

By the Committee on Children, Families, and Elder Affairs; and
Senators Garcia and Campbell

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1 A bill to be entitled
2 An act relating to child welfare; creating s. 39.4015,
3 F.S.; providing legislative findings and intent;
4 defining terms; requiring the Department of Children
5 and Families, in collaboration with sheriffs' offices
6 that conduct child protective investigations and
7 community-based care lead agencies, to develop a
8 statewide family-finding program; requiring the
9 implementation of family finding by a specified date;
10 requiring the department and community-based care lead
11 agencies to document strategies taken to engage
12 relatives and kin; providing strategies to engage
13 relatives and kin; requiring the department and
14 community-based care lead agencies to use diligent
15 efforts in family finding; providing that certain
16 actions do not constitute family finding; requiring
17 determinations by the court; requiring the department
18 to adopt rules; amending s. 39.402, F.S.; requiring
19 the court to request that parents consent to providing
20 access to additional records; requiring a judge to
21 appoint a surrogate parent for certain children;
22 requiring the court to place on the record its
23 determinations regarding the department's or the
24 community-based lead agency's reasonable engagement in
25 family finding; providing guidelines for determining
26 reasonableness; amending ss. 39.506; requiring the
27 court to make a determination regarding the
28 department's or the community-based lead agency's
29 reasonable engagement in family finding; providing

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30 guidelines for determining reasonableness; amending s.
31 39.507 F.S.; requiring the court to make a
32 determination regarding the department's or the
33 community-based lead agency's reasonable engagement in
34 family finding; providing guidelines for determining
35 reasonableness; requiring the court to advise parents
36 that their parental rights may be terminated and the
37 child's out-of-home placement may become permanent
38 under certain circumstances; amending s. 39.5085,
39 F.S.; providing legislative findings and intent;
40 defining terms; requiring the department to provide
41 financial assistance to kinship caregivers who meet
42 certain requirements; providing eligibility criteria
43 for such financial assistance; providing that children
44 living with caregivers who are receiving financial
45 assistance are eligible for Medicaid coverage;
46 providing the purpose of a kinship navigator program;
47 requiring each community-based care lead agency to
48 establish a kinship navigator program by a certain
49 date; providing requirements for programs; requiring
50 the department to adopt rules; deleting provisions
51 related to the Relative Caregiver Program; amending s.
52 39.521, F.S.; requiring the court to make a
53 determination regarding the department's or the
54 community-based lead agency's reasonable engagement in
55 family finding ; providing guidelines for determining
56 reasonableness; conforming provisions to changes made
57 by the act; amending s. 39.6012, F.S.; revising the
58 types of records that must be attached to a case plan

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59 and updated throughout the judicial review process;
60 requiring that documentation of the family-finding
61 efforts of the department and the community-based care
62 lead agency be included in certain case plans;
63 amending s. 39.604, F.S.; revising legislative
64 findings and intent; providing requirements and
65 procedures for referring certain children to the Early
66 Steps Program; requiring the Early Steps Program to
67 screen or evaluate all children referred to the
68 program by the department or its contracted agencies;
69 requiring the service coordinator of the Early Steps
70 Program to forward certain information to the
71 department and the community-based care lead agency;
72 requiring the dependency court to appoint a surrogate
73 parent for certain children under certain
74 circumstances; requiring the department or a
75 community-based care lead agency to refer a child to
76 the Child Find program of the Florida Diagnostic and
77 Learning Resources System under certain circumstances;
78 requiring a caregiver to choose certain providers to
79 care for children in out-of-home care; revising
80 enrollment and attendance requirements for children in
81 an early education or child care program; conforming
82 cross-references; providing requirements and
83 procedures for maintaining the educational stability
84 of a child during the child's placement in out-of-home
85 care, or subsequent changes in out-of-home placement;
86 requiring that a child's transition from a child care
87 or early education program be pursuant to a plan that

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88 meets certain requirements; amending s. 39.701, F.S.;
89 requiring the court to appoint a surrogate parent if
90 the child is under the age of school entry; requiring
91 the court to determine if the department and
92 community-based lead agency has continued to
93 reasonably engaged in family finding; providing
94 guidelines for determining the level of
95 reasonableness; amending ss. 414.045 and 1009.25,
96 F.S.; conforming provisions to changes made by the
97 act; providing effective dates.

98

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

100

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

103 39.4015 Family finding.—

104 (1) LEGISLATIVE FINDINGS AND INTENT.—

105 (a) The Legislature finds that every child who is in out-
106 of-home care has the goal of finding a permanent home, whether
107 achieved by reunifying the child with his or her parents or
108 finding another permanent connection, such as adoption or legal
109 guardianship with a relative or nonrelative who has a
110 significant relationship with the child.

111 (b) The Legislature finds that while legal permanency is
112 important to a child in out-of-home care, emotional permanency
113 helps increase the likelihood that children will achieve
114 stability and well-being and successfully transition to
115 independent adulthood.

