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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/27/2018	.	
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The Committee on Appropriations (Flores) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Effective January 1, 2019, section 39.4015,
Florida Statutes, is created to read:

39.4015 Family finding.—

(1) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature finds that every child who is in out-
of-home care has the goal of finding a permanent home, whether



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11 achieved by reunifying the child with his or her parents or
12 finding another permanent connection, such as adoption or legal
13 guardianship with a relative or nonrelative who has a
14 significant relationship with the child.

15 (b) The Legislature finds that while legal permanency is
16 important to a child in out-of-home care, emotional permanency
17 helps increase the likelihood that children will achieve
18 stability and well-being and successfully transition to
19 independent adulthood.

20 (c) The Legislature also finds that research has
21 consistently shown that placing a child within his or her own
22 family reduces the trauma of being removed from his or her home,
23 is less likely to result in placement disruptions, and enhances
24 prospects for finding a permanent family if the child cannot
25 return home.

26 (d) The Legislature further finds that the primary purpose
27 of family finding is to facilitate legal and emotional
28 permanency for children who are in out-of-home care by finding
29 and engaging their relatives.

30 (e) It is the intent of the Legislature that every child in
31 out-of-home care be afforded the advantages that can be gained
32 from the use of family finding to establish caring and long-term
33 or permanent connections and relationships for children and
34 youth in out-of-home care, as well as to establish a long-term
35 emotional support network with family members and other adults
36 who may not be able to take the child into their home but who
37 want to stay connected with the child.

38 (2) DEFINITIONS.—As used in this section, the term:

39 (a) "Diligent efforts" means the use of methods and



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40 techniques including, but not limited to, interviews with
41 immediate and extended family and kin, genograms, eco-mapping,
42 case mining, cold calls, and specialized computer searches.

43 (b) "Family finding" means an intensive relative search and
44 engagement technique used in identifying family and other close
45 adults for children in out-of-home care and involving them in
46 developing and carrying out a plan for the emotional and legal
47 permanency of a child.

48 (c) "Family group decisionmaking" is a generic term that
49 includes a number of approaches in which family members and
50 fictive kin are brought together to make decisions about how to
51 care for their children and develop a plan for services. The
52 term includes family team conferencing, family team meetings,
53 family group conferencing, family team decisionmaking, family
54 unity meetings, and team decisionmaking, which may consist of
55 several phases and employ a trained facilitator or coordinator.

56 (d) "Fictive kin" means an individual who is unrelated to
57 the child by either birth or marriage, but has such a close
58 emotional relationship with the child that he or she may be
59 considered part of the family.

60 (3) FAMILY-FINDING PROGRAM.—The department, in
61 collaboration with sheriffs' offices that conduct child
62 protective investigations and community-based care lead
63 agencies, shall develop a formal family-finding program to be
64 implemented statewide by child protective investigators and
65 community-based care lead agencies. Implementation of the
66 program is contingent upon the appropriation of funds by the
67 Legislature specifically for the program.

68 (a) Family finding is required as soon as a child comes to



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69 the attention of the department and throughout the duration of
70 the case, and finding and engaging with as many family members
71 and fictive kin as possible for each child who may help with
72 care or support for the child is considered a best practice. The
73 department or community-based care lead agency must specifically
74 document strategies taken to locate and engage relatives and
75 kin. Strategies of engagement may include, but are not limited
76 to, asking the relatives and kin to:

- 77 1. Participate in a family group decisionmaking conference,
78 family team conferencing, or other family meetings aimed at
79 developing or supporting the family service plan;
80 2. Attend visitations with the child;
81 3. Assist in transportation of the child;
82 4. Provide respite or child care services; or
83 5. Provide actual kinship care.

84 (b) The department and the community-based care lead
85 agencies must use diligent efforts in family finding, must
86 continue those efforts until multiple relatives and kin are
87 identified, and must go beyond basic searching tools by
88 exploring alternative tools and methodologies. Efforts by the
89 department and the community-based care lead agency may include,
90 but are not limited to:

- 91 1. Searching for and locating adult relatives and kin.
92 2. Identifying and building positive connections between
93 the child and the child's relatives and fictive kin.
94 3. Supporting the engagement of relatives and fictive kin
95 in social service planning and delivery of services and creating
96 a network of extended family support to assist in remedying the
97 concerns that led to the child becoming involved with the child



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98 welfare system, when appropriate.

99 4. Maintaining family connections, when possible.

100 5. Keeping siblings together in care, when in the best
101 interest of each child and when possible.

102 (c) A basic computer search using the Internet or attempts
103 to contact known relatives at a last known address or telephone
104 number do not constitute effective family finding.

105 (d) The court's inquiry and determination regarding family
106 finding should be made at each stage of the case, including a
107 shelter hearing conducted pursuant to s. 39.402. The court shall
108 place its determinations on the record as to whether the
109 department or community-based care lead agency has reasonably
110 engaged in family finding. The level of reasonableness is to be
111 determined by the length of the case and the amount of time the
112 department or community-based care lead agency has had to begin
113 or continue the process.

114 (4) RULEMAKING.—The department shall adopt rules to
115 implement this section.

116 Section 2. Paragraphs (c) and (d) of subsection (11) of
117 section 39.402, Florida Statutes, and subsection (17) of that
118 section are amended to read:

119 39.402 Placement in a shelter.—

120 (11)

121 (c) The court shall request that the parents consent to
122 provide access to the child's child care records, early
123 education program records, or other educational records and
124 provide information to the court, the department or its contract
125 agencies, and any guardian ad litem or attorney for the child.
126 If a parent is unavailable or unable to consent or withholds



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127 consent and the court determines access to the records and
128 information is necessary to provide services to the child, the
129 court shall issue an order granting access.

130 (d) The court may appoint a surrogate parent or may refer
131 the child to the district school superintendent for appointment
132 of a surrogate parent if the child has or is suspected of having
133 a disability and the parent is unavailable pursuant to s.
134 39.0016(3)(b). If the child is under the age of school entry,
135 the court must make the appointment.

136 (17) At the shelter hearing, the court shall inquire of the
137 parent whether the parent has relatives who might be considered
138 as a placement for the child. The parent shall provide to the
139 court and all parties identification and location information
140 regarding the relatives. The court shall advise the parent that
141 the parent has a continuing duty to inform the department of any
142 relative who should be considered for placement of the child.
143 Upon implementation of the program authorized under s. 39.4015,
144 the court shall place its determinations on the record as to
145 whether the department or community-based care lead agency has
146 reasonably engaged in family finding. The level of
147 reasonableness is to be determined by the length of the case and
148 amount of time the department or community-based care lead
149 agency has had to begin or continue the process.

