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1 A bill to be entitled
2 An act relating to independent living; amending s. 39.013,
3 F.S.; providing that when the court obtains jurisdiction
4 over a child who has been found to be dependent, the court
5 retains jurisdiction until the child reaches 21 years of
6 age; providing exceptions; amending s. 39.6013, F.S.;
7 conforming a cross-reference; creating s. 39.6035, F.S.;
8 requiring the Department of Children and Families, the
9 community-based care provider, and others to assist a child
10 in developing a transition plan after the child reaches 17
11 years of age and requiring a meeting to develop the plan;
12 specifying requirements and procedures for the transition
13 plan; requiring periodic review of the transition plan;
14 requiring the court to approve the transition plan before
15 the child leaves foster care and the court terminates
16 jurisdiction; creating s. 39.6251, F.S.; providing
17 definitions; providing that a young adult may remain in
18 foster care under certain circumstances after attaining 18
19 years of age; specifying criteria for extended foster care;
20 providing that the permanency goal for a young adult who
21 chooses to remain in care is transition from care to
22 independent living; specifying dates for eligibility for a
23 young adult to remain in extended foster care; providing
24 for supervised living arrangements in extended foster care;
25 authorizing a young adult to return to foster care under
26 certain circumstances; specifying services that must be
27 provided to the young adult; directing the court to retain
28 jurisdiction and hold review hearings; amending s. 39.701,

29 F.S.; revising judicial review of foster care cases; making
30 technical changes; providing criteria for review hearings
31 for children younger than 18 years of age; providing
32 criteria for review hearings for children 17 years of age;
33 requiring the department to verify that the child has
34 certain documents; requiring the department to update the
35 case plan; providing for review hearings for young adults
36 in foster care; amending s. 409.145, F.S.; requiring the
37 department to develop and implement a system of care for
38 children in foster care; specifying the goals of the foster
39 care system; requiring the department to assist foster care
40 caregivers to achieve quality parenting; specifying the
41 roles and responsibilities of caregivers, the department,
42 and others; providing for transition from a caregiver;
43 requiring information sharing; providing for the adoption
44 and use of a "reasonable and prudent parent" standard;
45 defining terms; providing for the application for the
46 standard of care; providing for limiting liability of
47 caregivers; specifying foster parent room and board rates;
48 authorizing community-based care service providers to pay a
49 supplemental monthly room and board payment to foster
50 parents for providing certain services; directing the
51 department to adopt rules; deleting obsolete provisions;
52 amending s. 409.1451, F.S.; providing for the Road-to-
53 Independence program; providing legislative findings and
54 intent; providing for postsecondary services and support;
55 requiring former foster care young adults attending a
56 postsecondary educational institution to have an assigned

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57 | mentor; requiring community-based care service providers to
58 | maintain a listing of all available mentors; specifying
59 | aftercare services; providing for appeals of a
60 | determination of eligibility; providing for portability of
61 | services across county lines and between lead agencies;
62 | providing for accountability; requiring a report to the
63 | Legislature; creating the Independent Living Services
64 | Advisory Council; providing for membership and specifying
65 | the duties and functions of the council; requiring reports
66 | and recommendations; providing for a young adult to retain
67 | personal property; requiring the department to document
68 | enrollment of eligible young adults in Medicaid; directing
69 | the department to adopt rules; amending s. 409.175, F.S.;
70 | allowing young adults remaining in care to be considered in
71 | the total number of children placed in a foster home;
72 | amending s. 409.903, F.S.; conforming a cross-reference;
73 | requiring the department to acquire postsecondary
74 | educational campus coaching positions for certain purposes;
75 | providing for a network coordinator to provide oversight;
76 | providing for a transfer of services; providing for the
77 | cost of foster care to be paid from a special category in
78 | the General Appropriations Act; providing an effective
79 | date.

80 |
81 | Be It Enacted by the Legislature of the State of Florida:

82 |
83 | Section 1. Subsection (2) of section 39.013, Florida
84 | Statutes, is amended to read:

85 | 39.013 Procedures and jurisdiction; right to counsel.—
 86 | (2) The circuit court has exclusive original jurisdiction
 87 | of all proceedings under this chapter, of a child voluntarily
 88 | placed with a licensed child-caring agency, a licensed child-
 89 | placing agency, or the department, and of the adoption of
 90 | children whose parental rights have been terminated under this
 91 | chapter. Jurisdiction attaches when the initial shelter
 92 | petition, dependency petition, or termination of parental rights
 93 | petition, or a petition for an injunction to prevent child abuse
 94 | issued pursuant to s. 39.504, is filed or when a child is taken
 95 | into the custody of the department. The circuit court may assume
 96 | jurisdiction over any such proceeding regardless of whether the
 97 | child was in the physical custody of both parents, was in the
 98 | sole legal or physical custody of only one parent, caregiver, or
 99 | some other person, or was not in the physical or legal custody
 100 | of any person when the event or condition occurred that brought
 101 | the child to the attention of the court. When the court obtains
 102 | jurisdiction of any child who has been found to be dependent,
 103 | the court shall retain jurisdiction, unless relinquished by its
 104 | order, until the child reaches 21 ~~18~~ years of age, with the
 105 | following exceptions:

106 | (a) If a young adult chooses to leave foster care upon
 107 | reaching 18 years of age, the court shall relinquish
 108 | jurisdiction.

109 | (b) If a young adult does not meet the eligibility
 110 | requirements to remain in foster care under s. 39.6251, the
 111 | court shall relinquish jurisdiction.

112 | (c) ~~However,~~ If a young adult ~~youth~~ petitions the court at

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113 any time before his or her 19th birthday requesting the court's
114 continued jurisdiction, the juvenile court may retain
115 jurisdiction under this chapter for a period not to exceed 1
116 year following the young adult's ~~youth's~~ 18th birthday for the
117 purpose of determining whether appropriate ~~aftercare support,~~
118 ~~Road to Independence Program, transitional support, mental~~
119 ~~health, and developmental disability~~ services that were required
120 to be provided to the young adult, ~~to the extent otherwise~~
121 ~~authorized by law, have been provided to the formerly dependent~~
122 ~~child who was in the legal custody of the department immediately~~
123 ~~before his or her 18th birthday~~ were provided.

124 (d) If a petition for special immigrant juvenile status
125 and an application for adjustment of status have been filed on
126 behalf of a foster child and the petition and application have
127 not been granted by the time the child reaches 18 years of age,
128 the court may retain jurisdiction over the dependency case
129 solely for the purpose of allowing the continued consideration
130 of the petition and application by federal authorities. Review
131 hearings for the child shall be set solely for the purpose of
132 determining the status of the petition and application. The
133 court's jurisdiction terminates upon the final decision of the
134 federal authorities. Retention of jurisdiction in this instance
135 does not affect the services available to a young adult under s.
136 409.1451. The court may not retain jurisdiction of the case
137 after the immigrant child's 22nd birthday.

138 Section 2. Subsection (6) of section 39.6013, Florida
139 Statutes, is amended to read:

140 39.6013 Case plan amendments.—

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141 (6) The case plan is deemed amended as to the child's
142 health, mental health, and education records required by s.
143 39.6012 when the child's updated health and education records
144 are filed by the department under s. 39.701(2)(a) ~~39.701(8)(a)~~.

145 Section 3. Section 39.6035, Florida Statutes, is created
146 to read:

147 39.6035 Transition plan.—

148 (1) During the 180-day period after a child reaches 17
149 years of age, the department and the community-based care
150 provider, in collaboration with the caregiver and any other
151 individual who the child would like to include, shall assist the
152 child in developing a transition plan. The required transition
153 plan is in addition to standard case management requirements.
154 The transition plan must address specific options for the child
155 to use in obtaining services, including housing, health
156 insurance, education, and workforce support and employment
157 services. The plan must also consider establishing and
158 maintaining naturally occurring mentoring relationships and
159 other personal support services. The transition plan may be as
160 detailed as the child chooses. In developing the transition
161 plan, the department and the community-based provider shall:

162 (a) Provide the child with the documentation required
163 pursuant to s. 39.701(2); and

164 (b) Coordinate the transition plan with the independent
165 living provisions in the case plan and, for a child with
166 disabilities, the Individuals with Disabilities Education Act
167 transition plan.

168 (2) The department and the child shall schedule a time,

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169 date, and place for a meeting to assist the child in drafting
170 the transition plan. The time, date, and place must be
171 convenient for the child and any individual who the child would
172 like to include. This meeting shall be conducted in the child's
173 primary language.

174 (3) The transition plan shall be reviewed periodically
175 with the child, the department, and other individuals of the
176 child's choice and updated when necessary before each judicial
177 review so long as the child or young adult remains in care.

178 (4) If a child is planning to leave care upon reaching 18
179 years of age, the transition plan must be approved by the court
180 before the child leaves care and the court terminates
181 jurisdiction.

182 Section 4. Section 39.6251, Florida Statutes, is created
183 to read:

184 39.6251 Continuing care for young adults.-

185 (1) As used in this section, the term "child" means an
186 individual who has not attained 21 years of age, and the term
187 "young adult" means an individual who has attained 18 years of
188 age but who has not attained 21 years of age.