116 (c) The Legislature also finds that research has

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117 consistently shown that placing a child within his or her own
118 family reduces the trauma of being removed from his or her home,
119 is less likely to result in placement disruptions, and enhances
120 prospects for finding a permanent family if the child cannot
121 return home.

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

126 (e) It is the intent of the Legislature that every child in
127 out-of-home care be afforded the advantages that can be gained
128 from the use of family finding to establish caring and long-term
129 or permanent connections and relationships for children and
130 youth in out-of-home care, as well as to establish a long-term
131 emotional support network with family members and other adults
132 who may not be able to take the child into their home but who
133 want to stay connected with the child.

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

135 (a) "Diligent efforts" means the use of methods and
136 techniques including, but not limited to, interviews with
137 immediate and extended family and kin, genograms, eco-mapping,
138 case mining, cold calls, and specialized computer searches.

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

144 (c) "Family group decisionmaking" is a generic term that
145 includes a number of approaches in which family members and

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146 fictive kin are brought together to make decisions about how to
147 care for their children and develop a plan for services. The
148 term includes family team conferencing, family team meetings,
149 family group conferencing, family team decisionmaking, family
150 unity meetings, and team decisionmaking, which may consist of
151 several phases and employ a trained facilitator or coordinator.

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

156 (3) FAMILY-FINDING PROGRAM.—The department, in
157 collaboration with sheriffs' offices that conduct child
158 protective investigations and community-based care lead
159 agencies, shall develop a formal family-finding program to be
160 implemented statewide by child protective investigators and
161 community-based care lead agencies.

162 (a) Family finding is required as soon as a child comes to
163 the attention of the department and throughout the duration of
164 the case, and finding and engaging with as many family members
165 and fictive kin as possible for each child who may help with
166 care or support for the child is considered a best practice. The
167 department or community-based care lead agency must specifically
168 document strategies taken to locate and engage relatives and
169 kin. Strategies of engagement may include, but are not limited
170 to, asking the relatives and kin to:

171 1. Participate in a family group decisionmaking conference,
172 family team conferencing, or other family meetings aimed at
173 developing or supporting the family service plan;

174 2. Attend visitations with the child;

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175 3. Assist in transportation of the child;

176 4. Provide respite or child care services; or

177 5. Provide actual kinship care.

178 (b) The department and the community-based care lead
179 agencies must use diligent efforts in family finding, must
180 continue those efforts until multiple relatives and kin are
181 identified, and must go beyond basic searching tools by
182 exploring alternative tools and methodologies. Efforts by the
183 department and the community-based care lead agency may include,
184 but are not limited to:

185 1. Searching for and locating adult relatives and kin.

186 2. Identifying and building positive connections between
187 the child and the child's relatives and fictive kin.

188 3. Supporting the engagement of relatives and fictive kin
189 in social service planning and delivery of services and creating
190 a network of extended family support to assist in remedying the
191 concerns that led to the child becoming involved with the child
192 welfare system, when appropriate.

193 4. Maintaining family connections, when possible.

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

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

199 (d) The court's inquiry and determination regarding family
200 finding should be made at each stage of the case, including a
201 shelter hearing conducted pursuant to s. 39.402. The court shall
202 place its determinations on the record as to whether the
203 department or community-based care lead agency has reasonably

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204 engaged in family finding. The level of reasonableness is to be
205 determined by the length of the case and the amount of time the
206 department or community-based care lead agency has had to begin
207 or continue the process.

208 (4) RULEMAKING.—The department shall adopt rules to
209 implement this section.

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

213 39.402 Placement in a shelter.—

214 (11)

215 (c) The court shall request that the parents consent to
216 provide access to the child's child care records, early
217 education program records, or other educational records and
218 provide information to the court, the department or its contract
219 agencies, and any guardian ad litem or attorney for the child.
220 If a parent is unavailable or unable to consent or withholds
221 consent and the court determines access to the records and
222 information is necessary to provide services to the child, the
223 court shall issue an order granting access.

224 (d) The court may appoint a surrogate parent or may refer
225 the child to the district school superintendent for appointment
226 of a surrogate parent if the child has or is suspected of having
227 a disability and the parent is unavailable pursuant to s.
228 39.0016(3)(b). If the child is under the age of school entry,
229 the court must make the appointment.

230 (17) At the shelter hearing, the court shall inquire of the
231 parent whether the parent has relatives who might be considered
232 as a placement for the child. The parent shall provide to the

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233 court and all parties identification and location information
234 regarding the relatives. The court shall advise the parent that
235 the parent has a continuing duty to inform the department of any
236 relative who should be considered for placement of the child.
237 The court shall place its determinations on the record as to
238 whether the department or community-based care lead agency has
239 reasonably engaged in family finding. The level of
240 reasonableness is to be determined by the length of the case and
241 amount of time the department or community-based care lead
242 agency has had to begin or continue the process.