150 Section 3. Present subsection (9) of section 39.506,
151 Florida Statutes, is redesignated as subsection (10), and a new
152 subsection (9) is added to that section, to read:

153 39.506 Arraignment hearings.—

154 (9) Upon implementation of the program authorized under s.
155 39.4015, the court shall review whether the department or



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156 community-based care lead agency has reasonably engaged in
157 family finding and make a written determination as to its
158 findings. The level of reasonableness is determined by the
159 length of the case and amount of time the department or
160 community-based care lead agency has had to begin or continue
161 the process.

162 Section 4. Paragraphs (c) and (d) of subsection (7) of
163 section 39.507, Florida Statutes, are amended to read:

164 39.507 Adjudicatory hearings; orders of adjudication.—
165 (7)

166 (c) If a court adjudicates a child dependent and the child
167 is in out-of-home care, the court shall inquire of the parent or
168 parents whether the parents have relatives who might be
169 considered as a placement for the child. ~~The court shall advise~~
170 ~~the parents that, if the parents fail to substantially comply~~
171 ~~with the case plan, their parental rights may be terminated and~~
172 ~~that the child's out-of-home placement may become permanent.~~ The
173 parent or parents shall provide to the court and all parties
174 identification and location information of the relatives. Upon
175 implementation of the program authorized under s. 39.4015, the
176 court shall review whether the department or community-based
177 care lead agency has reasonably engaged in family finding and
178 make a written determination as to its findings. The level of
179 reasonableness is determined by the length of the case and
180 amount of time the department or community-based care lead
181 agency has had to begin or continue the process.

182 (d) The court shall advise the parents that, if they fail
183 to substantially comply with the case plan, their parental
184 rights may be terminated and that the child's out-of-home



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185 placement may become permanent.

186 Section 5. Effective January 1, 2019, section 39.5085,
187 Florida Statutes, is amended to read:

188 39.5085 Kinship Care ~~Relative Caregiver~~ Program.-

189 (1) LEGISLATIVE FINDINGS AND INTENT.-

190 (a) The Legislature finds that an increasing number of
191 relatives and fictive kin are assuming the responsibility of
192 raising children because the parents of these children are
193 unable to care for them.

194 (b) The Legislature also finds that these kinship
195 caregivers perform a vital function by providing homes for
196 children who would otherwise be at risk of foster care placement
197 and that kinship care is a crucial option in the spectrum of
198 out-of-home care available to children in need.

199 (c) The Legislature finds that children living with kinship
200 caregivers experience increased placement stability, are less
201 likely to reenter care if they are reunified with their parents,
202 and have better behavioral and mental health outcomes.

203 (d) The Legislature further finds that these kinship
204 caregivers may face a number of difficulties and need assistance
205 to support the health and well-being of the children they care
206 for. These needs include, but are not limited to, financial
207 assistance, legal assistance, respite care, child care,
208 specialized training, and counseling.

209 (e) It is the intent of the Legislature to provide for the
210 establishment and implementation of procedures and protocols
211 that are likely to increase and adequately support appropriate
212 and safe kinship care placements.

213 (2) DEFINITIONS.-As used this section, the term:



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214 (a) "Fictive kin" means an individual who is unrelated to
215 the child by either birth or marriage, but has such a close
216 emotional relationship with the child that he or she may be
217 considered part of the family.

218 (b) "Kinship care" means the full-time care of a child
219 placed in out-of-home care by the court in the home of a
220 relative or fictive kin.

221 (c) "Kinship navigator program" means a statewide program
222 designed to ensure that kinship caregivers are provided with
223 necessary resources for the preservation of the family.

224 (d) "Relative" means an individual who is caring full time
225 for a child placed in out-of-home care by the court and who:

226 1. Is related to the child within the fifth degree by blood
227 or marriage to the parent or stepparent of the child; or

228 2. Is related to a half-sibling of that child within the
229 fifth degree by blood or marriage to the parent or stepparent.

230 (3) ASSISTANCE AND SERVICES.-

231 (a) The purpose of a kinship navigator program is to help
232 relative caregivers and fictive kin in the child welfare system
233 to navigate the broad range of services available to them and
234 the children from public, private, community, and faith-based
235 organizations.

236 (b) Effective January 1, 2019, and contingent upon an
237 appropriation of funds by the Legislature, each community-based
238 care lead agency shall establish a kinship navigator program. In
239 order to meet the requirements of a kinship navigator program,
240 the program must:

241 1. Be coordinated with other state or local agencies that
242 promote service coordination or provide information and referral



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243 services, including any entities that participate in the Florida
244 211 Network, to avoid duplication or fragmentation of services
245 to kinship care families;

246 2. Be planned and operated in consultation with kinship
247 caregivers and organizations representing them, youth raised by
248 kinship caregivers, relevant governmental agencies, and relevant
249 community-based or faith-based organizations;

250 3. Establish a toll-free telephone hotline to provide
251 information to link kinship caregivers, kinship support group
252 facilitators, and kinship service providers to:

253 a. One another;

254 b. Eligibility and enrollment information for federal,
255 state, and local benefits;

256 c. Relevant training to assist kinship caregivers in
257 caregiving and in obtaining benefits and services; and

258 d. Relevant knowledge related to legal options available
259 for child custody, other legal assistance, and help in obtaining
260 legal services.

261 4. Provide outreach to kinship care families, including by
262 establishing, distributing, and updating a kinship care website,
263 or other relevant guides or outreach materials; and

264 5. Promote partnerships between public and private
265 agencies, including schools, community-based or faith-based
266 organizations, and relevant governmental agencies, to increase
267 their knowledge of the needs of kinship care families to promote
268 better services for those families.

269 (4) RULEMAKING.—The department shall adopt rules to
270 implement this section.

