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CS/HB 625

2008 Legislature

1 A bill to be entitled
2 An act relating to independent living transition services;
3 amending s. 409.1451, F.S.; providing for family foster
4 homes, residential child-caring agencies, or other
5 authorized caregivers to be included in the development of
6 plans for activities for certain children; requiring
7 specified information to be included in a report to the
8 Legislature by the Independent Living Services Advisory
9 Council; creating s. 743.046, F.S.; providing for removal
10 of disabilities of certain minors for purposes of securing
11 utility services; providing an effective date.

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

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15 Section 1. Paragraph (a) of subsection (3) of section
16 409.1451, Florida Statutes, is amended, and paragraph (e) is
17 added to subsection (7) of that section, to read:

18 409.1451 Independent living transition services.--

19 (3) PREPARATION FOR INDEPENDENT LIVING.--

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

ENROLLED
CS/HB 625

2008 Legislature

29 | to build life skills and increase their ability to live
30 | independently and become self-sufficient. To support the
31 | provision of opportunities for participation in age-appropriate
32 | life skills activities, the department shall:

33 | 1. Develop a list of age-appropriate activities and
34 | responsibilities to be offered to all children involved in
35 | independent living transition services and their foster parents.

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

43 | 3. Develop procedures to maximize the authority of foster
44 | parents, family foster homes, residential child-caring agencies,
45 | or other authorized caregivers to approve participation in age-
46 | appropriate activities of children in their care. The age-
47 | appropriate activities and the authority of the foster parent,
48 | family foster home, residential child-caring agency, or
49 | caregiver shall be developed into a written plan that the foster
50 | parent, family foster home, residential child-caring agency, or
51 | caregiver, the child, and the case manager all develop together,
52 | sign, and follow. This plan must include specific goals and
53 | objectives and be reviewed and updated no less than quarterly.
54 | Foster parents, family foster homes, residential child-caring
55 | agencies, or other authorized caregivers who have developed a
56 | written plan as described in this subparagraph shall not be held

ENROLLED
CS/HB 625

2008 Legislature

57 | responsible under administrative rules or laws pertaining to
58 | state licensure or have their licensure status in any manner
59 | jeopardized as a result of the actions of a child engaged in the
60 | approved age-appropriate activities specified in the written
61 | plan.

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

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

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

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

ENROLLED

CS/HB 625

2008 Legislature

85 | valuable contribution to the department's efforts to achieve the
86 | goals of the independent living transition services.

87 | (e) The advisory council report required under paragraph
88 | (b) to be submitted to the substantive committees of the Senate
89 | and the House of Representatives by December 31, 2008, shall
90 | include an analysis of the system of independent living
91 | transition services for young adults who attain 18 years of age
92 | while in foster care prior to completing high school or its
93 | equivalent and recommendations for department or legislative
94 | action. The council shall assess and report on the most
95 | effective method of assisting these young adults to complete
96 | high school or its equivalent by examining the practices of
97 | other states.

98 | Section 2. Section 743.046, Florida Statutes, is created
99 | to read:

100 | 743.046 Removal of disabilities of minors; executing
101 | agreements for utility services.--For the sole purpose of
102 | ensuring that a youth in foster care will be able to secure
103 | utility services at a residential property upon the youth's 18th
104 | birthday, the disability of nonage of minors is removed for all
105 | youth who have reached 17 years of age, have been adjudicated
106 | dependent, and are in the legal custody of the Department of
107 | Children and Family Services through foster care or subsidized
108 | independent living. These youth are authorized to make and
109 | execute contracts, agreements, releases, and all other
110 | instruments necessary for the purpose of securing utility
111 | services at a residential property upon the youth's 18th
112 | birthday. The contracts or other agreements made by the youth

ENROLLED
CS/HB 625

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113 shall have the same effect as though they were the obligations
114 of persons who were not minors. A youth seeking to enter into
115 such contracts or agreements or execute other necessary
116 instruments that are incidental to securing utility services
117 must present an order from a court of competent jurisdiction
118 removing the disabilities of nonage of the minor under this
119 section.

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