



651436

LEGISLATIVE ACTION

Senate

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House

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Floor: 7/AD/2R

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01/10/2012 03:32 PM

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Senator Rich moved the following:

**Senate Amendment (with title amendment)**

Between lines 1454 and 1455

insert:

Section 6. Subsection (4) of section 409.166, Florida Statutes is amended to read:

409.166 Children within the child welfare system; adoption assistance program.—

(4) ADOPTION ASSISTANCE.—

(a) A maintenance subsidy shall be granted only when all other resources available to a child have been thoroughly explored and it can be clearly established that this is the most acceptable plan for providing permanent placement for the child.



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14 The maintenance subsidy may not be used as a substitute for  
15 adoptive parent recruitment or as an inducement to adopt a child  
16 who might be placed without providing a subsidy. However, it  
17 shall be the policy of the department that no child be denied  
18 adoption if providing a maintenance subsidy would make adoption  
19 possible. The best interest of the child shall be the deciding  
20 factor in every case. This section does not prohibit foster  
21 parents from applying to adopt a child placed in their care.  
22 Foster parents or relative caregivers must be asked if they  
23 would adopt without a maintenance subsidy.

24 (b) The department shall provide adoption assistance to the  
25 adoptive parents, subject to specific appropriation, in the  
26 amount of \$5,000 annually, paid on a monthly basis, for the  
27 support and maintenance of a child until the 18th birthday of  
28 such child or in an amount other than \$5,000 annually as  
29 determined by the adoptive parents and the department and  
30 memorialized in a written agreement between the adoptive parents  
31 and the department. The agreement shall take into consideration  
32 the circumstances of the adoptive parents and the needs of the  
33 child being adopted. The amount of subsidy may be adjusted based  
34 upon changes in the needs of the child or circumstances of the  
35 adoptive parents. Changes shall not be made without the  
36 concurrence of the adoptive parents. However, in no case shall  
37 the amount of the monthly payment exceed the foster care  
38 maintenance payment that would have been paid during the same  
39 period if the child had been in a foster family home.

40 (c) The department may continue to provide adoption  
41 assistance to the adoptive parents on behalf of a young adult  
42 who has reached 18 years of age but is not yet 21 years of age



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43 if the adoptive parents entered into an adoption assistance  
44 agreement after the child reached 16 years of age and if the  
45 young adult is:

46 1. Completing secondary education or a program leading to  
47 an equivalent credential,

48 2. Enrolled in institution which provides postsecondary or  
49 vocational education, or

50 3. Participating in a program or activity designated to  
51 promote, or eliminate barriers to employment; or

52 4. Employed for at least 80 hours per month; or

53 5. Unable to participate in these programs or activities  
54 full time due to a physical, intellectual, emotional, or  
55 psychiatric condition that limits participation. Any such  
56 restriction to participation must be supported by information in  
57 the young adult's case file or school or medical records of a  
58 physical, intellectual, or psychiatric condition that impairs  
59 the young adult's ability to perform one or more life  
60 activities.

61 (d) ~~(e)~~ The department may provide adoption assistance to  
62 the adoptive parents, subject to specific appropriation, for  
63 medical assistance initiated after the adoption of the child for  
64 medical, surgical, hospital, and related services needed as a  
65 result of a physical or mental condition of the child which  
66 existed before the adoption and is not covered by Medicaid,  
67 Children's Medical Services, or Children's Mental Health  
68 Services. Such assistance may be initiated at any time but shall  
69 terminate on or before the child's 18th birthday.

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

73 And the title is amended as follows:

74 Delete line 115

75 and insert:

76 Children and Family Services; amending s. 409.166,  
77 F.S.; providing for adoption assistance to be paid for  
78 a young adult until the age of 21 if the young adult  
79 meets specified conditions; amending s. 409.903,