

By Senator Rouson

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

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30 Pinellas County; providing the administration of the
31 program; providing the purpose of the program;
32 providing an appropriation; providing an effective
33 date.

34
35 Be It Enacted by the Legislature of the State of Florida:

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37 Section 1. Paragraph (a) of subsection (1) and paragraph
38 (a) of subsection (2) of section 39.5085, Florida Statutes, are
39 amended to read:

40 39.5085 Relative Caregiver Program.—

41 (1) It is the intent of the Legislature in enacting this
42 section to:

43 (a) Provide for the establishment of procedures and
44 protocols that serve to advance the continued safety of children
45 by acknowledging the valued resource uniquely available through
46 grandparents, relatives of children, and specified nonrelatives
47 of children pursuant to sub-subparagraph (2)(a)1.c. ~~subparagraph~~
48 ~~(2)(a)3.~~

49 (2)(a) The Department of Children and Families shall
50 establish, operate, and implement the Relative Caregiver Program
51 by rule of the department.

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

54 a.1. ~~Relatives~~ who are within the fifth degree by blood or
55 marriage to the parent or stepparent of a child and who are
56 caring full-time for that dependent child in the role of
57 substitute parent as a result of a court's determination of
58 child abuse, neglect, or abandonment and subsequent placement

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59 with the relative under this chapter.

60 ~~b.2.~~ Relatives who are within the fifth degree by blood or
61 marriage to the parent or stepparent of a child and who are
62 caring full-time for that dependent child, and a dependent half-
63 brother or half-sister of that dependent child, in the role of
64 substitute parent as a result of a court's determination of
65 child abuse, neglect, or abandonment and subsequent placement
66 with the relative under this chapter.

67 ~~c.3.~~ Nonrelatives who are willing to assume custody and
68 care of a dependent child in the role of substitute parent as a
69 result of a court's determination of child abuse, neglect, or
70 abandonment and subsequent placement with the nonrelative
71 caregiver under this chapter. The court must find that a
72 proposed placement under this subparagraph is in the best
73 interest of the child.

74 ~~2.4.~~ A ~~relative or nonrelative caregiver, but the~~ relative
75 or nonrelative caregiver may not receive a Relative Caregiver
76 Program payment if the parent or stepparent of the child resides
77 in the home. However, a relative or nonrelative may receive the
78 Relative Caregiver Program payment for a minor parent who is in
79 his or her care and, ~~as well as~~ for the minor parent's child, if
80 both the minor parent and the child ~~children~~ have been
81 adjudicated dependent and meet all other eligibility
82 requirements. If the caregiver is currently receiving the
83 payment, the Relative Caregiver Program payment must be
84 terminated no later than the first of the following month after
85 the parent or stepparent moves into the home. Before the
86 Relative Caregiver Program payment is terminated, the caregiver
87 must be given at least a, ~~allowing for~~ 10-day notice of adverse

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88 action.

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90 The placement may be court-ordered temporary legal custody to
91 the relative or nonrelative under protective supervision of the
92 department pursuant to s. 39.521(1)(c)3., or court-ordered
93 placement in the home of a relative or nonrelative as a
94 permanency option under s. 39.6221 or s. 39.6231 or under former
95 s. 39.622 if the placement was made before July 1, 2006. The
96 Relative Caregiver Program shall offer financial assistance to
97 caregivers who would be unable to serve in that capacity without
98 the caregiver payment because of financial burden, thus exposing
99 the child to the trauma of placement in a shelter or in foster
100 care.

101 Section 2. Present subsection (4) of section 402.82,
102 Florida Statutes, is renumbered as subsection (5), and a new
103 subsection (4) is added to that section, to read:

104 402.82 Electronic benefits transfer program.—

105 (4) The department shall impose a fee for the fifth and
106 each subsequent request for a replacement electronic benefits
107 transfer card made by a participant within a 12-month period.
108 The fee must be equal to the cost of replacing the electronic
109 benefits transfer card. The fee may be deducted from the
110 participant's benefits. The department may waive the replacement
111 fee upon a showing of good cause, such as the malfunction of the
112 card or extreme financial hardship.

