

By the Committee on Children, Families, and Elder Affairs; and
Senator Rouson

586-03333-17

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1 A bill to be entitled
2 An act relating to public assistance; amending s.
3 445.004, F.S.; requiring CareerSource Florida, Inc.,
4 to submit a detailed annual report on certain
5 information for individuals subject to mandatory work
6 requirements who receive temporary cash or food
7 assistance; amending s. 445.024, F.S.; requiring the
8 Department of Economic Opportunity, in cooperation
9 with CareerSource Florida, Inc., and the Department of
10 Children and Families, to develop and implement a work
11 plan agreement for participants in the temporary cash
12 assistance program; requiring the plan to identify
13 expectations, sanctions, and penalties for
14 noncompliance with work requirements; amending s.
15 402.82, F.S.; requiring the Department of Children and
16 Families to impose a replacement fee for electronic
17 benefits transfer cards under certain circumstances;
18 amending s. 39.5085, F.S.; revising eligibility
19 guidelines for the Relative Caregiver Program with
20 respect to relative and nonrelative caregivers;
21 requiring the Office of Program Policy Analysis and
22 Government Accountability (OPPAGA) to conduct a study;
23 providing study requirements; providing legislative
24 intent; requiring OPPAGA to submit a report by a
25 certain date to the Governor and the Legislature;
26 providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
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30 Section 1. Paragraph (c) is added to subsection (7) of
31 section 445.004, Florida Statutes, to read:

32 445.004 CareerSource Florida, Inc.; creation; purpose;
33 membership; duties and powers.—

34 (7) By December 1 of each year, CareerSource Florida, Inc.,
35 shall submit to the Governor, the President of the Senate, the
36 Speaker of the House of Representatives, the Senate Minority
37 Leader, and the House Minority Leader a complete and detailed
38 annual report setting forth:

39 (c) For each local workforce development board, participant
40 statistics and employment outcomes, by program, for individuals
41 subject to mandatory work requirements due to receipt of
42 temporary cash assistance or food assistance under chapter 414,
43 including:

44 1. Individuals served.

45 2. Services received.

46 3. Activities in which individuals participated.

47 4. Types of employment secured.

48 5. Individuals securing employment but remaining in each
49 program.

50 6. Individuals exiting programs due to employment.

51 7. Employment status at 3 months, 6 months, and 12 months
52 after exiting the program, for the past 3 years.

53 Section 2. Present subsections (3) through (7) of section
54 445.024, Florida Statutes, are renumbered as subsections (4)
55 through (8), respectively, and a new subsection (3) is added to
56 that section, to read:

57 445.024 Work requirements.—

58 (3) WORK PLAN AGREEMENT.—For each individual who is not

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59 otherwise exempt from work activity requirements, but before a
60 participant may receive temporary cash assistance, the
61 Department of Economic Opportunity, in cooperation with
62 CareerSource Florida, Inc., and the Department of Children and
63 Families, must:

64 (a) Inform the participant, in plain language, and require
65 the participant to assent to, in writing:

66 1. What is expected of the participant to continue to
67 receive temporary cash assistance benefits.

68 2. Under what circumstances the participant would be
69 sanctioned for noncompliance.

70 3. Potential penalties for noncompliance with the work
71 requirements in s. 414.065, including how long benefits would
72 not be available to the participant.

73 (b) Work with the participant to develop strategies to
74 assist the participant in overcoming obstacles to compliance
75 with the work activity requirements.

76 Section 3. Present subsection (4) of section 402.82,
77 Florida Statutes, is renumbered as subsection (5), and a new
78 subsection (4) is added to that section, to read:

79 402.82 Electronic benefits transfer program.—

80 (4) The department shall impose a fee for the fifth and
81 each subsequent request for a replacement electronic benefits
82 transfer card made by a participant within a 12-month period.
83 The fee must be equal to the cost of replacing the electronic
84 benefits transfer card. The fee may be deducted from the
85 participant's benefits. The department may waive the replacement
86 fee upon a showing of good cause, such as the malfunction of the
87 card or extreme financial hardship.