271 ~~(1) It is the intent of the Legislature in enacting this~~



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272 ~~section to:~~

273 ~~(a) Provide for the establishment of procedures and~~
274 ~~protocols that serve to advance the continued safety of children~~
275 ~~by acknowledging the valued resource uniquely available through~~
276 ~~grandparents, relatives of children, and specified nonrelatives~~
277 ~~of children pursuant to subparagraph (2) (a)3.~~

278 ~~(b) Recognize family relationships in which a grandparent~~
279 ~~or other relative is the head of a household that includes a~~
280 ~~child otherwise at risk of foster care placement.~~

281 ~~(c) Enhance family preservation and stability by~~
282 ~~recognizing that most children in such placements with~~
283 ~~grandparents and other relatives do not need intensive~~
284 ~~supervision of the placement by the courts or by the department.~~

285 ~~(d) Recognize that permanency in the best interests of the~~
286 ~~child can be achieved through a variety of permanency options,~~
287 ~~including permanent guardianship under s. 39.6221 if the~~
288 ~~guardian is a relative, by permanent placement with a fit and~~
289 ~~willing relative under s. 39.6231, by a relative, guardianship~~
290 ~~under chapter 744, or adoption, by providing additional~~
291 ~~placement options and incentives that will achieve permanency~~
292 ~~and stability for many children who are otherwise at risk of~~
293 ~~foster care placement because of abuse, abandonment, or neglect,~~
294 ~~but who may successfully be able to be placed by the dependency~~
295 ~~court in the care of such relatives.~~

296 ~~(e) Reserve the limited casework and supervisory resources~~
297 ~~of the courts and the department for those cases in which~~
298 ~~children do not have the option for safe, stable care within the~~
299 ~~family.~~

300 ~~(f) Recognize that a child may have a close relationship~~



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301 ~~with a person who is not a blood relative or a relative by~~
302 ~~marriage and that such person should be eligible for financial~~
303 ~~assistance under this section if he or she is able and willing~~
304 ~~to care for the child and provide a safe, stable home~~
305 ~~environment.~~

306 ~~(2) (a) The Department of Children and Families shall~~
307 ~~establish, operate, and implement the Relative Caregiver Program~~
308 ~~by rule of the department. The Relative Caregiver Program shall,~~
309 ~~within the limits of available funding, provide financial~~
310 ~~assistance to:~~

311 ~~1. Relatives who are within the fifth degree by blood or~~
312 ~~marriage to the parent or stepparent of a child and who are~~
313 ~~earing full-time for that dependent child in the role of~~
314 ~~substitute parent as a result of a court's determination of~~
315 ~~child abuse, neglect, or abandonment and subsequent placement~~
316 ~~with the relative under this chapter.~~

317 ~~2. Relatives who are within the fifth degree by blood or~~
318 ~~marriage to the parent or stepparent of a child and who are~~
319 ~~earing full-time for that dependent child, and a dependent half-~~
320 ~~brother or half-sister of that dependent child, in the role of~~
321 ~~substitute parent as a result of a court's determination of~~
322 ~~child abuse, neglect, or abandonment and subsequent placement~~
323 ~~with the relative under this chapter.~~

324 ~~3. Nonrelatives who are willing to assume custody and care~~
325 ~~of a dependent child in the role of substitute parent as a~~
326 ~~result of a court's determination of child abuse, neglect, or~~
327 ~~abandonment and subsequent placement with the nonrelative~~
328 ~~caregiver under this chapter. The court must find that a~~
329 ~~proposed placement under this subparagraph is in the best~~



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330 ~~interest of the child.~~

331 ~~4. A relative or nonrelative caregiver, but the relative or~~
332 ~~nonrelative caregiver may not receive a Relative Caregiver~~
333 ~~Program payment if the parent or stepparent of the child resides~~
334 ~~in the home. However, a relative or nonrelative may receive the~~
335 ~~Relative Caregiver Program payment for a minor parent who is in~~
336 ~~his or her care, as well as for the minor parent's child, if~~
337 ~~both children have been adjudicated dependent and meet all other~~
338 ~~eligibility requirements. If the caregiver is currently~~
339 ~~receiving the payment, the Relative Caregiver Program payment~~
340 ~~must be terminated no later than the first of the following~~
341 ~~month after the parent or stepparent moves into the home,~~
342 ~~allowing for 10-day notice of adverse action.~~

343
344 ~~The placement may be court-ordered temporary legal custody to~~
345 ~~the relative or nonrelative under protective supervision of the~~
346 ~~department pursuant to s. 39.521(1)(c)3., or court-ordered~~
347 ~~placement in the home of a relative or nonrelative as a~~
348 ~~permanency option under s. 39.6221 or s. 39.6231 or under former~~
349 ~~s. 39.622 if the placement was made before July 1, 2006. The~~
350 ~~Relative Caregiver Program shall offer financial assistance to~~
351 ~~caregivers who would be unable to serve in that capacity without~~
352 ~~the caregiver payment because of financial burden, thus exposing~~
353 ~~the child to the trauma of placement in a shelter or in foster~~
354 ~~care.~~

355 ~~(b) Caregivers who receive assistance under this section~~
356 ~~must be capable, as determined by a home study, of providing a~~
357 ~~physically safe environment and a stable, supportive home for~~
358 ~~the children under their care and must assure that the~~



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359 ~~children's well-being is met, including, but not limited to, the~~
360 ~~provision of immunizations, education, and mental health~~
361 ~~services as needed.~~

362 ~~(c) Relatives or nonrelatives who qualify for and~~
363 ~~participate in the Relative Caregiver Program are not required~~
364 ~~to meet foster care licensing requirements under s. 409.175.~~

365 ~~(d) Relatives or nonrelatives who are caring for children~~
366 ~~placed with them by the court pursuant to this chapter shall~~
367 ~~receive a special monthly caregiver benefit established by rule~~
368 ~~of the department. The amount of the special benefit payment~~
369 ~~shall be based on the child's age within a payment schedule~~
370 ~~established by rule of the department and subject to~~
371 ~~availability of funding. The statewide average monthly rate for~~
372 ~~children judicially placed with relatives or nonrelatives who~~
373 ~~are not licensed as foster homes may not exceed 82 percent of~~
374 ~~the statewide average foster care rate, and the cost of~~
375 ~~providing the assistance described in this section to any~~
376 ~~caregiver may not exceed the cost of providing out-of-home care~~
377 ~~in emergency shelter or foster care.~~

378 ~~(e) Children receiving cash benefits under this section are~~
379 ~~not eligible to simultaneously receive WAGES cash benefits under~~
380 ~~chapter 414.~~

381 ~~(f) Within available funding, the Relative Caregiver~~
382 ~~Program shall provide caregivers with family support and~~
383 ~~preservation services, flexible funds in accordance with s.~~
384 ~~409.165, school readiness, and other available services in order~~
385 ~~to support the child's safety, growth, and healthy development.~~
386 ~~Children living with caregivers who are receiving assistance~~
387 ~~under this section shall be eligible for Medicaid coverage.~~



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388 ~~(g) The department may use appropriate available state,~~
389 ~~federal, and private funds to operate the Relative Caregiver~~
390 ~~Program. The department may develop liaison functions to be~~
391 ~~available to relatives or nonrelatives who care for children~~
392 ~~pursuant to this chapter to ensure placement stability in~~
393 ~~extended family settings.~~

394 Section 6. Paragraph (e) of subsection (1) of section
395 39.521, Florida Statutes, is amended to read:

396 39.521 Disposition hearings; powers of disposition.—

397 (1) A disposition hearing shall be conducted by the court,
398 if the court finds that the facts alleged in the petition for
399 dependency were proven in the adjudicatory hearing, or if the
400 parents or legal custodians have consented to the finding of
401 dependency or admitted the allegations in the petition, have
402 failed to appear for the arraignment hearing after proper
403 notice, or have not been located despite a diligent search
404 having been conducted.

