

1 A bill to be entitled
2 An act relating to adoption and foster care; creating
3 s. 409.1662, F.S.; providing the purpose of the
4 adoption incentive program; directing the Department
5 of Children and Families to establish an adoption
6 incentive program for certain agencies; requiring that
7 the department conduct a comprehensive baseline
8 assessment of lead agencies' performance and compile
9 annual data for the most recent 5 years of available
10 data; providing a nonexclusive list of factors for the
11 assessment to identify; requiring that the department
12 negotiate outcome-based agreements; requiring that
13 several factors be included in the agreement;
14 requiring the department to allocate incentive
15 payments; requiring a report; creating s. 409.1664,
16 F.S.; defining terms; providing certain amounts
17 payable to a qualifying adoptive employee who adopts
18 specified children under certain circumstances subject
19 to a specific appropriation to the department;
20 providing prorated payments for a part-time employee
21 and limiting the monetary benefit to one award per
22 child; requiring that a qualifying adoptive employee
23 apply to the agency head for the monetary benefit on
24 forms approved by the department and include a
25 certified copy of the final order of adoption;
26 providing that the act does not preclude a qualifying

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27 adoptive employee from receiving any other assistance
28 or incentive; requiring that parental leave for
29 qualifying adoptive employees be provided; authorizing
30 the department to adopt rules; requiring the Chief
31 Financial Officer to submit payment to a qualifying
32 adoptive employee depending on where he or she works;
33 requiring state agencies to develop uniform procedures
34 for informing employees about this benefit and for
35 assisting the department in making eligibility
36 determinations and processing applications; creating
37 s. 409.1666, F.S.; requiring the Governor to annually
38 select and recognize certain individuals, families, or
39 organizations for adoption achievement awards;
40 requiring the department to define categories for the
41 achievement awards and seek nominations for potential
42 recipients; authorizing a direct-support organization
43 established by the Office of Adoption and Child
44 Protection to accept donations of products or services
45 from private sources to be given to the recipients of
46 the adoption achievement awards; providing an
47 effective date.

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

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51 Section 1. Section 409.1662, Florida Statutes, is created
52 to read:

53 409.1662 Children within the child welfare system;
54 adoption incentive program.—

55 (1) PURPOSE.—The purpose of the adoption incentive program
56 is to advance the state's achievement of permanency, stability,
57 and well-being in living arrangements for children in foster
58 care who cannot be reunited with their families. The department
59 shall establish the adoption incentive program to award
60 incentive payments to community-based care lead agencies, as
61 defined in s. 409.986, which achieve specific and measureable
62 adoption performance standards that lead to permanency,
63 stability, and well-being for children.

64 (2) ADMINISTRATION OF THE PROGRAM.—

65 (a) The department shall conduct a comprehensive baseline
66 assessment of the performance of lead agencies related to
67 adoption of children from foster care. The assessment shall
68 compile annual data for each of the most recent 5 years for
69 which data is available. The department shall update the
70 assessment annually. At a minimum, the assessment shall
71 identify:

72 1. The number of families attempting to adopt children
73 from foster care and the number of families completing the
74 adoption process.

75 2. The number of children eligible for adoption and the
76 number of children whose adoptions were finalized.

77 3. The amount of time eligible children waited for
78 adoption.

79 4. The number of adoptions that resulted in disruption or
80 dissolution and the subset of those disrupted adoptions that the
81 lead agency could have prevented.

82 5. The time taken to complete each phase of the adoption
83 process.

84 6. The expenditures made to recruit adoptive homes and a
85 description of any initiative to improve adoption performance or
86 streamline the adoption process.

87 7. The results of any specific effort to gather feedback
88 from prospective adoptive parents, adoptive parents, children in
89 the child welfare system, adoptees, and other stakeholders.

90 8. The current use of evidence-based, evidence-informed,
91 promising, and innovative practices in recruitment, orientation,
92 and preparation of appropriate adoptive families, matching
93 children with families, supporting children during the adoptive
94 process, and providing post-adoptive support.

95 (b) Using the information from the baseline assessment,
96 the department shall annually negotiate outcome-based agreements
97 with lead agencies. The agreement shall establish measureable
98 outcome targets to increase the number of adoptions that result
99 in permanent placements that enhance the child's well-being. The
100 agreement shall define the method for measuring performance and
101 for determining the level of performance required to earn the
102 incentive payment and the amount of the incentive payment which
103 may be earned for each target.

104 (3) INCENTIVE PAYMENTS.—

105 (a) The department shall allocate incentive payments to
 106 performance improvement targets in a manner that ensures that
 107 total payments do not exceed the amount appropriated for this
 108 purpose.

109 (b) The department shall ensure that the amount of the
 110 incentive payments are proportionate to the value of the
 111 performance improvement.