189 (2) The primary goal for a child in care is permanency. A
190 child who is living in licensed care on his or her 18th birthday
191 and who has not achieved permanency under s. 39.621 is eligible
192 to remain in licensed care under the jurisdiction of the court
193 and in the care of the department. A child is eligible to remain
194 in licensed care if he or she is:

195 (a) Completing secondary education or a program leading to
196 an equivalent credential;

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197 (b) Enrolled in an institution that provides postsecondary
198 or vocational education;

199 (c) Participating in a program or activity designed to
200 promote or eliminate barriers to employment;

201 (d) Employed for at least 80 hours per month; or

202 (e) Unable to participate in programs or activities listed
203 in paragraphs (a)-(d) full time due to a physical, intellectual,
204 emotional, or psychiatric condition that limits participation.
205 Any such barrier to participation must be supported by
206 documentation in the child's case file or school or medical
207 records of a physical, intellectual, or psychiatric condition
208 that impairs the child's ability to perform one or more life
209 activities.

210 (3) The permanency goal for a young adult who chooses to
211 remain in care is transition from licensed care to independent
212 living.

213 (4) (a) The young adult must reside in a supervised living
214 environment that is approved by the department or a community-
215 based care lead agency. The young adult shall live independently
216 but in an environment in which he or she is provided
217 supervision, case management, and supportive services by the
218 department or lead agency. Such an environment must offer
219 developmentally appropriate freedom and responsibility to
220 prepare the young adult for adulthood. For the purposes of this
221 subsection, a supervised living arrangement may include a
222 licensed foster home, licensed group home, college dormitory,
223 shared housing, apartment, or another housing arrangement if the
224 arrangement is approved by the community-based care lead agency

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225 and is acceptable to the young adult, with first choice being a
226 licensed foster home. A young adult may continue to reside with
227 the same licensed foster family or group care provider with whom
228 he or she was residing at the time he or she reached the age of
229 18 years.

230 (b) Before approving the residential setting in which the
231 young adult will live, the department or community-based care
232 lead agency must ensure that:

233 1. The young adult will be provided with a level of
234 supervision consistent with his or her individual education,
235 health care needs, permanency plan, and independent living goals
236 as assessed by the department or lead agency with input from the
237 young adult. Twenty-four hour onsite supervision is not
238 required; however, 24-hour crisis intervention and support must
239 be available.

240 2. The young adult will live in an independent living
241 environment that offers, at a minimum, life skills instruction,
242 counseling, educational support, employment preparation and
243 placement, and development of support networks. The
244 determination of the type and duration of services shall be
245 based on the young adult's assessed needs, interests, and input
246 and must be consistent with the goals set in the young adult's
247 case plan.

248 (5) Eligibility for a young adult to remain in extended
249 foster care ends on the earliest of the dates that the young
250 adult:

251 1. Reaches 21 years of age or, in the case of a young
252 adult with a disability, reaches 22 years of age;

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253 2. Leaves care to live in a permanent home consistent with
254 his or her permanency plan; or

255 3. Knowingly and voluntarily withdraws his or her consent
256 to participate in extended care. Withdrawal of consent to
257 participate in extended care shall be verified by the court
258 pursuant to s. 39.701, unless the young adult refuses to
259 participate in any further court proceeding.

260 (6) A young adult who has reached 18 years of age but is
261 not yet 21 years of age and who has left care may return to care
262 by applying to the community-based care lead agency for
263 readmission. The community-based care lead agency shall readmit
264 the young adult if he or she continues to meet the eligibility
265 requirements in this section.

266 (a) The department shall develop a standard procedure and
267 application packet for readmission to care to be used by all
268 community-based care lead agencies.

269 (b) Within 30 days after the young adult has been
270 readmitted to care, the community-based care lead agency shall
271 assign a case manager to update the case plan and the transition
272 plan and to arrange for the required services. Such activities
273 shall be undertaken in consultation with the young adult. The
274 department shall petition the court to reinstate jurisdiction
275 over the young adult.

276 (7) During each period of time that a young adult is in
277 care, the community-based lead agency shall provide regular case
278 management reviews that must include at least monthly contact
279 with the case manager. If a young adult lives outside the
280 service area of his or her community-based care lead agency,

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281 monthly contact may occur by telephone.

282 (8) During the time that a young adult is in care, the
283 court shall maintain jurisdiction to ensure that the department
284 and the lead agencies are providing services and coordinate
285 with, and maintain oversight of, other agencies involved in
286 implementing the young adult's case plan, individual education
287 plan, and transition plan. The court shall review the status of
288 the young adult at least every 6 months and hold a permanency
289 review hearing at least annually. The court may appoint a
290 guardian ad litem or continue the appointment of a guardian ad
291 litem with the young adult's consent. The young adult or any
292 other party to the dependency case may request an additional
293 hearing or review.

294 (9) The department shall establish a procedure by which a
295 young adult may appeal a determination of eligibility to remain
296 in care that was made by a community-based care lead agency. The
297 procedure must be readily accessible to young adults, must
298 provide for timely decisions, and must provide for an appeal to
299 the department. The decision of the department constitutes final
300 agency action and is reviewable by the court as provided in s.
301 120.68.

302 Section 5. Section 39.701, Florida Statutes, is amended to
303 read:

304 39.701 Judicial review.—

305 (1) GENERAL PROVISIONS.—

306 (a) The court shall have continuing jurisdiction in
307 accordance with this section and shall review the status of the
308 child at least every 6 months as required by this subsection or

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309 more frequently if the court deems it necessary or desirable.

310 (b) The court shall retain jurisdiction over a child
311 returned to his or her parents for a minimum period of 6 months
312 following the reunification, but, at that time, based on a
313 report of the social service agency and the guardian ad litem,
314 if one has been appointed, and any other relevant factors, the
315 court shall make a determination as to whether supervision by
316 the department and the court's jurisdiction shall continue or be
317 terminated.

318 (c) 1.~~(2)(a)~~ The court shall review the status of the child
319 and shall hold a hearing as provided in this part at least every
320 6 months until the child reaches permanency status. The court
321 may dispense with the attendance of the child at the hearing,
322 but may not dispense with the hearing or the presence of other
323 parties to the review unless before the review a hearing is held
324 before a citizen review panel.

325 2.~~(b)~~ Citizen review panels may conduct hearings to review
326 the status of a child. The court shall select the cases
327 appropriate for referral to the citizen review panels and may
328 order the attendance of the parties at the review panel
329 hearings. However, any party may object to the referral of a
330 case to a citizen review panel. Whenever such an objection has
331 been filed with the court, the court shall review the substance
332 of the objection and may conduct the review itself or refer the
333 review to a citizen review panel. All parties retain the right
334 to take exception to the findings or recommended orders of a
335 citizen review panel in accordance with Rule 1.490(h), Florida
336 Rules of Civil Procedure.

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337 3.~~(e)~~ Notice of a hearing by a citizen review panel must
338 be provided as set forth in paragraph (f) ~~subsection (5)~~. At the
339 conclusion of a citizen review panel hearing, each party may
340 propose a recommended order to the chairperson of the panel.
341 Thereafter, the citizen review panel shall submit its report,
342 copies of the proposed recommended orders, and a copy of the
343 panel's recommended order to the court. The citizen review
344 panel's recommended order must be limited to the dispositional
345 options available to the court in paragraph (2) (d) ~~subsection~~
346 ~~(10)~~. Each party may file exceptions to the report and
347 recommended order of the citizen review panel in accordance with
348 Rule 1.490, Florida Rules of Civil Procedure.

349 (d) 1.~~(3) (a)~~ The initial judicial review hearing must be
350 held no later than 90 days after the date of the disposition
351 hearing or after the date of the hearing at which the court
352 approves the case plan, whichever comes first, but in no event
353 shall the review be held later than 6 months after the date the
354 child was removed from the home. Citizen review panels may ~~shall~~
355 not conduct more than two consecutive reviews without the child
356 and the parties coming before the court for a judicial review.

357 2.~~(b)~~ If the citizen review panel recommends extending the
358 goal of reunification for any case plan beyond 12 months from
359 the date the child was removed from the home, the case plan was
360 adopted, or the child was adjudicated dependent, whichever date
361 came first, the court must schedule a judicial review hearing to
362 be conducted by the court within 30 days after receiving the
363 recommendation from the citizen review panel.

364 3.~~(e)~~ If the child is placed in the custody of the

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365 department or a licensed child-placing agency for the purpose of
366 adoptive placement, judicial reviews must be held at least every
367 6 months until the adoption is finalized.

368 4.~~(d)~~ If the department and the court have established a
369 formal agreement that includes specific authorization for
370 particular cases, the department may conduct administrative
371 reviews instead of the judicial reviews for children in out-of-
372 home care. Notices of such administrative reviews must be
373 provided to all parties. However, an administrative review may
374 not be substituted for the first judicial review, and in every
375 case the court must conduct a judicial review at least every 6
376 months. Any party dissatisfied with the results of an
377 administrative review may petition for a judicial review.

378 5.~~(e)~~ The clerk of the circuit court shall schedule
379 judicial review hearings in order to comply with the mandated
380 times cited in this section.

381 6.~~(f)~~ In each case in which a child has been voluntarily
382 placed with the licensed child-placing agency, the agency shall
383 notify the clerk of the court in the circuit where the child
384 resides of such placement within 5 working days. Notification of
385 the court is not required for any child who will be in out-of-
386 home care no longer than 30 days unless that child is placed in
387 out-of-home care a second time within a 12-month period. If the
388 child is returned to the custody of the parents before the
389 scheduled review hearing or if the child is placed for adoption,
390 the child-placing agency shall notify the court of the child's
391 return or placement within 5 working days, and the clerk of the
392 court shall cancel the review hearing.

393 (e)~~(4)~~ The court shall schedule the date, time, and
394 location of the next judicial review during the judicial review
395 hearing and shall list same in the judicial review order.