405 (e) The court shall, in its written order of disposition,
406 include all of the following:

- 407 1. The placement or custody of the child.
- 408 2. Special conditions of placement and visitation.
- 409 3. Evaluation, counseling, treatment activities, and other
410 actions to be taken by the parties, if ordered.
- 411 4. The persons or entities responsible for supervising or
412 monitoring services to the child and parent.
- 413 5. Continuation or discharge of the guardian ad litem, as
414 appropriate.
- 415 6. The date, time, and location of the next scheduled
416 review hearing, which must occur within the earlier of:



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- 417 a. Ninety days after the disposition hearing;
418 b. Ninety days after the court accepts the case plan;
419 c. Six months after the date of the last review hearing; or
420 d. Six months after the date of the child's removal from
421 his or her home, if no review hearing has been held since the
422 child's removal from the home.

423 7. If the child is in an out-of-home placement, child
424 support to be paid by the parents, or the guardian of the
425 child's estate if possessed of assets which under law may be
426 disbursed for the care, support, and maintenance of the child.
427 The court may exercise jurisdiction over all child support
428 matters, shall adjudicate the financial obligation, including
429 health insurance, of the child's parents or guardian, and shall
430 enforce the financial obligation as provided in chapter 61. The
431 state's child support enforcement agency shall enforce child
432 support orders under this section in the same manner as child
433 support orders under chapter 61. Placement of the child shall
434 not be contingent upon issuance of a support order.

435 8.a. If the court does not commit the child to the
436 temporary legal custody of an adult relative, legal custodian,
437 or other adult approved by the court, the disposition order must
438 ~~shall~~ include the reasons for such a decision and, upon
439 implementation of the program authorized under s. 39.4015, shall
440 include a written determination as to whether diligent efforts
441 were made by the department and the community-based care lead
442 agency reasonably engaged in family finding in attempting to
443 locate an adult relative, legal custodian, or other adult
444 willing to care for the child in order to present that placement
445 option to the court instead of placement with the department.



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446 The level of reasonableness is determined by the length of the
447 case and amount of time the department or community-based care
448 lead agency has had to begin or continue the process.

449 b. If no suitable relative is found and the child is placed
450 with the department or a legal custodian or other adult approved
451 by the court, both the department and the court shall consider
452 transferring temporary legal custody to an adult relative
453 approved by the court at a later date, but neither the
454 department nor the court is obligated to so place the child if
455 it is in the child's best interest to remain in the current
456 placement.

457
458 ~~For the purposes of this section, "diligent efforts to locate an~~
459 ~~adult relative" means a search similar to the diligent search~~
460 ~~for a parent, but without the continuing obligation to search~~
461 ~~after an initial adequate search is completed.~~

462 9. Other requirements necessary to protect the health,
463 safety, and well-being of the child, to preserve the stability
464 of the child's child care, early education program, or any other
465 educational placement, and to promote family preservation or
466 reunification whenever possible.

467 Section 7. Paragraph (b) of subsection (2) and paragraph
468 (a) of subsection (3) of section 39.6012, Florida Statutes, are
469 amended to read:

470 39.6012 Case plan tasks; services.—

471 (2) The case plan must include all available information
472 that is relevant to the child's care including, at a minimum:

473 (b) A description of the plan for ensuring that the child
474 receives safe and proper care and that services are provided to



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475 the child in order to address the child's needs. To the extent
476 available and accessible, the following health, mental health,
477 and education information and records of the child must be
478 attached to the case plan and updated throughout the judicial
479 review process:

480 1. The names and addresses of the child's health, mental
481 health, and educational providers;

482 2. The child's grade level performance;

483 3. The child's school record or, if the child is under the
484 age of school entry, any records from a child care program,
485 early education program, or preschool program;

486 4. Documentation of compliance or noncompliance with the
487 attendance requirements under s. 39.604, if the child is
488 enrolled in a child care program, early education program, or
489 preschool program;

490 ~~5.4.~~ Assurances that the child's placement takes into
491 account proximity to the school in which the child is enrolled
492 at the time of placement;

493 ~~6. 5. A record of~~ The child's immunizations;

494 ~~7.6.~~ The child's known medical history, including any known
495 health problems;

496 ~~8.7.~~ The child's medications, if any; and

497 ~~9.8.~~ Any other relevant health, mental health, and
498 education information concerning the child.

499 (3) In addition to any other requirement, if the child is
500 in an out-of-home placement, the case plan must include:

501 (a) A description of the type of placement in which the
502 child is to be living and, if the child has been placed with the
503 department and the program as authorized under s. 39.4015 has



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504 been implemented, whether the department and the community-based
505 care lead agency have reasonably engaged in family finding to
506 locate an adult relative, legal custodian, or other adult
507 willing to care for the child in order to present that placement
508 option to the court instead of placement with the department.

509 Section 8. Section 39.604, Florida Statutes, is amended to
510 read:

511 39.604 Rilya Wilson Act; short title; legislative intent;
512 requirements; attendance; stability and transitions ~~reporting~~
513 ~~responsibilities~~.—

514 (1) SHORT TITLE.—This section may be cited as the “Rilya
515 Wilson Act.”

516 (2) LEGISLATIVE FINDINGS AND INTENT.—

517 (a) The Legislature finds that children from birth to age 5
518 years are particularly vulnerable to maltreatment and that they
519 enter out-of-home care in disproportionately high numbers.

520 (b) The Legislature also finds that children who are abused
521 or neglected are at high risk of experiencing physical and
522 mental health problems and problems with language and
523 communication, cognitive development, and social and emotional
524 development.

525 (c) The Legislature also finds that providing early
526 intervention and services, as well as quality child care and
527 early education programs to support the healthy development of
528 these young children, can have positive effects that last
529 throughout childhood and into adulthood.

530 (d) The Legislature also finds that the needs of each of
531 these children are unique, and while some children may be best
532 served by a quality child care or early education program,



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533 others may need more attention and nurturing that can best be
534 provided by a stay-at-home caregiver ~~The Legislature recognizes~~
535 ~~that children who are in the care of the state due to abuse,~~
536 ~~neglect, or abandonment are at increased risk of poor school~~
537 ~~performance and other behavioral and social problems.~~

538 (e) It is the intent of the Legislature that children who
539 are ~~currently~~ in out-of-home ~~the care of the state~~ be provided
540 with an age-appropriate developmental child care or early
541 education arrangement that is in the best interest of the child
542 ~~education program~~ to help ameliorate the negative consequences
543 of abuse, neglect, or abandonment.

