2006. The Relative Caregiver Program shall offer financial
40 | assistance to caregivers who are relatives and who would be
41 | unable to serve in that capacity without the relative caregiver
42 | payment because of financial burden, thus exposing the child to
43 | the trauma of placement in a shelter or in foster care.

44 | Section 2. Subsection (11) of section 414.0252, Florida
45 | Statutes, is amended to read:

46 | 414.0252 Definitions.--As used in ss. 414.025-414.55, the
47 | term:

48 | (11) "Relative caretaker" or "caretaker relative" means an
49 | adult who has assumed the primary responsibility of caring for a
50 | minor child and who is related to the parent or stepparent of the
51 | child by blood, ~~or~~ marriage, or adoption.

52 | Section 3. Paragraph (a) of subsection (2) of section
53 | 414.095, Florida Statutes, is amended to read:

54 | 414.095 Determining eligibility for temporary cash
55 | assistance.--

56 | (2) ADDITIONAL ELIGIBILITY REQUIREMENTS.--

57 | (a) To be eligible for services or temporary cash
58 | assistance and Medicaid:

1-03427-08

20082408__

- 59 1. An applicant must be a United States citizen, or a
60 qualified noncitizen, as defined in this section.
- 61 2. An applicant must be a legal resident of the state.
- 62 3. Each member of a family must provide to the department
63 the member's social security number or ~~shall provide~~ proof of
64 application for a social security number. An individual who fails
65 to provide a social security number, or proof of application for
66 a social security number, is not eligible to participate in the
67 program.
- 68 4. A minor child must reside with a custodial parent or
69 parents, with a relative caretaker, or with a half-sibling who is
70 residing with a relative caretaker ~~who is within the specified~~
71 ~~degree of blood relationship as defined by 45 C.F.R. part 233,~~
72 or, if the minor is a teen parent with a child, in a setting
73 approved by the department as provided in subsection (14).
- 74 5. Each family must have a minor child and meet the income
75 and resource requirements of the program. All minor children who
76 live in the family, as well as the parents of the minor children,
77 shall be included in the eligibility determination unless
78 specifically excluded.
- 79 Section 4. This act shall take effect July 1, 2008.