396 (f)~~(5)~~ Notice of a judicial review hearing or a citizen
397 review panel hearing, and a copy of the motion for judicial
398 review, if any, must be served by the clerk of the court upon
399 all of the following persons, if available to be served,
400 regardless of whether the person was present at the previous
401 hearing at which the date, time, and location of the hearing was
402 announced:

403 1.~~(a)~~ The social service agency charged with the
404 supervision of care, custody, or guardianship of the child, if
405 that agency is not the movant.

406 2.~~(b)~~ The foster parent or legal custodian in whose home
407 the child resides.

408 3.~~(c)~~ The parents.

409 4.~~(d)~~ The guardian ad litem for the child, or the
410 representative of the guardian ad litem program if the program
411 has been appointed.

412 5.~~(e)~~ The attorney for the child.

413 6.~~(f)~~ The child, if the child is 13 years of age or older.

414 7.~~(g)~~ Any preadoptive parent.

415 8.~~(h)~~ Such other persons as the court may direct.

416 (g)~~(6)~~ The attorney for the department shall notify a
417 relative who submits a request for notification of all
418 proceedings and hearings pursuant to s. 39.301(14) (b). The
419 notice shall include the date, time, and location of the next
420 judicial review hearing.

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421 ~~(7)(a) In addition to paragraphs (1)(a) and (2)(a), the~~
422 ~~court shall hold a judicial review hearing within 90 days after~~
423 ~~a youth's 17th birthday. The court shall also issue an order,~~
424 ~~separate from the order on judicial review, that the disability~~
425 ~~of nonage of the youth has been removed pursuant to s. 743.045.~~
426 ~~The court shall continue to hold timely judicial review hearings~~
427 ~~thereafter. In addition, the court may review the status of the~~
428 ~~child more frequently during the year prior to the youth's 18th~~
429 ~~birthday if necessary. At each review held under this~~
430 ~~subsection, in addition to any information or report provided to~~
431 ~~the court, the foster parent, legal custodian, guardian ad~~
432 ~~litem, and the child shall be given the opportunity to address~~
433 ~~the court with any information relevant to the child's best~~
434 ~~interests, particularly as it relates to independent living~~
435 ~~transition services. In addition to any information or report~~
436 ~~provided to the court, the department shall include in its~~
437 ~~judicial review social study report written verification that~~
438 ~~the child:~~

439 ~~1. Has been provided with a current Medicaid card and has~~
440 ~~been provided all necessary information concerning the Medicaid~~
441 ~~program sufficient to prepare the youth to apply for coverage~~
442 ~~upon reaching age 18, if such application would be appropriate.~~

443 ~~2. Has been provided with a certified copy of his or her~~
444 ~~birth certificate and, if the child does not have a valid~~
445 ~~driver's license, a Florida identification card issued under s.~~
446 ~~322.051.~~

447 ~~3. Has been provided information relating to Social~~
448 ~~Security Insurance benefits if the child is eligible for these~~

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449 ~~benefits. If the child has received these benefits and they are~~
450 ~~being held in trust for the child, a full accounting of those~~
451 ~~funds must be provided and the child must be informed about how~~
452 ~~to access those funds.~~

453 ~~4. Has been provided with information and training related~~
454 ~~to budgeting skills, interviewing skills, and parenting skills.~~

455 ~~5. Has been provided with all relevant information related~~
456 ~~to the Road to Independence Program, including, but not limited~~
457 ~~to, eligibility requirements, forms necessary to apply, and~~
458 ~~assistance in completing the forms. The child shall also be~~
459 ~~informed that, if he or she is eligible for the Road to-~~
460 ~~Independence Program, he or she may reside with the licensed~~
461 ~~foster family or group care provider with whom the child was~~
462 ~~residing at the time of attaining his or her 18th birthday or~~
463 ~~may reside in another licensed foster home or with a group care~~
464 ~~provider arranged by the department.~~

465 ~~6. Has an open bank account, or has identification~~
466 ~~necessary to open an account, and has been provided with~~
467 ~~essential banking skills.~~

468 ~~7. Has been provided with information on public assistance~~
469 ~~and how to apply.~~

470 ~~8. Has been provided a clear understanding of where he or~~
471 ~~she will be living on his or her 18th birthday, how living~~
472 ~~expenses will be paid, and what educational program or school he~~
473 ~~or she will be enrolled in.~~

474 ~~9. Has been provided with notice of the youth's right to~~
475 ~~petition for the court's continuing jurisdiction for 1 year~~
476 ~~after the youth's 18th birthday as specified in s. 39.013(2) and~~

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477 | ~~with information on how to obtain access to the court.~~

478 | ~~10. Has been encouraged to attend all judicial review~~
479 | ~~hearings occurring after his or her 17th birthday.~~

480 | ~~(b) At the first judicial review hearing held subsequent~~
481 | ~~to the child's 17th birthday, in addition to the requirements of~~
482 | ~~subsection (8), the department shall provide the court with an~~
483 | ~~updated case plan that includes specific information related to~~
484 | ~~independent living services that have been provided since the~~
485 | ~~child's 13th birthday, or since the date the child came into~~
486 | ~~foster care, whichever came later.~~

487 | ~~(c) At the time of a judicial review hearing held pursuant~~
488 | ~~to this subsection, if, in the opinion of the court, the~~
489 | ~~department has not complied with its obligations as specified in~~
490 | ~~the written case plan or in the provision of independent living~~
491 | ~~services as required by s. 409.1451 and this subsection, the~~
492 | ~~court shall issue a show cause order. If cause is shown for~~
493 | ~~failure to comply, the court shall give the department 30 days~~
494 | ~~within which to comply and, on failure to comply with this or~~
495 | ~~any subsequent order, the department may be held in contempt.~~

496 | ~~(2)(8)~~ REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS
497 | OF AGE.—

498 | (a) Social study report for judicial review.—Before every
499 | judicial review hearing or citizen review panel hearing, the
500 | social service agency shall make an investigation and social
501 | study concerning all pertinent details relating to the child and
502 | shall furnish to the court or citizen review panel a written
503 | report that includes, but is not limited to:

504 | 1. A description of the type of placement the child is in

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505 | at the time of the hearing, including the safety of the child
506 | and the continuing necessity for and appropriateness of the
507 | placement.

508 | 2. Documentation of the diligent efforts made by all
509 | parties to the case plan to comply with each applicable
510 | provision of the plan.

511 | 3. The amount of fees assessed and collected during the
512 | period of time being reported.

513 | 4. The services provided to the foster family or legal
514 | custodian in an effort to address the needs of the child as
515 | indicated in the case plan.

516 | 5. A statement that either:

517 | a. The parent, though able to do so, did not comply
518 | substantially with the case plan, and the agency
519 | recommendations;

520 | b. The parent did substantially comply with the case plan;
521 | or

522 | c. The parent has partially complied with the case plan,
523 | with a summary of additional progress needed and the agency
524 | recommendations.

525 | 6. A statement from the foster parent or legal custodian
526 | providing any material evidence concerning the return of the
527 | child to the parent or parents.

528 | 7. A statement concerning the frequency, duration, and
529 | results of the parent-child visitation, if any, and the agency
530 | recommendations for an expansion or restriction of future
531 | visitation.

532 | 8. The number of times a child has been removed from his

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533 or her home and placed elsewhere, the number and types of
534 placements that have occurred, and the reason for the changes in
535 placement.

536 9. The number of times a child's educational placement has
537 been changed, the number and types of educational placements
538 which have occurred, and the reason for any change in placement.

539 10. If the child has reached 13 years of age but is not
540 yet 18 years of age, a statement from the caregiver on the
541 progress the child has made in acquiring independent living
542 skills ~~the results of the preindependent living, life skills, or~~
543 ~~independent living assessment; the specific services needed; and~~
544 ~~the status of the delivery of the identified services.~~

545 11. Copies of all medical, psychological, and educational
546 records that support the terms of the case plan and that have
547 been produced concerning the parents or any caregiver since the
548 last judicial review hearing.

549 12. Copies of the child's current health, mental health,
550 and education records as identified in s. 39.6012.

551 (b) Submission and distribution of reports.—

552 1. A copy of the social service agency's written report
553 and the written report of the guardian ad litem must be served
554 on all parties whose whereabouts are known; to the foster
555 parents or legal custodians; and to the citizen review panel, at
556 least 72 hours before the judicial review hearing or citizen
557 review panel hearing. The requirement for providing parents with
558 a copy of the written report does not apply to those parents who
559 have voluntarily surrendered their child for adoption or who
560 have had their parental rights to the child terminated.

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561 2.~~(e)~~ In a case in which the child has been permanently
562 placed with the social service agency, the agency shall furnish
563 to the court a written report concerning the progress being made
564 to place the child for adoption. If the child cannot be placed
565 for adoption, a report on the progress made by the child towards
566 alternative permanency goals or placements, including, but not
567 limited to, guardianship, long-term custody, long-term licensed
568 custody, or independent living, must be submitted to the court.
569 The report must be submitted to the court at least 72 hours
570 before each scheduled judicial review.

571 3.~~(d)~~ In addition to or in lieu of any written statement
572 provided to the court, the foster parent or legal custodian, or
573 any preadoptive parent, shall be given the opportunity to
574 address the court with any information relevant to the best
575 interests of the child at any judicial review hearing.