544 (3) REQUIREMENTS.—

545 1. A child from birth to the age of school entry, who is
546 under court-ordered protective supervision or in out-of-home
547 care and is ~~the custody of the Family Safety Program Office of~~
548 ~~the Department of Children and Families or a community-based~~
549 ~~lead agency,~~ and enrolled in an a licensed early education or
550 child care program must attend the program 5 days a week unless
551 the court grants an exception due to the court determining it is
552 in the best interest of a child from birth to age 3 years:

553 a. With a stay-at-home caregiver to remain at home.

554 b. With a caregiver who works less than full time to attend
555 an early education or child care program fewer than 5 days a
556 week.

557 2. Notwithstanding s. 39.202, the department ~~of Children~~
558 ~~and Families~~ must notify operators of an ~~the licensed~~ early
559 education or child care program, subject to the reporting
560 requirements of this act, of the enrollment of any child from
561 birth to the age of school entry, under court-ordered protective



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562 supervision or in out-of-home care. ~~If the custody of the Family~~
563 ~~Safety Program Office of the Department of Children and Families~~
564 ~~or a community-based lead agency.~~ When a child is enrolled in an
565 early education or child care program ~~regulated by the~~
566 ~~department~~, the child's attendance in the program must be a
567 required task action ~~in~~ in the safety plan or the case plan
568 developed for the child pursuant to this chapter. ~~An exemption~~
569 ~~to participating in the licensed early education or child care~~
570 ~~program 5 days a week may be granted by the court.~~

571 (4) ATTENDANCE AND ~~REPORTING REQUIREMENTS.~~-

572 1.(a) A child enrolled in an ~~a licensed~~ early education or
573 child care program who meets the requirements of paragraph (b)
574 ~~subsection (3)~~ may not be withdrawn from the program without the
575 prior written approval of the department ~~Family Safety Program~~
576 ~~Office of the Department of Children and Families~~ or the
577 community-based care lead agency.

578 2.a.(b)1. If a child covered by this section is absent from
579 the program on a day when he or she is supposed to be present,
580 the person with whom the child resides must report the absence
581 to the program by the end of the business day. If the person
582 with whom the child resides, whether the parent or caregiver,
583 fails to timely report the absence, the absence is considered to
584 be unexcused. The program shall report any unexcused absence or
585 seven consecutive excused absences of a child who is enrolled in
586 the program and covered by this act to the ~~local designated~~
587 ~~staff of the Family Safety Program Office of the department of~~
588 ~~Children and Families~~ or the community-based care lead agency by
589 the end of the business day following the unexcused absence or
590 seventh consecutive excused absence.



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591 ~~b.2.~~ The department or community-based care lead agency
592 shall conduct a site visit to the residence of the child upon
593 receiving a report of two consecutive unexcused absences or
594 seven consecutive excused absences.

595 ~~c.3.~~ If the site visit results in a determination that the
596 child is missing, the department or community-based care lead
597 agency shall follow the procedure set forth in s. 39.0141 ~~report~~
598 ~~the child as missing to a law enforcement agency and proceed~~
599 ~~with the necessary actions to locate the child pursuant to~~
600 ~~procedures for locating missing children.~~

601 ~~d.4.~~ If the site visit results in a determination that the
602 child is not missing, the parent or caregiver shall be notified
603 that failure to ensure that the child attends the ~~licensed~~ early
604 education or child care program is a violation of the safety
605 plan or the case plan. If more than two site visits are
606 conducted pursuant to this subsection, staff shall ~~initiate~~
607 ~~action to~~ notify the court of the parent or caregiver's
608 noncompliance with the case plan.

609 (5) EDUCATIONAL STABILITY.—Just as educational stability is
610 important for school-age children, it is also important to
611 minimize disruptions to secure attachments and stable
612 relationships with supportive caregivers of children from birth
613 to school age and to ensure that these attachments are not
614 disrupted due to placement in out-of-home care or subsequent
615 changes in out-of-home placement.

616 (a) A child must be allowed to remain in the child care or
617 early educational setting that he or she attended before entry
618 into out-of-home care, unless the program is not in the best
619 interest of the child.



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620 (b) If it is not in the best interest of the child for him
621 or her to remain in his or her child care or early education
622 setting upon entry into out-of-home care, the caregiver must
623 work with the case manager, guardian ad litem, child care and
624 educational staff, and educational surrogate, if one has been
625 appointed, to determine the best setting for the child. Such
626 setting may be a child care provider that receives a Gold Seal
627 Quality Care designation pursuant to s. 402.281, a provider
628 participating in a quality rating system, a licensed child care
629 provider, a public school provider, or a license-exempt child
630 care provider, including religious-exempt and registered
631 providers, and non-public schools.

632 (c) The department and providers of early care and
633 education shall develop protocols to ensure continuity if
634 children are required to leave a program because of a change in
635 out-of-home placement.

636 (6) TRANSITIONS.—In the absence of an emergency, if a child
637 from birth to school age leaves a child care or early education
638 program, the transition must be pursuant to a plan that involves
639 cooperation and sharing of information among all persons
640 involved, that respects the child’s developmental stage and
641 associated psychological needs, and that allows for a gradual
642 transition from one setting to another.

643 Section 9. Paragraph (b) of subsection (6) and subsection
644 (7) of section 39.6251, Florida Statutes, are amended to read:
645 39.6251 Continuing care for young adults.—

646 (6) A young adult who is between the ages of 18 and 21 and
647 who has left care may return to care by applying to the
648 community-based care lead agency for readmission. The community-



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649 based care lead agency shall readmit the young adult if he or
650 she continues to meet the eligibility requirements in this
651 section.

652 (b) Within 30 days after the young adult has been
653 readmitted to care, the community-based care lead agency shall
654 assign a case manager to update the case plan and the transition
655 plan and to arrange for the required services. Updates to the
656 case plan and the transition plan and arrangements for the
657 required services ~~Such activities~~ shall be undertaken in
658 consultation with the young adult. The department shall petition
659 the court to reinstate jurisdiction over the young adult.

660 Notwithstanding s. 39.013(2), the court shall resume
661 jurisdiction over the young adult if the department establishes
662 that he or she continues to meet the eligibility requirements in
663 this section.

