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LEGISLATIVE ACTION

Senate	.	House
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Floor: 3/AD/2R	.	Floor: SENA3/C
05/01/2014 03:09 PM	.	05/02/2014 03:26 PM
	.	

Senator Detert moved the following:

Senate Amendment (with title amendment)

Before line 13

insert:

Section 1. Paragraph (a) of subsection (3) of section 39.701, Florida Statutes, is amended to read:

39.701 Judicial review.—

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

(a) In addition to the review and report required under paragraphs (1)(a) and (2)(a), respectively, the court shall hold a judicial review hearing within 90 days after a child's 17th



322822

12 birthday. The court shall also issue an order, separate from the
13 order on judicial review, that the disability of nonage of the
14 child has been removed pursuant to ss. 743.045 and 743.047 for
15 any of these disabilities that the court finds is in the child's
16 best interest to remove. The court ~~s. 743.045~~ and shall continue
17 to hold timely judicial review hearings. If necessary, the court
18 may review the status of the child more frequently during the
19 year before the child's 18th birthday. At each review hearing
20 held under this subsection, in addition to any information or
21 report provided to the court by the foster parent, legal
22 custodian, or guardian ad litem, the child shall be given the
23 opportunity to address the court with any information relevant
24 to the child's best interest, particularly in relation to
25 independent living transition services. The department shall
26 include in the social study report for judicial review written
27 verification that the child has:

28 1. A current Medicaid card and all necessary information
29 concerning the Medicaid program sufficient to prepare the child
30 to apply for coverage upon reaching the age of 18, if such
31 application is appropriate.

32 2. A certified copy of the child's birth certificate and,
33 if the child does not have a valid driver license, a Florida
34 identification card issued under s. 322.051.

35 3. A social security card and information relating to
36 social security insurance benefits if the child is eligible for
37 those benefits. If the child has received such benefits and they
38 are being held in trust for the child, a full accounting of
39 these funds must be provided and the child must be informed as
40 to how to access those funds.



322822

41 4. All relevant information related to the Road-to-
42 Independence Program, including, but not limited to, eligibility
43 requirements, information on participation, and assistance in
44 gaining admission to the program. If the child is eligible for
45 the Road-to-Independence Program, he or she must be advised that
46 he or she may continue to reside with the licensed family home
47 or group care provider with whom the child was residing at the
48 time the child attained his or her 18th birthday, in another
49 licensed family home, or with a group care provider arranged by
50 the department.

51 5. An open bank account or the identification necessary to
52 open a bank account and to acquire essential banking and
53 budgeting skills.

54 6. Information on public assistance and how to apply for
55 public assistance.

56 7. A clear understanding of where he or she will be living
57 on his or her 18th birthday, how living expenses will be paid,
58 and the educational program or school in which he or she will be
59 enrolled.

60 8. Information related to the ability of the child to
61 remain in care until he or she reaches 21 years of age under s.
62 39.013.

63 9. A letter providing the dates that the child is under the
64 jurisdiction of the court.

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

67 11. The child's educational records.

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

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



322822

70 14. A statement encouraging the child to attend all
71 judicial review hearings occurring after the child's 17th
72 birthday.

73 Section 2. Section 409.1454, Florida Statutes, is created
74 to read:

75 409.1454 Motor vehicle insurance for children in care.—

76 (1) The Legislature finds that the costs of driver
77 education, licensure and costs incidental to licensure, and
78 motor vehicle insurance for a child in licensed out-of-home care
79 after such child obtains a driver license creates an additional
80 barrier to engaging in normal age-appropriate activities and
81 gaining independence and may limit opportunities for obtaining
82 employment and completing educational goals. The Legislature
83 also finds that the completion of an approved driver education
84 course is necessary to develop safe driving skills.

85 (2) To the extent that funding is available, the department
86 shall establish a 3-year pilot program to pay the cost of driver
87 education, licensure and other costs incidental to licensure,
88 and motor vehicle insurance for children in licensed out-of-home
89 care who have successfully completed a driver education program.

90 (3) If a caregiver, or an individual or not-for-profit
91 entity approved by the caregiver, adds a child to his or her
92 existing insurance policy, the amount paid to the caregiver or
93 approved purchaser may not exceed the increase in cost
94 attributable to the addition of the child to the policy.

95 (4) Payment shall be made to eligible recipients in the
96 order of eligibility until available funds are exhausted.

97 (5) The department shall contract with a not-for-profit
98 entity whose mission is to support youth aging out of foster



99 care to develop procedures for operating and administering the
100 pilot program, including, but not limited to:

101 (a) Determining eligibility, including responsibilities for
102 the child and caregivers.

103 (b) Developing application and payment forms.

104 (c) Notifying eligible children, caregivers, group homes,
105 and residential programs of the pilot program.

106 (d) Providing technical assistance to lead agencies,
107 providers, group homes, and residential programs to support
108 removing obstacles that prevent children in foster care from
109 driving.

110 (6) By July 1, 2015, and annually thereafter for the duration of
111 the pilot program, the department shall submit a report to the
112 Governor, the President of the Senate, and the Speaker of the
113 House of Representatives evaluating the success of and outcomes
114 achieved by the pilot program. The report shall include a
115 recommendation as to whether the pilot program should be
116 continued, terminated, or expanded.

117
118 ===== T I T L E A M E N D M E N T =====

119 And the title is amended as follows:

120 Delete lines 2 - 3

121 and insert:

122 An act relating to motor vehicle insurance and driver
123 education for children in care; amending s. 39.701,
124 F.S.; authorizing the court to consider the best
125 interest of a child in removing specified disabilities
126 of nonage for certain minors; creating s. 409.1454,
127 F.S.; providing legislative findings; directing the



322822

128 Department of Children and Families to establish a
129 statewide pilot program to pay specified costs of
130 driver education, licensure and costs incidental to
131 licensure, and motor vehicle insurance for a child in
132 licensed out-of-home care who meets certain
133 qualifications; providing limits of the amount to be
134 paid; requiring payments to be made in the order of
135 eligibility until funds are exhausted; requiring the
136 department to contract with a qualified not-for-profit
137 entity to operate and develop procedures for the pilot
138 program; requiring the department to submit an annual
139 report with recommendations to the Governor and the
140 Legislature; creating s.