576 (c)~~(9)~~ Review determinations.—The court and any citizen
577 review panel shall take into consideration the information
578 contained in the social services study and investigation and all
579 medical, psychological, and educational records that support the
580 terms of the case plan; testimony by the social services agency,
581 the parent, the foster parent or legal custodian, the guardian
582 ad litem or surrogate parent for educational decisionmaking if
583 one has been appointed for the child, and any other person
584 deemed appropriate; and any relevant and material evidence
585 submitted to the court, including written and oral reports to
586 the extent of their probative value. These reports and evidence
587 may be received by the court in its effort to determine the
588 action to be taken with regard to the child and may be relied

589 upon to the extent of their probative value, even though not
590 competent in an adjudicatory hearing. In its deliberations, the
591 court and any citizen review panel shall seek to determine:

592 1.~~(a)~~ If the parent was advised of the right to receive
593 assistance from any person or social service agency in the
594 preparation of the case plan.

595 2.~~(b)~~ If the parent has been advised of the right to have
596 counsel present at the judicial review or citizen review
597 hearings. If not so advised, the court or citizen review panel
598 shall advise the parent of such right.

599 3.~~(c)~~ If a guardian ad litem needs to be appointed for the
600 child in a case in which a guardian ad litem has not previously
601 been appointed or if there is a need to continue a guardian ad
602 litem in a case in which a guardian ad litem has been appointed.

603 4.~~(d)~~ Who holds the rights to make educational decisions
604 for the child. If appropriate, the court may refer the child to
605 the district school superintendent for appointment of a
606 surrogate parent or may itself appoint a surrogate parent under
607 the Individuals with Disabilities Education Act and s. 39.0016.

608 5.~~(e)~~ The compliance or lack of compliance of all parties
609 with applicable items of the case plan, including the parents'
610 compliance with child support orders.

611 6.~~(f)~~ The compliance or lack of compliance with a
612 visitation contract between the parent and the social service
613 agency for contact with the child, including the frequency,
614 duration, and results of the parent-child visitation and the
615 reason for any noncompliance.

616 7.~~(g)~~ The compliance or lack of compliance of the parent

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617 in meeting specified financial obligations pertaining to the
618 care of the child, including the reason for failure to comply if
619 such is the case.

620 8.~~(h)~~ Whether the child is receiving safe and proper care
621 according to s. 39.6012, including, but not limited to, the
622 appropriateness of the child's current placement, including
623 whether the child is in a setting that is as family-like and as
624 close to the parent's home as possible, consistent with the
625 child's best interests and special needs, and including
626 maintaining stability in the child's educational placement, as
627 documented by assurances from the community-based care provider
628 that:

629 a.1.~~(i)~~ The placement of the child takes into account the
630 appropriateness of the current educational setting and the
631 proximity to the school in which the child is enrolled at the
632 time of placement.

633 b.2.~~(j)~~ The community-based care agency has coordinated with
634 appropriate local educational agencies to ensure that the child
635 remains in the school in which the child is enrolled at the time
636 of placement.

637 9.~~(i)~~ A projected date likely for the child's return home
638 or other permanent placement.

639 10.~~(j)~~ When appropriate, the basis for the unwillingness
640 or inability of the parent to become a party to a case plan. The
641 court and the citizen review panel shall determine if the
642 efforts of the social service agency to secure party
643 participation in a case plan were sufficient.

644 11.~~(k)~~ For a child who has reached 13 years of age but is

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645 | not yet 18 years of age, the adequacy of the child's preparation
646 | for adulthood and independent living.

647 | 12.~~(1)~~ If amendments to the case plan are required.

648 | Amendments to the case plan must be made under s. 39.6013.

649 | (d)~~(10)~~~~(a)~~ Orders.—

650 | 1. Based upon the criteria set forth in paragraph (c)
651 | ~~subsection (9)~~ and the recommended order of the citizen review
652 | panel, if any, the court shall determine whether or not the
653 | social service agency shall initiate proceedings to have a child
654 | declared a dependent child, return the child to the parent,
655 | continue the child in out-of-home care for a specified period of
656 | time, or initiate termination of parental rights proceedings for
657 | subsequent placement in an adoptive home. Amendments to the case
658 | plan must be prepared as prescribed in s. 39.6013. If the court
659 | finds that the prevention or reunification efforts of the
660 | department will allow the child to remain safely at home or be
661 | safely returned to the home, the court shall allow the child to
662 | remain in or return to the home after making a specific finding
663 | of fact that the reasons for the creation of the case plan have
664 | been remedied to the extent that the child's safety, well-being,
665 | and physical, mental, and emotional health will not be
666 | endangered.

667 | 2.~~(b)~~ The court shall return the child to the custody of
668 | the parents at any time it determines that they have
669 | substantially complied with the case plan, if the court is
670 | satisfied that reunification will not be detrimental to the
671 | child's safety, well-being, and physical, mental, and emotional
672 | health.

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673 3.~~(e)~~ If, in the opinion of the court, the social service
674 agency has not complied with its obligations as specified in the
675 written case plan, the court may find the social service agency
676 in contempt, shall order the social service agency to submit its
677 plans for compliance with the agreement, and shall require the
678 social service agency to show why the child could not safely be
679 returned to the home of the parents.

680 4.~~(d)~~ If, at any judicial review, the court finds that the
681 parents have failed to substantially comply with the case plan
682 to the degree that further reunification efforts are without
683 merit and not in the best interest of the child, on its own
684 motion, the court may order the filing of a petition for
685 termination of parental rights, whether or not the time period
686 as contained in the case plan for substantial compliance has
687 expired.

688 5.~~(e)~~ Within 6 months after the date that the child was
689 placed in shelter care, the court shall conduct a judicial
690 review hearing to review the child's permanency goal as
691 identified in the case plan. At the hearing the court shall make
692 findings regarding the likelihood of the child's reunification
693 with the parent or legal custodian within 12 months after the
694 removal of the child from the home. If the court makes a written
695 finding that it is not likely that the child will be reunified
696 with the parent or legal custodian within 12 months after the
697 child was removed from the home, the department must file with
698 the court, and serve on all parties, a motion to amend the case
699 plan under s. 39.6013 and declare that it will use concurrent
700 planning for the case plan. The department must file the motion

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701 within 10 business days after receiving the written finding of
702 the court. The department must attach the proposed amended case
703 plan to the motion. If concurrent planning is already being
704 used, the case plan must document the efforts the department is
705 taking to complete the concurrent goal.

706 ~~6.(f)~~ The court may issue a protective order in
707 assistance, or as a condition, of any other order made under
708 this part. In addition to the requirements included in the case
709 plan, the protective order may set forth requirements relating
710 to reasonable conditions of behavior to be observed for a
711 specified period of time by a person or agency who is before the
712 court; and the order may require any person or agency to make
713 periodic reports to the court containing such information as the
714 court in its discretion may prescribe.

715 (3) REVIEW HEARINGS FOR CHILDREN 17 YEARS OF AGE.—

716 (a) In addition to the review and report required under
717 paragraphs (1)(a) and (2)(a), respectively, the court shall hold
718 a judicial review hearing within 90 days after a child's 17th
719 birthday. The court shall also issue an order, separate from the
720 order on judicial review, that the disability of nonage of the
721 child has been removed pursuant to s. 743.045 and shall continue
722 to hold timely judicial review hearings. If necessary, the court
723 may review the status of the child more frequently during the
724 year before the child's 18th birthday. At each review hearing
725 held under this subsection, in addition to any information or
726 report provided to the court by the foster parent, legal
727 custodian, or guardian ad litem, the child shall be given the
728 opportunity to address the court with any information relevant

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729 to the child's best interest, particularly in relation to
730 independent living transition services. The department shall
731 include in the social study report for judicial review written
732 verification that the child has:

733 1. A current Medicaid card and all necessary information
734 concerning the Medicaid program sufficient to prepare the child
735 to apply for coverage upon reaching the age of 18, if such
736 application is appropriate.

737 2. A certified copy of the child's birth certificate and a
738 valid driver license or, if the child does not have a valid
739 driver license, a Florida identification card issued under s.
740 322.051.

741 3. A social security card and information relating to
742 social security insurance benefits if the child is eligible for
743 those benefits. If the child has received such benefits and they
744 are being held in trust for the child, a full accounting of
745 these funds must be provided and the child must be informed as
746 to how to access those funds.

747 4. All relevant information related to the Road-to-
748 Independence Program, including, but not limited to, eligibility
749 requirements, information on participation, and assistance in
750 gaining admission to the program. If the child is eligible for
751 the Road-to-Independence Program, he or she must be advised that
752 he or she may continue to reside with the licensed family home
753 or group care provider with whom the child was residing at the
754 time the child attained his or her 18th birthday, in another
755 licensed family home, or with a group care provider arranged by
756 the department.

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757 5. An open bank account or the identification necessary to
758 open a bank account and to acquire essential banking and
759 budgeting skills.

760 6. Information on public assistance and how to apply for
761 public assistance.

762 7. A clear understanding of where he or she will be living
763 on his or her 18th birthday, how living expenses will be paid,
764 and the educational program or school in which he or she will be
765 enrolled.

766 8. Information related to the ability of the child to
767 remain in care until he or she reaches 21 years of age under s.
768 39.013.

769 9. A letter providing the dates that the child is under
770 the jurisdiction of the court.

771 10. A letter stating that the child is in compliance with
772 financial aid documentation requirements.

773 11. The child's educational records.

774 12. The child's entire health and mental health records.

775 13. The process for accessing his or her case file.

776 14. A statement encouraging the child to attend all
777 judicial review hearings occurring after the child's 17th
778 birthday.