664 (7) During each period of time that a young adult is in
665 care, the community-based lead agency shall provide regular case
666 management reviews that must include at least monthly contact
667 with the case manager. ~~If a young adult lives outside the~~
668 ~~service area of his or her community-based care lead agency,~~
669 ~~monthly contact may occur by telephone.~~

670 Section 10. Paragraph (c) of subsection (2) of section
671 39.701, Florida Statutes, is amended to read:

672 39.701 Judicial review.—

673 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
674 AGE.—

675 (c) *Review determinations.*—The court and any citizen review
676 panel shall take into consideration the information contained in
677 the social services study and investigation and all medical,



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678 psychological, and educational records that support the terms of
679 the case plan; testimony by the social services agency, the
680 parent, the foster parent or legal custodian, the guardian ad
681 litem or surrogate parent for educational decisionmaking if one
682 has been appointed for the child, and any other person deemed
683 appropriate; and any relevant and material evidence submitted to
684 the court, including written and oral reports to the extent of
685 their probative value. These reports and evidence may be
686 received by the court in its effort to determine the action to
687 be taken with regard to the child and may be relied upon to the
688 extent of their probative value, even though not competent in an
689 adjudicatory hearing. In its deliberations, the court and any
690 citizen review panel shall seek to determine:

691 1. If the parent was advised of the right to receive
692 assistance from any person or social service agency in the
693 preparation of the case plan.

694 2. If the parent has been advised of the right to have
695 counsel present at the judicial review or citizen review
696 hearings. If not so advised, the court or citizen review panel
697 shall advise the parent of such right.

698 3. If a guardian ad litem needs to be appointed for the
699 child in a case in which a guardian ad litem has not previously
700 been appointed or if there is a need to continue a guardian ad
701 litem in a case in which a guardian ad litem has been appointed.

702 4. Who holds the rights to make educational decisions for
703 the child. If appropriate, the court may refer the child to the
704 district school superintendent for appointment of a surrogate
705 parent or may itself appoint a surrogate parent under the
706 Individuals with Disabilities Education Act and s. 39.0016. If



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707 the child is under the age of school entry, the court must make
708 the appointment.

709 5. The compliance or lack of compliance of all parties with
710 applicable items of the case plan, including the parents'
711 compliance with child support orders.

712 6. The compliance or lack of compliance with a visitation
713 contract between the parent and the social service agency for
714 contact with the child, including the frequency, duration, and
715 results of the parent-child visitation and the reason for any
716 noncompliance.

717 7. The frequency, kind, and duration of contacts among
718 siblings who have been separated during placement, as well as
719 any efforts undertaken to reunite separated siblings if doing so
720 is in the best interest of the child.

721 8. The compliance or lack of compliance of the parent in
722 meeting specified financial obligations pertaining to the care
723 of the child, including the reason for failure to comply, if
724 applicable.

725 9. Whether the child is receiving safe and proper care
726 according to s. 39.6012, including, but not limited to, the
727 appropriateness of the child's current placement, including
728 whether the child is in a setting that is as family-like and as
729 close to the parent's home as possible, consistent with the
730 child's best interests and special needs, and including
731 maintaining stability in the child's educational placement, as
732 documented by assurances from the community-based care provider
733 that:

734 a. The placement of the child takes into account the
735 appropriateness of the current educational setting and the



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736 proximity to the school in which the child is enrolled at the
737 time of placement.

738 b. The community-based care agency has coordinated with
739 appropriate local educational agencies to ensure that the child
740 remains in the school in which the child is enrolled at the time
741 of placement.

742 10. Upon implementation of the program authorized under s.
743 39.4015, whether the department or community-based care lead
744 agency continues to reasonably engage in family finding. The
745 level of reasonableness is determined by the length of the case
746 and amount of time the department or community-based care lead
747 agency has had to continue the process.

748 11. ~~10.~~ A projected date likely for the child's return home
749 or other permanent placement.

750 12. ~~11.~~ When appropriate, the basis for the unwillingness
751 or inability of the parent to become a party to a case plan. The
752 court and the citizen review panel shall determine if the
753 efforts of the social service agency to secure party
754 participation in a case plan were sufficient.

755 13. ~~12.~~ For a child who has reached 13 years of age but is
756 not yet 18 years of age, the adequacy of the child's preparation
757 for adulthood and independent living. For a child who is 15
758 years of age or older, the court shall determine if appropriate
759 steps are being taken for the child to obtain a driver license
760 or learner's driver license.

761 14. ~~13.~~ If amendments to the case plan are required.
762 Amendments to the case plan must be made as provided in ~~under~~ s.
763 39.6013.

764 Section 11. Subsections (4) and (5) of section 409.166,



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765 Florida Statutes, are amended to read:

766 409.166 Children within the child welfare system; adoption
767 assistance program.—

768 (4) ADOPTION ASSISTANCE.—

769 (a) For purposes of administering payments under paragraph
770 (d), the term:

771 1. "Child" means an individual who has not attained 21
772 years of age.

773 2. "Young adult" means an individual who has attained 18
774 years of age but who has not attained 21 years of age.

775 (b)~~(a)~~ A maintenance subsidy shall be granted only when all
776 other resources available to a child have been thoroughly
777 explored and it can be clearly established that this is the most
778 acceptable plan for providing permanent placement for the child.
779 The maintenance subsidy may not be used as a substitute for
780 adoptive parent recruitment or as an inducement to adopt a child
781 who might be placed without providing a subsidy. However, it
782 shall be the policy of the department that no child be denied
783 adoption if providing a maintenance subsidy would make adoption
784 possible. The best interest of the child shall be the deciding
785 factor in every case. This section does not prohibit foster
786 parents from applying to adopt a child placed in their care.
787 Foster parents or relative caregivers must be asked if they
788 would adopt without a maintenance subsidy.

789 (c)~~(b)~~ The department shall provide adoption assistance to
790 the adoptive parents, subject to specific appropriation, in the
791 amount of \$5,000 annually, paid on a monthly basis, for the
792 support and maintenance of a child until the 18th birthday of
793 such child or in an amount other than \$5,000 annually as



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794 determined by the adoptive parents and the department and
795 memorialized in a written agreement between the adoptive parents
796 and the department. The agreement shall take into consideration
797 the circumstances of the adoptive parents and the needs of the
798 child being adopted. The amount of subsidy may be adjusted based
799 upon changes in the needs of the child or circumstances of the
800 adoptive parents. Changes may ~~shall~~ not be made without the
801 concurrence of the adoptive parents. However, in no case shall
802 the amount of the monthly payment exceed the foster care
803 maintenance payment that would have been paid during the same
804 period if the child had been in a foster family home.