113 Section 3. Paragraph (c) is added to subsection (7) of
114 section 445.004, Florida Statutes, to read:

115 445.004 CareerSource Florida, Inc.; creation; purpose;
116 membership; duties and powers.—

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117 (7) By December 1 of each year, CareerSource Florida, Inc.,
118 shall submit to the Governor, the President of the Senate, the
119 Speaker of the House of Representatives, the Senate Minority
120 Leader, and the House Minority Leader a complete and detailed
121 annual report setting forth:

122 (c) For each local workforce development board, the past 3
123 years of participant statistics and employment outcomes, by
124 program, for individuals subject to mandatory work requirements
125 due to receipt of temporary cash assistance or food assistance
126 under chapter 414, including:

127 1. Individuals served.

128 2. Services received.

129 3. Activities in which individuals participated.

130 4. Types of employment secured.

131 5. Individuals securing employment but remaining in each
132 program.

133 6. Individuals exiting programs due to employment.

134 7. Employment status at 3 months, 6 months, and 12 months
135 after exiting the program.

136 Section 4. Present subsections (3) through (7) of section
137 445.024, Florida Statutes, are renumbered as subsections (4)
138 through (8), respectively, and a new subsection (3) is added to
139 that section, to read:

140 445.024 Work requirements.—

141 (3) WORK PLAN AGREEMENT.—For each individual who is not
142 otherwise exempt from work activity requirements, before the
143 program participant may receive temporary cash assistance, the
144 department, in cooperation with CareerSource Florida, Inc., and
145 the Department of Children and Families, shall:

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146 (a) Develop a work plan agreement that must inform the
147 participant, in plain language, of, and require the participant
148 to assent, in writing, to:

149 1. The program's expectations of the participant in order
150 for the participant to continue to receive temporary cash
151 assistance benefits.

152 2. The circumstances under which the participant would be
153 sanctioned for noncompliance.

154 3. The potential penalties for noncompliance with the work
155 requirements in s. 414.065, including the length of time during
156 which benefits would not be available to the participant.

157 (b) Work with the participant to develop strategies to
158 assist the participant in overcoming obstacles to compliance
159 with the work activity requirements.

160 Section 5. (1) The Office of Program Policy Analysis and
161 Government Accountability shall conduct a study of each local
162 workforce development board to determine what obstacles prevent
163 participants in the Supplemental Nutrition Assistance Program
164 and the Temporary Assistance for Needy Families Program from
165 complying with the work requirements in the respective programs.
166 The study must include detailed data and analysis of the reasons
167 for which applicants and recipients do not comply with the work
168 requirements, the reasons noncompliant applicants and recipients
169 identify as obstacles to compliance, and the kind of assistance
170 offered to noncompliant participants to come into compliance.
171 The study must also include a listing of the specific reasons
172 for the sanctions applied, separated into categories with the
173 number of participants who received each sanction. The listing
174 may be in the following form:

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175 (a) Failure to attend a scheduled meeting-10 people
176 sanctioned.

177 (b) Failure to complete required documents-5 people
178 sanctioned.

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

181 (2) The legislative intent for requesting this independent
182 study is to gain an in-depth understanding of the obstacles that
183 may exist for people trying to participate in the workforce,
184 through reviewing the specific reasons participants are
185 sanctioned on a region-by-region basis.

186 (3) The Office of Program Policy Analysis and Government
187 Accountability shall submit a report with its findings and
188 recommendations to the Governor, the President of the Senate,
189 the Speaker of the House of Representatives, and the minority
190 leaders of the Senate and the House of Representatives by
191 November 1, 2018.

192 Section 6. TANF Reemployment Pilot Program.-

193 (1) The Legislature finds that there is an important state
194 interest in assisting Temporary Assistance for Needy Families
195 (TANF) recipients in finding and securing stable and productive
196 employment and that reemployment programs have the potential to
197 benefit such recipients and their families and to alleviate the
198 financial strain on the state economy.

199 (2) The TANF Reemployment Pilot Program is created in
200 Pinellas County and shall be administered by the Pinellas
201 Opportunity Council, Inc.

202 (3) The purpose of the pilot program is to assist TANF
203 recipients in developing return-to-work plans with the goal of

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204 reemployment.

205 Section 7. For the 2018-2019 fiscal year, the sum of
206 \$150,000 in nonrecurring funds from the General Revenue Fund and
207 \$150,000 in nonrecurring funds from the Federal Grants Trust
208 Fund are appropriated for the TANF Reemployment Pilot Program.

209 Section 8. This act shall take effect July 1, 2018.