779 (b) At the first judicial review hearing held subsequent
780 to the child's 17th birthday, the department shall provide the
781 court with an updated case plan that includes specific
782 information related to the independent living skills that the
783 child has acquired since the child's 13th birthday, or since the
784 date the child came into foster care, whichever came later.

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785 (c) If the court finds at the judicial review hearing that
786 the department has not met with its obligations to the child as
787 stated in the written case plan or in the provision of
788 independent living services, the court may issue an order
789 directing the department to show cause as to why it has not done
790 so. If the department cannot justify its noncompliance, the
791 court may give the department 30 days within which to comply. If
792 the department fails to comply within 30 days, the court may
793 hold the department in contempt.

794 (d) At the last review hearing before the child reaches 18
795 years of age, and in addition to the requirements of subsection
796 (2), the court shall:

797 1. Address whether the child plans to remain in foster
798 care, and, if so, ensure that the child's transition plan
799 includes a plan for meeting one or more of the criteria
800 specified in s. 39.6251.

801 2. Ensure that the transition plan includes a supervised
802 living arrangement under s. 39.6251.

803 3. Ensure the child has been informed of:

804 a. The right to continued support and services from the
805 department and the community-based care lead agency.

806 b. The right to request termination of dependency
807 jurisdiction and be discharged from foster care.

808 c. The opportunity to reenter foster care pursuant to s.
809 39.6251.

810 4. Ensure that the young adult, if he or she requests
811 termination of dependency jurisdiction and discharge from foster
812 care, has been informed of:

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813 a. Services or benefits for which the young adult may be
814 eligible based on his or her former placement in foster care.

815 b. Services or benefits that may be lost through
816 termination of dependency jurisdiction.

817 c. Other federal, state, local, or community-based
818 services or supports available to him or her.

819 (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—
820 During each period of time that a young adult remains in foster
821 care, the court shall review the status of the young adult at
822 least every 6 months and must hold a permanency review hearing
823 at least annually.

824 (a) The department and community-based care lead agency
825 shall prepare and submit to the court a report, developed in
826 collaboration with the young adult, which addresses the young
827 adult's progress in meeting the goals in the case plan. The
828 report must include progress information related to the young
829 adult's independent living plan and transition plan, if
830 applicable, and shall propose modifications as necessary to
831 further the young adult's goals.

832 (b) The court shall attempt to determine whether the
833 department and any service provider under contract with the
834 department are providing the appropriate services as provided in
835 the case plan.

836 (c) If the court believes that the young adult is entitled
837 under department policy or under a contract with a service
838 provider to additional services to achieve the goals enumerated
839 in the case plan, it may order the department to take action to
840 ensure that the young adult receives the identified services.

841 (d) The young adult or any other party to the dependency
 842 case may request an additional hearing or judicial review.

843 (e) Notwithstanding the provisions of this subsection, if
 844 a young adult has chosen to remain in extended foster care after
 845 he or she has reached 18 years of age, the department may not
 846 close a case and the court may not terminate jurisdiction until
 847 the court finds, following a hearing, that the following
 848 criteria have been met:

849 1. Attendance of the young adult at the hearing; or

850 2. Findings by the court that:

851 a. The young adult has been informed by the department of
 852 his or her right to attend the hearing and has provided written
 853 consent to waive this right; and

854 b. The young adult has been informed of the potential
 855 negative effects of early termination of care, the option to
 856 reenter care before reaching 21 years of age, the procedure for,
 857 and limitations on, reentering care, and the availability of
 858 alternative services, and has signed a document attesting that
 859 he or she has been so informed and understands these provisions;
 860 or

861 c. The young adult has voluntarily left the program, has
 862 not signed the document in sub-subparagraph b., and is unwilling
 863 to participate in any further court proceeding.

864 (f) In all permanency hearings or hearings regarding the
 865 transition of the young adult from care to independent living,
 866 the court shall consult with the young adult regarding the
 867 proposed permanency plan, case plan, and individual education
 868 plan for the young adult and ensure that he or she has

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869 | understood the conversation.

870 | Section 6. Section 409.145, Florida Statutes, is amended
871 | to read:

872 | 409.145 Care of children; quality parenting; "reasonable
873 | and prudent parent" standard.—The child welfare system of the
874 | department shall operate as a coordinated community-based system
875 | of care which empowers all caregivers for children in foster
876 | care to provide quality parenting, including approving or
877 | disapproving a child's participation in activities based on the
878 | caregiver's assessment using the "reasonable and prudent parent"
879 | standard.

880 | (1) SYSTEM OF CARE.—The department shall develop,
881 | implement ~~conduct, supervise,~~ and administer a coordinated
882 | community-based system of care ~~program~~ for ~~dependent~~ children
883 | who are found to be dependent and their families. This system of
884 | care must ~~The services of the department are to be directed~~
885 | toward the following goals:

886 | (a) ~~The~~ Prevention of separation of children from their
887 | families.

888 | (b) Intervention to allow children to remain safely in
889 | their own homes.

890 | (c) ~~(b)~~ The Reunification of families who have had children
891 | removed from their care ~~placed in foster homes or institutions.~~

892 | (d) Safety for children who are separated from their
893 | families by providing alternative emergency or longer-term
894 | parenting arrangements.

895 | (e) Well-being of children through emphasis on maintaining
896 | educational stability and providing timely health care.

897 ~~(f)(e)~~ Permanency for ~~The permanent placement of children~~
 898 for whom reunification ~~who cannot be reunited with their~~
 899 families is not possible ~~or when reunification would~~ is not be
 900 in the best interest of the child.

901 ~~(d)~~ ~~The protection of dependent children or children~~
 902 ~~alleged to be dependent, including provision of emergency and~~
 903 ~~long-term alternate living arrangements.~~

904 ~~(g)(e)~~ The transition to independence and self-sufficiency
 905 for older children who remain in foster care through adolescence
 906 ~~continue to be in foster care as adolescents.~~

907 ~~(2)~~ ~~The following dependent children shall be subject to~~
 908 ~~the protection, care, guidance, and supervision of the~~
 909 ~~department or any duly licensed public or private agency:~~

910 ~~(a)~~ ~~Any child who has been temporarily or permanently~~
 911 ~~taken from the custody of the parents, custodians, or guardians~~
 912 ~~in accordance with those provisions in chapter 39 that relate to~~
 913 ~~dependent children.~~

914 ~~(b)~~ ~~Any child who is in need of the protective supervision~~
 915 ~~of the department as determined by intake or by the court in~~
 916 ~~accordance with those provisions of chapter 39 that relate to~~
 917 ~~dependent children.~~

918 ~~(c)~~ ~~Any child who is voluntarily placed, with the written~~
 919 ~~consent of the parents or guardians, in the department's foster~~
 920 ~~care program or the foster care program of a licensed private~~
 921 ~~agency.~~

922 ~~(3)~~ ~~The circuit courts exercising juvenile jurisdiction in~~
 923 ~~the various counties of this state shall cooperate with the~~
 924 ~~department and its employees in carrying out the purposes and~~

925 ~~intent of this chapter.~~

926 ~~(4) The department is authorized to accept children on a~~
 927 ~~permanent placement basis by order of a court of competent~~
 928 ~~jurisdiction for the single purpose of adoption placement of~~
 929 ~~these children. The department is authorized to provide the~~
 930 ~~necessary services to place these children ordered to the~~
 931 ~~department on a permanent placement basis for adoption.~~

932 ~~(5) Any funds appropriated by counties for child welfare~~
 933 ~~services may be matched by state and federal funds, such funds~~
 934 ~~to be utilized by the department for the benefit of children in~~
 935 ~~those counties.~~

936 ~~(6) Whenever any child is placed under the protection,~~
 937 ~~care, and guidance of the department or a duly licensed public~~
 938 ~~or private agency, or as soon thereafter as is practicable, the~~
 939 ~~department or agency, as the case may be, shall endeavor to~~
 940 ~~obtain such information concerning the family medical history of~~
 941 ~~the child and the natural parents as is available or readily~~
 942 ~~obtainable. This information shall be kept on file by the~~
 943 ~~department or agency for possible future use as provided in ss.~~
 944 ~~63.082 and 63.162 or as may be otherwise provided by law.~~

945 ~~(7) Whenever any child is placed by the department in a~~
 946 ~~shelter home, foster home, or other residential placement, the~~
 947 ~~department shall make available to the operator of the shelter~~
 948 ~~home, foster home, other residential placement, or other~~
 949 ~~caretaker as soon thereafter as is practicable, all relevant~~
 950 ~~information concerning the child's demographic, social, and~~
 951 ~~medical history.~~

952 (2) QUALITY PARENTING.—A child in foster care shall be

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953 placed only with a caregiver who has the ability to care for the
954 child, is willing to accept responsibility for providing care,
955 and is willing and able to learn about and be respectful of the
956 child's culture, religion and ethnicity, special physical or
957 psychological needs, unique circumstances, and family
958 relationships. The department, the community-based care lead
959 agency, and other agencies shall provide such caregiver with all
960 available information necessary to assist the caregiver in
961 determining whether he or she is able to appropriately care for
962 a particular child.

963 (a) Roles and responsibilities of caregivers.—A caregiver
964 shall:

965 1. Participate in developing the case plan for the child
966 and his or her family and work with others involved in his or
967 her care to implement this plan. This participation includes the
968 caregiver's involvement in all team meetings or court hearings
969 related to the child's care.

970 2. Complete all training needed to improve skills in
971 parenting a child who has experienced trauma due to neglect,
972 abuse, or separation from home, to meet the child's special
973 needs, and to work effectively with child welfare agencies, the
974 court, the schools, and other community and governmental
975 agencies.