805 (d) Contingent upon a specific appropriation, adoption
806 assistance payments may be made for a child up to 21 years of
807 age whose adoptive parent entered into an initial adoption
808 assistance agreement after the child reached 16 years of age but
809 before the child reached 18 years of age if the child is:

810 1. Completing secondary education or a program leading to
811 an equivalent credential;

812 2. Enrolled in an institution that provides postsecondary
813 or vocational education;

814 3. Participating in a program or activity designed to
815 promote or eliminate barriers to employment;

816 4. Employed for at least 80 hours per month; or

817 5. Unable to participate in programs or activities listed
818 in subparagraphs 1.-4. full time due to a physical,
819 intellectual, emotional, or psychiatric condition that limits
820 participation. Any such barrier to participation must be
821 supported by documentation in the child's case file or school or
822 medical records.



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823 (e) A child or young adult receiving benefits through the
824 adoption assistance program is not eligible to simultaneously
825 receive relative caregiver benefits under s. 39.5085 or
826 postsecondary education services and support under s. 409.1451.

827 (f)(e) The department may provide adoption assistance to
828 the adoptive parents, subject to specific appropriation, for
829 medical assistance initiated after the adoption of the child for
830 medical, surgical, hospital, and related services needed as a
831 result of a physical or mental condition of the child which
832 existed before the adoption and is not covered by Medicaid,
833 Children's Medical Services, or Children's Mental Health
834 Services. Such assistance may be initiated at any time but shall
835 terminate on or before the child's 18th birthday.

836 (5) ELIGIBILITY FOR SERVICES.—

837 (a) As a condition of providing adoption assistance under
838 this section and before the adoption is finalized, the adoptive
839 parents must have an approved adoption home study and must enter
840 into an adoption-assistance agreement with the department which
841 specifies the financial assistance and other services to be
842 provided.

843 (b) A child who is handicapped at the time of adoption is
844 ~~shall be~~ eligible for services through the Children's Medical
845 Services network established under part I of chapter 391 if the
846 child was eligible for such services before ~~prior to~~ the
847 adoption.

848 Section 12. Effective January 1, 2019, paragraph (b) of
849 subsection (1) of section 414.045, Florida Statutes, is amended
850 to read:

851 414.045 Cash assistance program.—Cash assistance families



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852 include any families receiving cash assistance payments from the
853 state program for temporary assistance for needy families as
854 defined in federal law, whether such funds are from federal
855 funds, state funds, or commingled federal and state funds. Cash
856 assistance families may also include families receiving cash
857 assistance through a program defined as a separate state
858 program.

859 (1) For reporting purposes, families receiving cash
860 assistance shall be grouped into the following categories. The
861 department may develop additional groupings in order to comply
862 with federal reporting requirements, to comply with the data-
863 reporting needs of the board of directors of CareerSource
864 Florida, Inc., or to better inform the public of program
865 progress.

866 (b) *Child-only cases.*—Child-only cases include cases that
867 do not have an adult or teen head of household as defined in
868 federal law. Such cases include:

869 1. Children in the care of caretaker relatives, if the
870 caretaker relatives choose to have their needs excluded in the
871 calculation of the amount of cash assistance.

872 2. Upon implementation of the Kinship Care Program
873 established under s. 39.5085, families participating in that
874 program in the Relative Caregiver program as provided in s.
875 39.5085.

876 3. Families in which the only parent in a single-parent
877 family or both parents in a two-parent family receive
878 supplemental security income (SSI) benefits under Title XVI of
879 the Social Security Act, as amended. To the extent permitted by
880 federal law, individuals receiving SSI shall be excluded as



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881 household members in determining the amount of cash assistance,
882 and such cases shall not be considered families containing an
883 adult. Parents or caretaker relatives who are excluded from the
884 cash assistance group due to receipt of SSI may choose to
885 participate in work activities. An individual whose ability to
886 participate in work activities is limited who volunteers to
887 participate in work activities shall be assigned to work
888 activities consistent with such limitations. An individual who
889 volunteers to participate in a work activity may receive child
890 care or support services consistent with such participation.

891 4. Families in which the only parent in a single-parent
892 family or both parents in a two-parent family are not eligible
893 for cash assistance due to immigration status or other
894 limitation of federal law. To the extent required by federal
895 law, such cases shall not be considered families containing an
896 adult.

897 5. To the extent permitted by federal law and subject to
898 appropriations, special needs children who have been adopted
899 pursuant to s. 409.166 and whose adopting family qualifies as a
900 needy family under the state program for temporary assistance
901 for needy families. Notwithstanding any provision to the
902 contrary in s. 414.075, s. 414.085, or s. 414.095, a family
903 shall be considered a needy family if:

904 a. The family is determined by the department to have an
905 income below 200 percent of the federal poverty level;

906 b. The family meets the requirements of s. 414.095(2) and
907 (3) related to residence, citizenship, or eligible noncitizen
908 status; and

909 c. The family provides any information that may be



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910 necessary to meet federal reporting requirements specified under
911 Part A of Title IV of the Social Security Act.

912
913 Families described in subparagraph 1., subparagraph 2., or
914 subparagraph 3. may receive child care assistance or other
915 supports or services so that the children may continue to be
916 cared for in their own homes or in the homes of relatives. Such
917 assistance or services may be funded from the temporary
918 assistance for needy families block grant to the extent
919 permitted under federal law and to the extent funds have been
920 provided in the General Appropriations Act.

921 Section 13. Paragraph (d) of subsection (1) of section
922 1009.25, Florida Statutes, is amended to read:

923 1009.25 Fee exemptions.—

924 (1) The following students are exempt from the payment of
925 tuition and fees, including lab fees, at a school district that
926 provides workforce education programs, Florida College System
927 institution, or state university:

928 (d) A student who is or was at the time he or she reached
929 18 years of age in the custody of a kinship caregiver ~~relative~~
930 ~~or nonrelative~~ under s. 39.5085 or who was adopted from the
931 Department of Children and Families after May 5, 1997. Such
932 exemption includes fees associated with enrollment in applied
933 academics for adult education instruction. The exemption remains
934 valid until the student reaches 28 years of age.

935 Section 14. (1) Contingent upon a specific appropriation,
936 effective August 1, 2018, the Department of Children and
937 Families shall establish and operate a pilot Title IV-E
938 Guardianship Assistance Program in two circuits in this state.



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939 The program will provide payments at a rate of \$333 per month
940 for persons who meet the Title IV-E eligibility requirements as
941 outlined in s. 473(d)(1)(A) of the Social Security Act.

942 (2) For purposes of administering this program, the term:

943 (a) "Child" means an individual who has not attained 21
944 years of age.

945 (b) "Young adult" means an individual who has attained 18
946 years of age but who has not attained 21 years of age.