112 (4) REPORT.—By November 15, 2015, and annually thereafter,
 113 the department shall submit a report to the Governor, the
 114 President of the Senate, and the Speaker of the House of
 115 Representatives on the negotiated targets set for, outcomes
 116 achieved by, and incentive payments made to each lead agency
 117 during the previous fiscal year. The department shall include in
 118 the report program enhancements made by each lead agency and
 119 their subcontracted providers to achieve negotiated outcomes
 120 under this section.

121 Section 2. Section 409.1664, Florida Statutes, is created
 122 to read:

123 409.1664 Adoption benefits for qualifying adoptive
 124 employees of state agencies.—

125 (1) As used in this section, the term:

126 (a) "Child within the child welfare system" has the same
 127 meaning as provided in s. 409.166.

128 (b) "Qualifying adoptive employee" means a full-time or
 129 part-time employee of a state agency who is paid from regular
 130 salary appropriations, or otherwise meets the state agency

131 employer's definition of a regular rather than temporary
132 employee, and who adopts a child within the child welfare system
133 pursuant to chapter 63. The term includes instructional
134 personnel, as defined in s. 1012.01, who are employed by the
135 Florida School for the Deaf and the Blind.

136 (c) "State agency" means a branch, department, or agency
137 of state government for which the Chief Financial Officer
138 processes payroll requisitions, a state university or Florida
139 College System institution as defined in s. 1000.21, a school
140 district unit as defined in s. 1001.30, or a water management
141 district as defined in s. 373.019.

142 (2) A qualifying adoptive employee who adopts a child
143 within the child welfare system who has special needs described
144 in s. 409.166(2)(a)2. is eligible to receive a lump-sum monetary
145 benefit in the amount of \$10,000 per such child, subject to
146 applicable taxes. A qualifying adoptive employee who adopts a
147 child within the child welfare system who does not have special
148 needs described in s. 409.166(2)(a)2. is eligible to receive a
149 lump-sum monetary benefit in the amount of \$5,000 per such
150 child, subject to applicable taxes.

151 (a) Benefits paid to a qualifying adoptive employee who is
152 a part-time employee must be prorated based on the qualifying
153 adoptive employee's full-time equivalency at the time of
154 applying for the benefits.

155 (b) Monetary benefits awarded under this subsection are
156 limited to one award per adopted child within the child welfare

157 system.

158 (c) The payment of a lump-sum monetary benefit for
159 adopting a child within the child welfare system under this
160 section is subject to a specific appropriation to the department
161 for such purpose.

162 (3) A qualifying adoptive employee must apply to his or
163 her agency head to obtain the monetary benefit provided in
164 subsection (2). Applications must be on forms approved by the
165 department and must include a certified copy of the final order
166 of adoption naming the applicant as the adoptive parent.

167 (4) This section does not preclude a qualifying adoptive
168 employee from receiving adoption assistance for which he or she
169 may qualify under s. 409.166 or any other statute that provides
170 financial incentives for the adoption of children.

171 (5) Parental leave for a qualifying adoptive employee must
172 be provided in accordance with the personnel policies and
173 procedures of the employee's state agency employer.

174 (6) The department may adopt rules to administer this
175 section. The rules may provide for an application process such
176 as, but not limited to, an open enrollment period during which
177 qualifying adoptive employees may apply for monetary benefits
178 under this section.

179 (7) The Chief Financial Officer shall disburse a monetary
180 benefit to a qualifying adoptive employee upon the department's
181 submission of a payroll requisition. The Chief Financial Officer
182 shall transfer funds from the department to a state university,

183 Florida College System institution, school district unit, or
 184 water management district, as appropriate, to enable payment to
 185 the qualifying adoptive employee through the payroll systems as
 186 long as funds are available for such purpose.

187 (8) Each state agency shall develop a uniform procedure
 188 for informing employees about this benefit and for assisting the
 189 department in making eligibility determinations and processing
 190 applications. Any procedure adopted by a state agency is valid
 191 and enforceable if the procedure does not conflict with the
 192 express terms of this section.

193 Section 3. Section 409.1666, Florida Statutes, is created
 194 to read:

195 409.1666 Annual adoption achievement awards.—Each year,
 196 the Governor shall select and recognize one or more individuals,
 197 families, or organizations that make significant contributions
 198 to enabling this state's foster children to achieve permanency
 199 through adoption. The department shall define appropriate
 200 categories for the achievement awards and seek nominations for
 201 potential recipients in each category from individuals and
 202 organizations knowledgeable about foster care and adoption.

203 (1) The award shall recognize persons whose contributions
 204 involve extraordinary effort or personal sacrifice in order to
 205 provide caring and permanent homes for foster children.

206 (2) A direct-support organization established in
 207 accordance with s. 39.0011 by the Office of Adoption and Child
 208 Protection within the Executive Office of the Governor may

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209 accept donations of products or services from private sources to
210 be given to the recipients of the adoption achievement awards.
211 The direct-support organization may also provide suitable
212 plaques, framed certificates, pins, and other tokens of
213 recognition.

214 Section 4. This act shall take effect July 1, 2015.