976 3. Respect and support the child's ties to members of his
977 or her biological family and assist the child in maintaining
978 allowable visitation and other forms of communication.

979 4. Effectively advocate for the child in the caregiver's
980 care with the child welfare system, the court, and community

981 agencies, including the school, child care providers, health and
 982 mental health providers, and employers.

983 5. Participate fully in the child's medical,
 984 psychological, and dental care as the caregiver would for his or
 985 her biological child.

986 6. Support the child's school success by participating in
 987 school activities and meetings, including individual education
 988 plan meetings, assisting with school assignments, supporting
 989 tutoring programs, meeting with teachers and working with an
 990 educational surrogate if one has been appointed, and encouraging
 991 the child's participation in extracurricular activities.

992 7. Work in partnership with other stakeholders to obtain
 993 and maintain records that are important to the child's well-
 994 being, including child resource records, medical records, school
 995 records, photographs, and records of special events and
 996 achievements.

997 8. Ensure that the child who has reached 13 years of age
 998 but is not yet 17 years of age learns and masters independent
 999 living skills.

1000 9. Ensure that the child is aware of the requirements and
 1001 benefits of the Road-to-Independence Program.

1002 10. Work to enable the child to establish and maintain
 1003 naturally occurring mentoring relationships.

1004 (b) Roles and responsibilities of the department, the
 1005 community-based care lead agency, and other agency staff.—The
 1006 department, the community-based care lead agency, and other
 1007 agency staff shall:

1008 1. Include a caregiver in the development and

1009 implementation of the case plan for the child and his or her
 1010 family. The caregiver shall be authorized to participate in all
 1011 team meetings or court hearings related to the child's care and
 1012 future plans. The caregiver's participation shall be facilitated
 1013 through timely notification, an inclusive process, and
 1014 alternative methods for participation for a caregiver who cannot
 1015 be physically present.

1016 2. Develop and make available to the caregiver the
 1017 information, services, training, and support that the caregiver
 1018 needs to improve his or her skills in parenting children who
 1019 have experienced trauma due to neglect, abuse, or separation
 1020 from home, to meet these children's special needs, and to
 1021 advocate effectively with child welfare agencies, the courts,
 1022 schools, and other community and governmental agencies.

1023 3. Provide the caregiver with all information related to
 1024 services and other benefits that are available to the child.

1025 (c) Transitions.—

1026 1. Once a caregiver accepts the responsibility of caring
 1027 for a child, the child will be removed from the home of that
 1028 caregiver only if:

1029 a. The caregiver is clearly unable to safely or legally
 1030 care for the child;

1031 b. The child and his or her biological family are
 1032 reunified;

1033 c. The child is being placed in a legally permanent home
 1034 pursuant to the case plan or a court order; or

1035 d. The removal is demonstrably in the child's best
 1036 interest.

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1037 2. In the absence of an emergency, if a child leaves the
1038 caregiver's home for a reason provided under subparagraph 1.,
1039 the transition must be accomplished according to a plan that
1040 involves cooperation and sharing of information among all
1041 persons involved, respects the child's developmental stage and
1042 psychological needs, ensures the child has all of his or her
1043 belongings, and allows for a gradual transition from the
1044 caregiver's home and, if possible, for continued contact with
1045 the caregiver after the child leaves.

1046 (d) Information sharing.—Whenever a foster home or
1047 residential group home assumes responsibility for the care of a
1048 child, the department and any additional providers shall make
1049 available to the caregiver as soon as is practicable all
1050 relevant information concerning the child. Records and
1051 information that are required to be shared with caregivers
1052 include, but are not limited to:

1053 1. Medical, dental, psychological, psychiatric, and
1054 behavioral history, as well as ongoing evaluation or treatment
1055 needs.

1056 2. School records.

1057 3. Copies of his or her birth certificate and, if
1058 appropriate, immigration status documents.

1059 4. Consents signed by parents.

1060 5. Comprehensive behavioral assessments and other social
1061 assessments.

1062 6. Court orders.

1063 7. Visitation and case plans.

1064 8. Guardian ad litem reports.

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- 1065 9. Staffing forms.
- 1066 10. Judicial or citizen review panel reports and
1067 attachments filed with the court, except confidential medical,
1068 psychiatric, and psychological information regarding any party
1069 or participant other than the child.
- 1070 (e) Caregivers employed by residential group homes.-All
1071 caregivers in residential group homes shall meet the same
1072 education, training, and background and other screening
1073 requirements as foster parents.
- 1074 (3) REASONABLE AND PRUDENT PARENT STANDARD.-
- 1075 (a) Definitions.-As used in this subsection, the term:
- 1076 1. "Age-appropriate" means generally accepted as suitable
1077 for a child of the same chronological age or level of maturity.
1078 Age appropriateness is based on the development of cognitive,
1079 emotional, physical, and behavioral capacity which is typical
1080 for an age or age group.
- 1081 2. "Caregiver" means a person with whom the child is
1082 placed in out-of-home care, or a designated official for a group
1083 care facility licensed by the department under s. 409.175.
- 1084 3. "Reasonable and prudent parent standard" means the
1085 standard of care used by a caregiver in determining whether to
1086 allow a child in his or her care to participate in
1087 extracurricular, enrichment, and social activities. This
1088 standard is characterized by careful and thoughtful parental
1089 decisionmaking that is intended to maintain a child's health,
1090 safety, and best interest while encouraging the child's
1091 emotional and developmental growth.
- 1092 (b) Application of standard of care.-

1093 | 1. Every child who comes into out-of-home care pursuant to
 1094 | this chapter is entitled to participate in age-appropriate
 1095 | extracurricular, enrichment, and social activities.

1096 | 2. Each caregiver shall use the reasonable and prudent
 1097 | parent standard in determining whether to give permission for a
 1098 | child living in out-of-home care to participate in
 1099 | extracurricular, enrichment, or social activities. When using
 1100 | the reasonable and prudent parent standard, the caregiver must
 1101 | consider:

1102 | a. The child's age, maturity, and developmental level to
 1103 | maintain the overall health and safety of the child.

1104 | b. The potential risk factors and the appropriateness of
 1105 | the extracurricular, enrichment, or social activity.

1106 | c. The best interest of the child, based on information
 1107 | known by the caregiver.

1108 | d. The importance of encouraging the child's emotional and
 1109 | developmental growth.

1110 | e. The importance of providing the child with the most
 1111 | family-like living experience possible.

1112 | f. The behavioral history of the child and the child's
 1113 | ability to safely participate in the proposed activity.

1114 | (c) Verification of services delivered.—The department and
 1115 | each community-based care lead agency shall verify that private
 1116 | agencies providing out-of-home care services to dependent
 1117 | children have policies in place which are consistent with this
 1118 | section and that these agencies promote and protect the ability
 1119 | of dependent children to participate in age-appropriate
 1120 | extracurricular, enrichment, and social activities.

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1121 (d) Limitation of liability.—A caregiver is not liable for
 1122 harm caused to a child who participates in an activity approved
 1123 by the caregiver, provided that the caregiver has acted in
 1124 accordance with the reasonable and prudent parent standard. This
 1125 paragraph may not be interpreted as removing or limiting any
 1126 existing liability protection afforded by law.

1127 (4) FOSTER PARENT ROOM AND BOARD RATES.—

1128 (a) Effective October 1, 2013, monthly room and board
 1129 rates paid to foster parents are as follows:

1130

<u>Monthly Foster</u>	<u>0-5 Years Age</u>	<u>6-12 Years Age</u>	<u>13-21 Years Age</u>
<u>Care Rate</u>			
	<u>\$429</u>	<u>\$440</u>	<u>\$515</u>

1131

1132

1133

1134 (b) Foster parents who are receiving a room and board rate
 1135 as provided in paragraph (a) shall receive an annual cost of
 1136 living increase. The department shall calculate the new room and
 1137 board rate increase equal to the percentage change in the
 1138 Consumer Price Index for All Urban Consumers, U.S. City Average,
 1139 All Items, not seasonally adjusted, or successor reports, for
 1140 the preceding December compared to the prior December as
 1141 initially reported by the United States Department of Labor,
 1142 Bureau of Labor Statistics.

1143 (c) The amount of the monthly foster parent room and board
 1144 rate may be increased upon agreement among the department, the
 1145 community-based care lead agency, and the foster parent.

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1146 (d) Community-based care lead agencies providing care
1147 under contract with the department may pay a supplemental room
1148 and board payment to foster care parents for providing
1149 independent life skills and normalcy supports to children who
1150 are age 13 through 17 placed in their care. The supplemental
1151 payment shall be paid monthly to the foster care parents on a
1152 per-child basis in addition to the current monthly room and
1153 board rate payment. The supplemental monthly payment shall be
1154 based on 10 percent of the monthly room and board rate for
1155 children age 13 through 21 as provided under this section and
1156 adjusted annually.

1157 (5) RULEMAKING.—The department shall adopt by rule
1158 procedures to administer this section.

1159 Section 7. Section 409.1451, Florida Statutes, is amended
1160 to read:

1161 (Substantial rewording of section. See
1162 s. 409.1451, F.S., for present text).

1163 409.1451 The Road-to-Independence Program.—

1164 (1) LEGISLATIVE FINDINGS AND INTENT.—

1165 (a) The Legislature recognizes that most children and
1166 young adults are resilient and, with adequate support, can
1167 expect to be successful as independent adults. Not unlike many
1168 young adults, some young adults who have lived in foster care
1169 need additional support and resources for a period of time after
1170 reaching 18 years of age.