947 (c) "Fictive kin" means a person unrelated by birth,
948 marriage, or adoption who has an emotionally significant
949 relationship, which possesses the characteristics of a family
950 relationship, to a child.

951 (3) Caregivers enrolled in the Relative Caregiver or
952 Nonrelative Caregiver Program prior to August 1, 2018, are not
953 eligible to participate in the Title IV-E Guardianship
954 Assistance Program pilot. Effective August 1, 2018, eligible
955 caregivers enrolled in the pilot may not simultaneously have
956 payments made on the child's behalf through the Relative
957 Caregiver Program under s. 39.5085, postsecondary education
958 services and supports under s. 409.1451, or child-only cash
959 assistance under chapter 414.

960 (4) Notwithstanding s. 39.5085, in the two circuits where
961 the Title IV-E Guardianship Assistance Program pilot is
962 established, the Relative Caregiver Program will discontinue
963 accepting applications effective July 31, 2018.

964 (5) Notwithstanding s. 409.145(4), in the two circuits
965 where the Title IV-E Guardianship Assistance Program pilot is
966 established, the room and board rate for guardians who are
967 eligible for the program will be \$333 per month.



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968 (6) Notwithstanding s. 409.175(11)(a), in the two circuits
969 where the Title IV-E Guardianship Assistance Program pilot is
970 established, an exception of licensing standards may be provided
971 for those standards where a waiver has been granted.

972 Section 15. Except as otherwise expressly provided in this
973 act, this act shall take effect July 1, 2018.

974
975 ===== T I T L E A M E N D M E N T =====

976 And the title is amended as follows:

977 Delete everything before the enacting clause
978 and insert:

979 A bill to be entitled
980 An act relating to child welfare; creating s. 39.4015,
981 F.S.; providing legislative findings and intent;
982 defining terms; requiring the Department of Children
983 and Families, in collaboration with sheriffs' offices
984 that conduct child protective investigations and
985 community-based care lead agencies, to develop a
986 statewide family-finding program; specifying that
987 implementation of the family-finding program is
988 contingent upon the appropriation of funds by the
989 Legislature; specifying when family is required;
990 requiring the department and community-based care lead
991 agencies to document strategies taken to engage
992 relatives and kin; providing strategies to engage
993 relatives and kin; requiring the department and
994 community-based care lead agencies to use diligent
995 efforts in family finding; providing that certain
996 actions do not constitute family finding; requiring



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997 determinations by the court; requiring the department
998 to adopt rules; amending s. 39.402, F.S.; requiring
999 the court to request that parents consent to providing
1000 access to additional records; upon implementation of
1001 the family-finding program, requiring a judge to
1002 appoint a surrogate parent for certain children;
1003 requiring the court to place on the record its
1004 determinations regarding the department's or the
1005 community-based lead agency's reasonable engagement in
1006 family finding; providing guidelines for determining
1007 reasonableness; amending ss. 39.506; upon
1008 implementation of the family-finding program,
1009 requiring the court to make a determination regarding
1010 the department's or the community-based lead agency's
1011 reasonable engagement in family finding; providing
1012 guidelines for determining reasonableness; amending s.
1013 39.507, F.S.; upon implementation of the family-
1014 finding program, requiring the court to make a
1015 determination regarding the department's or the
1016 community-based lead agency's reasonable engagement in
1017 family finding; providing guidelines for determining
1018 reasonableness; requiring the court to advise parents
1019 that their parental rights may be terminated and the
1020 child's out-of-home placement may become permanent
1021 under certain circumstances; amending s. 39.5085,
1022 F.S.; providing legislative findings and intent;
1023 defining terms; providing the purpose of a kinship
1024 navigator program; contingent upon the appropriation
1025 of funds by the Legislature, requiring each community-



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1026 based care lead agency to establish a kinship
1027 navigator program; providing requirements for
1028 programs; requiring the department to adopt rules;
1029 deleting provisions related to the Relative Caregiver
1030 Program; amending s. 39.521, F.S.; upon implementation
1031 of the family-finding program, requiring the court to
1032 make a determination regarding the department's or the
1033 community-based lead agency's reasonable engagement in
1034 family finding; providing guidelines for determining
1035 reasonableness; conforming provisions to changes made
1036 by the act; amending s. 39.6012, F.S.; revising the
1037 types of records that must be attached to a case plan
1038 and updated throughout the judicial review process;
1039 upon implementation of the family-finding program,
1040 requiring that documentation of the family-finding
1041 efforts of the department and the community-based care
1042 lead agency be included in certain case plans;
1043 amending s. 39.604, F.S.; revising legislative
1044 findings and intent; revising enrollment and
1045 attendance requirements for children in an early
1046 education or child care program; conforming cross-
1047 references; providing requirements and procedures for
1048 maintaining the educational stability of a child
1049 during the child's placement in out-of-home care, or
1050 subsequent changes in out-of-home placement; requiring
1051 that a child's transition from a child care or early
1052 education program be pursuant to a plan that meets
1053 certain requirements; amending s. 39.6251, F.S.;

1054 requiring the case manager for a young adult in foster



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1055 care to consult with the young adult when updating the
1056 case plan and the transition plan and arrangements;
1057 deleting a provision authorizing case management
1058 reviews to be conducted by telephone under certain
1059 circumstances; amending s. 39.701, F.S.; requiring the
1060 court to appoint a surrogate parent if the child is
1061 under the age of school entry; upon implementation of
1062 the family-finding program, requiring the court to
1063 determine if the department and community-based lead
1064 agency has continued to reasonably engage in family
1065 finding; providing guidelines for determining the
1066 level of reasonableness; amending s. 409.166, F.S.;
1067 defining terms; providing conditions for the
1068 department to provide adoption assistance payments to
1069 adoptive parents of certain children; providing that
1070 children and young adults receiving benefits through
1071 the adoption assistance program are ineligible for
1072 other specified benefits and services; providing
1073 additional conditions for eligibility for adoption
1074 assistance; amending ss. 414.045 and 1009.25, F.S.;
1075 conforming provisions to changes made by the act;
1076 contingent upon the appropriation of funds by the
1077 Legislature, requiring the Department of Children and
1078 Families to create a pilot Title IV-E Guardianship
1079 Assistance Program; providing definitions; specifying
1080 eligibility and limitations; requiring the Relative
1081 Caregiver Program to discontinue accepting
1082 applications in certain circuits by a specified date;
1083 establishing a room and board rate for guardians in



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1084 certain circuits who are eligible for the program;
1085 providing an exception to licensing standards in
1086 certain circuits under certain circumstances;
1087 providing effective dates.