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88 Section 4. Paragraph (a) of subsection (1) and paragraph
89 (a) of subsection (2) of section 39.5085, Florida Statutes, are
90 amended to read:

91 39.5085 Relative Caregiver Program.—

92 (1) It is the intent of the Legislature in enacting this
93 section to:

94 (a) Provide for the establishment of procedures and
95 protocols that serve to advance the continued safety of children
96 by acknowledging the valued resource uniquely available through
97 grandparents, relatives of children, and specified nonrelatives
98 of children pursuant to sub-subparagraph (2) (a) 1.c. ~~subparagraph~~
99 ~~(2) (a) 3.~~

100 (2) (a) The Department of Children and Families shall
101 establish, and operate, and implement the Relative Caregiver
102 Program ~~pursuant to eligibility guidelines established in this~~
103 ~~section as further implemented~~ by rule of the department.

104 1. The Relative Caregiver Program shall, within the limits
105 of available funding, provide financial assistance to:

106 a.1. Relatives who are within the fifth degree by blood or
107 marriage to the parent or stepparent of a child and who are
108 caring full-time for that dependent child in the role of
109 substitute parent as a result of a court's determination of
110 child abuse, neglect, or abandonment and subsequent placement
111 with the relative under this chapter.

112 b.2. Relatives who are within the fifth degree by blood or
113 marriage to the parent or stepparent of a child and who are
114 caring full-time for that dependent child, and a dependent half-
115 brother or half-sister of that dependent child, in the role of
116 substitute parent as a result of a court's determination of

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117 child abuse, neglect, or abandonment and subsequent placement
118 with the relative under this chapter.

119 ~~c.3.~~ Nonrelatives who are willing to assume custody and
120 care of a dependent child in the role of substitute parent as a
121 result of a court's determination of child abuse, neglect, or
122 abandonment and subsequent placement with the nonrelative
123 caregiver under this chapter. The court must find that a
124 proposed placement under this subparagraph is in the best
125 interest of the child.

126 2. The relative or nonrelative caregiver may not receive a
127 Relative Caregiver Program payment if the parent or stepparent
128 of the child resides in the home. However, a relative or
129 nonrelative may receive the payment for a minor parent who is in
130 his or her care and for the minor parent's child, if both the
131 minor parent and the child have been adjudicated dependent and
132 meet all other eligibility requirements. If the caregiver is
133 currently receiving the payment, the payment must be terminated
134 no later than the first day of the following month after the
135 parent or stepparent moves into the home. Before the payment is
136 terminated, the caregiver must be given 10 days' notice of
137 adverse action.

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139 The placement may be court-ordered temporary legal custody to
140 the relative or nonrelative under protective supervision of the
141 department pursuant to s. 39.521(1)(b)3., or court-ordered
142 placement in the home of a relative or nonrelative as a
143 permanency option under s. 39.6221 or s. 39.6231 or under former
144 s. 39.622 if the placement was made before July 1, 2006. The
145 Relative Caregiver Program shall offer financial assistance to

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146 caregivers who would be unable to serve in that capacity without
147 the caregiver payment because of financial burden, thus exposing
148 the child to the trauma of placement in a shelter or in foster
149 care.

150 Section 5. (1) The Office of Program Policy Analysis and
151 Government Accountability shall conduct a study of each local
152 workforce development board to determine what barriers exist
153 which prevent participants in the Supplemental Nutrition
154 Assistance Program and the Temporary Assistance for Needy
155 Families cash assistance program from complying with the work
156 requirements in the respective programs. The study must include
157 detailed data and analysis of the reasons why applicants and
158 recipients do not comply with the work requirements, the reasons
159 that noncompliant applicants and recipients identify as barriers
160 to compliance, and what assistance was offered to the
161 participants to come into compliance. The study must also
162 include a listing of the specific reasons for the sanctions
163 applied, separated into categories with the number of
164 participants who received each sanction. For example:

165 (a) Failure to attend a scheduled meeting—10 people
166 sanctioned;

167 (b) Failure to complete required documents—5 people
168 sanctioned; or

169 (c) Failure to comply with child support requirements, with
170 specifics on what the requirement was.

171 (2) The legislative intent for requesting this independent
172 study is to gain an in-depth understanding of the barriers that
173 may exist for people trying to participate in the workforce,
174 through reviewing the specific reasons participants are

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175 sanctioned on a region by region basis.

176 (3) The Office of Program Policy Analysis and Government
177 Accountability shall submit a report with its findings and
178 recommendations to the Governor, the President of the Senate,
179 the Speaker of the House of Representatives, and the Minority
180 Leaders of the Senate and the House of Representatives by
181 November 1, 2017.

182 Section 6. This act shall take effect July 1, 2017.