1171 (b) The Legislature finds that while it is important to
1172 provide young adults who have lived in foster care with
1173 education and independent living skills, there is also a need to

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1174 focus more broadly on creating and preserving family
1175 relationships so that young adults have a permanent connection
1176 with at least one committed adult who provides a safe and stable
1177 parenting relationship.

1178 (c) It is the intent of the Legislature that young adults
1179 who choose to participate in the program receive the skills,
1180 education, and support necessary to become self-sufficient and
1181 leave foster care with a lifelong connection to a supportive
1182 adult through the Road-to-Independence Program, either through
1183 postsecondary education services and support, as provided in
1184 subsection (2), or aftercare services.

1185 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

1186 (a) A young adult is eligible for services and support
1187 under this subsection if he or she:

1188 1. Was living in licensed care on his or her 18th birthday
1189 or is currently living in licensed care, or was at least 16
1190 years of age and was adopted from foster care or placed with a
1191 court-approved dependency guardian after spending at least 6
1192 months in licensed care within the 12 months immediately
1193 preceding such placement or adoption;

1194 2. Spent at least 6 months in licensed care before
1195 reaching his or her 18th birthday;

1196 3. Earned a standard high school diploma or its equivalent
1197 pursuant to s. 1003.428, s. 1003.4281, s. 1003.429, s. 1003.43,
1198 or s. 1003.435;

1199 4. Has been admitted for enrollment as a full-time student
1200 or its equivalent in an eligible postsecondary educational
1201 institution as provided in s. 1009.533 unless the young adult

1202 has a recognized disability preventing full-time attendance;
 1203 5. Has reached 18 years of age but is not yet 23 years of
 1204 age;
 1205 6. Has applied, with assistance from the young adult's
 1206 caregiver and the community-based care lead agency, for any
 1207 other grants and scholarships for which he or she may qualify;
 1208 7. Submitted a Free Application for Federal Student Aid
 1209 which is complete and error free; and
 1210 8. Signed an agreement to allow the department and the
 1211 community-based care lead agency access to school records.
 1212 (b) The amount of the financial assistance shall be as
 1213 follows:
 1214 1. For a young adult who does not remain in foster care
 1215 and is attending a postsecondary educational institution as
 1216 provided in s. 1009.533, the amount is \$1,256 monthly.
 1217 2. For a young adult who remains in foster care, is
 1218 attending a postsecondary educational institution as provided in
 1219 s. 1009.533, and continues to reside in a licensed foster home,
 1220 the amount is the established room and board rate for foster
 1221 parents as provided in s. 409.145(4).
 1222 3. For a young adult who remains in foster care, but
 1223 temporarily resides away from a licensed foster home for
 1224 purposes of attending a postsecondary educational institution as
 1225 provided in s. 1009.533, the amount is \$1,256 monthly. This
 1226 takes the place of the payment provided for in s. 409.145(4).
 1227 4. For a young adult who remains in foster care, is
 1228 attending a postsecondary educational institution as provided in
 1229 s. 1009.533, and continues to reside in a licensed group home,

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1230 the amount is negotiated between the community-based care lead
1231 agency and the licensed group home provider.

1232 5. For a young adult who remains in foster care but
1233 temporarily resides away from a licensed group home for purposes
1234 of attending a postsecondary educational institution as provided
1235 in s. 1009.533, the amount is \$1,256 monthly. This takes the
1236 place of a negotiated room and board rate.

1237 6. The amount of the award may be disregarded for purposes
1238 of determining the eligibility for, or the amount of, any other
1239 federal or federally supported assistance.

1240 7. A young adult is eligible to receive financial
1241 assistance during the months when enrolled in a postsecondary
1242 educational institution.

1243 (c) Payment of financial assistance for a young adult who:

1244 1. Has chosen not to remain in foster care and is
1245 attending a postsecondary educational institution as provided in
1246 s. 1009.533 shall be made to the community-based care lead
1247 agency in order to secure housing and utilities, with the
1248 balance being paid directly to the young adult until such time
1249 the lead agency and the young adult determine that the young
1250 adult can successfully manage the full amount of the assistance.

1251 2. Has remained in foster care under s. 39.6251 and who is
1252 attending a postsecondary educational institution as provided in
1253 s. 1009.533 shall be made directly to the foster parent or group
1254 home provider.

1255 (d)1. The department must advertise the availability of
1256 the stipend and must provide notification of the criteria and
1257 application procedures for the stipend to children and young

1258 adults leaving, or who were formerly in, foster care;
 1259 caregivers; case managers; guidance and family services
 1260 counselors; principals or other relevant school administrators;
 1261 and guardians ad litem.

1262 2. If the award recipient transfers from one eligible
 1263 institution to another and continues to meet eligibility
 1264 requirements, the award shall be transferred with the recipient.

1265 3. The department or an agency under contract with the
 1266 department, shall evaluate each Road-to-Independence award for
 1267 renewal eligibility on an annual basis. In order to be eligible
 1268 for a renewal award for the subsequent year, the young adult
 1269 must:

1270 a. Be enrolled for or have completed the number of hours,
 1271 or the equivalent, to be considered a full-time student by the
 1272 eligible postsecondary educational institution in which he or
 1273 she is enrolled, unless that young adult has a recognized
 1274 disability preventing full-time attendance.

1275 b. Maintain appropriate progress as required by the
 1276 educational institution, except that if the young adult's
 1277 progress is insufficient to renew the award at any time during
 1278 the eligibility period, the young adult may restore eligibility
 1279 by improving his or her progress to the required level.

1280 4. Funds may be terminated during the interim between an
 1281 award and the evaluation for a renewal award if the department,
 1282 or an agency under contract with the department, determines that
 1283 the award recipient is no longer enrolled in an educational
 1284 institution as described in subparagraph (a)4. or is no longer a
 1285 resident of this state.

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1286 5. The department, or an agency under contract with the
1287 department, shall notify a recipient who is terminated and
1288 inform the recipient of his or her right to appeal.

1289 6. An award recipient who does not qualify for a renewal
1290 award or who chooses not to renew the award may immediately
1291 apply for reinstatement. An application for reinstatement must
1292 be made before the young adult reaches 23 years of age, and a
1293 student may not apply for reinstatement more than once. In order
1294 to be eligible for reinstatement, the young adult must meet the
1295 eligibility criteria and the criteria for award renewal for the
1296 program.

1297 (3) POSTSECONDARY EDUCATIONAL MENTORS.—

1298 (a) The department or an agency under contract with the
1299 department, shall ensure that former foster care young adults
1300 attending a postsecondary educational institution have a
1301 designated mentor.

1302 (b) A mentor is a caring, responsible adult who serves as
1303 a positive role model and provides ongoing information,
1304 guidance, and support to a young adult transitioning to
1305 postsecondary education and adulthood.

1306 (c) All Road-to-Independence mentors shall be mutually
1307 agreed upon by either the department, or an agency under
1308 contract with the department, and the student.

1309 (d) All Road-to-Independence mentors shall submit to a
1310 level 2 background screening that is paid for by the community-
1311 based care lead agency in a manner that is consistent with the
1312 screening requirements contained in s. 435.04.

1313 (e) The agencies under contract with the department shall

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1314 maintain a current listing, and make it available to the
1315 department as needed, of assigned mentors and those young adults
1316 that do not currently have a mentor. The agencies shall confirm
1317 and document on at least an annual basis that a mentor is
1318 willing to continue mentoring.

1319 (4) AFTERCARE SERVICES.—

1320 (a) Aftercare services are available to young adults who
1321 have chosen not to remain in foster care after reaching 18 years
1322 of age and who are not receiving financial assistance under
1323 subsection (2) to pursue postsecondary education. These
1324 aftercare services include, but are not limited to, the
1325 following:

- 1326 1. Mentoring and tutoring.
- 1327 2. Mental health services and substance abuse counseling.
- 1328 3. Life skills classes, including credit management and
1329 preventive health activities.
- 1330 4. Parenting classes.
- 1331 5. Job and career skills training.
- 1332 6. Counselor consultations.
- 1333 7. Temporary financial assistance for emergency
1334 situations.
- 1335 8. Financial literacy skills training.

1336
1337 The specific services to be provided under this paragraph shall
1338 be determined by an assessment of the young adult and may be
1339 provided by the community-based care provider or through
1340 referrals in the community.

1341 (b) Temporary assistance provided to prevent homelessness

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1342 shall be provided as expeditiously as possible and within the
1343 limitations defined by the department.

1344 (c) A young adult who has reached 18 years of age but is
1345 not yet 23 years of age who leaves foster care at 18 years of
1346 age may request and is eligible for such services before
1347 reaching 23 years of age.

1348 (5) APPEAL PROCEDURE.—

1349 (a) The department shall have a procedure by which a young
1350 adult may appeal the department's refusal to provide Road-to-
1351 Independence Program services or support, or the termination of
1352 such services or support if funds for such services or support
1353 are available.

1354 (b) The appeal procedure must be readily accessible to
1355 young adults, must provide for timely decisions, and must
1356 provide for an appeal to the department. The decision of the
1357 department constitutes final agency action and is reviewable by
1358 the court as provided in s. 120.68.

1359 (6) PORTABILITY.—The services provided under this section
1360 are portable across county lines and between lead agencies.

1361 (a) The service needs that are identified in the original
1362 or updated transition plan, pursuant to s. 39.6035, shall be
1363 provided by the lead agency where the young adult is currently
1364 residing but shall be funded by the lead agency that initiated
1365 the transition plan.

1366 (b) The lead agency with primary case management
1367 responsibilities shall provide maintenance payments, case
1368 planning, including a written description of all services that
1369 will assist a child 16 years of age or older in preparing for

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1370 the transition from care to independence, and regular case
1371 reviews that conform with all federal scheduling and content
1372 requirements for all children in foster care who are placed or
1373 visiting out-of-state.

1374 (7) ACCOUNTABILITY.—The department shall develop outcome
1375 measures for the program and other performance measures in order
1376 to maintain oversight of the program. No later than January 31
1377 of each year, the department shall prepare a report on the
1378 outcome measures and the department's oversight activities and
1379 submit the report to the President of the Senate, the Speaker of
1380 the House of Representatives, and the committees with
1381 jurisdiction over issues relating to children and families in
1382 the Senate and the House of Representatives. The report must
1383 include:

1384 (a) An analysis of performance on the outcome measures
1385 developed under this section reported for each community-based
1386 care lead agency and compared with the performance of the
1387 department on the same measures.

1388 (b) A description of the department's oversight of the
1389 program, including, by lead agency, any programmatic or fiscal
1390 deficiencies found, corrective actions required, and current
1391 status of compliance.

1392 (c) Any rules adopted or proposed under this section since
1393 the last report. For the purposes of the first report, any rules
1394 adopted or proposed under this section must be included.

1395 (8) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
1396 secretary shall establish the Independent Living Services
1397 Advisory Council for the purpose of reviewing and making

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1398 recommendations concerning the implementation and operation of
1399 the provisions of s. 39.6015 and the Road-to-Independence
1400 Program. The advisory council shall function as specified in
1401 this subsection until the Legislature determines that the
1402 advisory council can no longer provide a valuable contribution
1403 to the department's efforts to achieve the goals of the services
1404 designed to enable a young adult to live independently.

1405 (a) The advisory council shall assess the implementation
1406 and operation of the Road-to-Independence Program and advise the
1407 department on actions that would improve the ability of these
1408 Road-to-Independence Program services to meet the established
1409 goals. The advisory council shall keep the department informed
1410 of problems being experienced with the services, barriers to the
1411 effective and efficient integration of services and support
1412 across systems, and successes that the system of services has
1413 achieved. The department shall consider, but is not required to
1414 implement, the recommendations of the advisory council.

1415 (b) The advisory council shall report to the secretary on
1416 the status of the implementation of the Road-To-Independence
1417 Program, efforts to publicize the availability of the Road-to-
1418 Independence Program, the success of the services, problems
1419 identified, recommendations for department or legislative
1420 action, and the department's implementation of the
1421 recommendations contained in the Independent Living Services
1422 Integration Workgroup Report submitted to the appropriate
1423 substantive committees of the Legislature by December 31, 2013.
1424 The department shall submit a report by December 31 of each year
1425 to the Governor, the President of the Senate, and the Speaker of

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1426 the House of Representatives which includes a summary of the
1427 factors reported on by the advisory council and identifies the
1428 recommendations of the advisory council and either describes the
1429 department's actions to implement the recommendations or
1430 provides the department's rationale for not implementing the
1431 recommendations.

1432 (c) Members of the advisory council shall be appointed by
1433 the secretary of the department. The membership of the advisory
1434 council must include, at a minimum, representatives from the
1435 headquarters and regional offices of the Department of Children
1436 and Families, community-based care lead agencies, the Department
1437 of Juvenile Justice, the Department of Economic Opportunity, the
1438 Department of Education, the Agency for Health Care
1439 Administration, the State Youth Advisory Board, Workforce
1440 Florida, Inc., the Statewide Guardian Ad Litem Office, foster
1441 parents, recipients of services and funding through the Road-to-
1442 Independence Program, and advocates for children in care. The
1443 secretary shall determine the length of the term to be served by
1444 each member appointed to the advisory council, which may not
1445 exceed 4 years.

1446 (d) The department shall provide administrative support to
1447 the Independent Living Services Advisory Council to accomplish
1448 its assigned tasks. The advisory council shall be afforded
1449 access to all appropriate data from the department, each
1450 community-based care lead agency, and other relevant agencies in
1451 order to accomplish the tasks set forth in this section. The
1452 data collected may not include any information that would
1453 identify a specific child or young adult.

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1454 (e) The advisory council report required under paragraph
1455 (b) must include an analysis of the system of independent living
1456 transition services for young adults who reach 18 years of age
1457 while in foster care before completing high school or its
1458 equivalent and recommendations for department or legislative
1459 action. The council shall assess and report on the most
1460 effective method of assisting these young adults to complete
1461 high school or its equivalent by examining the practices of
1462 other states.

1463 (9) PERSONAL PROPERTY.—Property acquired on behalf of a
1464 young adult in this program shall become the personal property
1465 of the young adult and is not subject to the requirements of
1466 chapter 273 relating to state-owned tangible personal property.
1467 Such property continues to be subject to applicable federal
1468 laws.

1469 (10) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN
1470 CARE.—The department or community-based care lead agency shall
1471 document that eligible young adults are enrolled in Medicaid
1472 under s. 409.903(4).

1473 (11) RULEMAKING.—The department shall adopt rules to
1474 administer this section.

1475 Section 8. Paragraph (a) of subsection (3) of section
1476 409.175, Florida Statutes, is amended to read:

1477 409.175 Licensure of family foster homes, residential
1478 child-caring agencies, and child-placing agencies; public
1479 records exemption.—

1480 (3) (a) The total number of children placed in each family
1481 foster home shall be based on the recommendation of the

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1482 department, or the community-based care lead agency where one is
 1483 providing foster care and related services, based on the needs
 1484 of each child in care, the ability of the foster family to meet
 1485 the individual needs of each child, including any adoptive or
 1486 biological children or young adults remaining in foster care
 1487 living in the home, the amount of safe physical plant space, the
 1488 ratio of active and appropriate adult supervision, and the
 1489 background, experience, and skill of the family foster parents.

1490 Section 9. Subsection (4) of section 409.903, Florida
 1491 Statutes, is amended to read:

1492 409.903 Mandatory payments for eligible persons.—The
 1493 agency shall make payments for medical assistance and related
 1494 services on behalf of the following persons who the department,
 1495 or the Social Security Administration by contract with the
 1496 Department of Children and Family Services, determines to be
 1497 eligible, subject to the income, assets, and categorical
 1498 eligibility tests set forth in federal and state law. Payment on
 1499 behalf of these Medicaid eligible persons is subject to the
 1500 availability of moneys and any limitations established by the
 1501 General Appropriations Act or chapter 216.

1502 (4) A child who is eligible under Title IV-E of the Social
 1503 Security Act for subsidized board payments, foster care, or
 1504 adoption subsidies, and a child for whom the state has assumed
 1505 temporary or permanent responsibility and who does not qualify
 1506 for Title IV-E assistance but is in foster care, shelter or
 1507 emergency shelter care, or subsidized adoption. This category
 1508 includes a young adult who is eligible to receive services under
 1509 s. 409.1451~~(5)~~, until the young adult reaches 21 years of age,

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1510 without regard to any income, resource, or categorical
1511 eligibility test that is otherwise required. This category also
1512 includes a person who as a child was eligible under Title IV-E
1513 of the Social Security Act for foster care or the state-provided
1514 foster care and who is a participant in the Road-to-Independence
1515 Program.

1516 Section 10. (1) The Department of Children and Families
1517 shall acquire, through the use of existing independent living
1518 services funding and via contract, postsecondary educational
1519 campus coaching positions. These positions shall be integrated
1520 into state colleges' and university institutions' general
1521 support services structure to provide former foster care youth
1522 with dedicated, on-campus support to aid these youth in
1523 transitioning from foster care toward graduation. The number and
1524 distribution of these positions shall be determined by the
1525 department based on the availability of funds and overall need,
1526 as determined by the number of former foster care youth
1527 attending postsecondary educational institutions receiving Road-
1528 to-Independence education tuition waivers within a given
1529 community.

1530 (2) The existing independent living services funding shall
1531 also provide for a network coordinator, who shall be responsible
1532 for overseeing startup, implementation, and evaluation of the
1533 support program described in subsection (1). The network
1534 coordinator's position shall be a state full-time equivalent
1535 position.

1536 Section 11. Effective October 1, 2013, a child or young
1537 adult who is a participant in the Road-to-Independence Program

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1538 may continue in the program as it exists through December 31,
1539 2013. Effective January 1, 2014, a child or young adult who is a
1540 participant in the program shall transfer to the program
1541 services provided in this act, and his or her monthly stipend
1542 may not be reduced, the method of payment of the monthly stipend
1543 may not be changed, and the young adult may not be required to
1544 change his or her living arrangement. These conditions shall
1545 remain in effect for a child or young adult until he or she
1546 ceases to meet the eligibility requirements under which he or
1547 she entered the Road-to-Independence Program. A child or young
1548 adult applying or reapplying for the Road-to-Independence
1549 Program on or after October 1, 2013, may apply for program
1550 services only as provided in this act.

1551 Section 12. The cost of foster care payments for children
1552 in foster care from age 18 until age 21, and the cost of
1553 independent living services for those qualified former foster
1554 care children until the age of 23, shall be paid from a special
1555 category established for that purpose in the General
1556 Appropriations Act. The amount and fund source in this special
1557 category will be set each year by the Legislature.

1558 Section 13. This act shall take effect October 1, 2013.