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

246 39.506 Arraignment hearings.—

247 (9) The court shall review whether the department or
248 community-based care lead agency has reasonably engaged in
249 family finding and make a written determination as to its
250 findings. The level of reasonableness is determined by the
251 length of the case and amount of time the department or
252 community-based care lead agency has had to begin or continue
253 the process.

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

256 39.507 Adjudicatory hearings; orders of adjudication.—

257 (7)

258 (c) If a court adjudicates a child dependent and the child
259 is in out-of-home care, the court shall inquire of the parent or
260 parents whether the parents have relatives who might be
261 considered as a placement for the child. ~~The court shall advise~~

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262 ~~the parents that, if the parents fail to substantially comply~~
263 ~~with the case plan, their parental rights may be terminated and~~
264 ~~that the child's out-of-home placement may become permanent.~~ The
265 parent or parents shall provide to the court and all parties
266 identification and location information of the relatives. The
267 court shall review whether the department or community-based
268 care lead agency has reasonably engaged in family finding and
269 make a written determination as to its findings. The level of
270 reasonableness is determined by the length of the case and
271 amount of time the department or community-based care lead
272 agency has had to begin or continue the process.

273 (d) The court shall advise the parents that, if they fail
274 to substantially comply with the case plan, their parental
275 rights may be terminated and that the child's out-of-home
276 placement may become permanent.

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

279 39.5085 Kinship Care Relative Caregiver Program.—

280 (1) LEGISLATIVE FINDINGS AND INTENT.—

281 (a) The Legislature finds that an increasing number of
282 relatives and fictive kin are assuming the responsibility of
283 raising children because the parents of these children are
284 unable to care for them.

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

290 (c) The Legislature finds that children living with kinship

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291 caregivers experience increased placement stability, are less
292 likely to reenter care if they are reunified with their parents,
293 and have better behavioral and mental health outcomes.

294 (d) The Legislature further finds that these kinship
295 caregivers may face a number of difficulties and need assistance
296 to support the health and well-being of the children they care
297 for. These needs include, but are not limited to, financial
298 assistance, legal assistance, respite care, child care,
299 specialized training, and counseling.

300 (e) It is the intent of the Legislature to provide for the
301 establishment and implementation of procedures and protocols
302 that are likely to increase and adequately support appropriate
303 and safe kinship care placements.

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

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

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

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

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

- 317 1. Is related to the child within the fifth degree by blood
318 or marriage to the parent or stepparent of the child; or
319 2. Is related to a half-sibling of that child within the

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320 fifth degree by blood or marriage to the parent or stepparent.

321 (3) FINANCIAL ASSISTANCE.—The department shall provide
322 financial assistance to all caregivers who qualify under this
323 subsection.

324 (a) Relatives or fictive kin caring for a child who has
325 been placed with them by the court shall receive a monthly
326 caregiver benefit, beginning when the child is placed with them.
327 The amount of the benefit payment is based on the child's age
328 within a payment schedule established by rule of the department.
329 The cost of providing the assistance described in this section
330 to any caregiver may not exceed the cost of providing out-of-
331 home care in emergency shelter or foster care.

332 (b) Caregivers who receive assistance under this section
333 must be capable, as determined by a home study, of providing a
334 physically safe environment and a stable, supportive home for
335 the children under their care and must assure that the
336 children's well-being is met, including, but not limited to, the
337 provision of immunizations, education, and mental health
338 services, as needed.

339 (c) Caregivers who qualify for and receive assistance under
340 this section are not required to meet foster care licensing
341 requirements under s. 409.175.

342 (d) Children receiving cash benefits under this section are
343 not eligible to simultaneously receive WAGES cash benefits under
344 chapter 414.

345 (d) A caregiver may not receive a benefit payment if the
346 parent or stepparent of the child resides in the home. However,
347 a caregiver may receive the benefit payment for a minor parent
348 who is in his or her care, as well as for the minor parent's

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349 child, if both children have been adjudicated dependent and meet
350 all other eligibility requirements. If the caregiver is
351 receiving a benefit payment when a parent, other than an
352 eligible minor parent, or stepparent moves into the home, the
353 payment must be terminated no later than the first day of the
354 month following the move, allowing for 10-day notice of adverse
355 action.

356 (e) Children living with caregivers who are receiving
357 assistance under this section are eligible for Medicaid
358 coverage.

359 (4) ADDITIONAL ASSISTANCE AND SERVICES.—

360 (a) The purpose of a kinship navigator program is to help
361 relative caregivers and fictive kin in the child welfare system
362 to navigate the broad range of services available to them and
363 the children from public, private, community, and faith-based
364 organizations.

365 (b) By January 1, 2019, each community-based care lead
366 agency shall establish a kinship navigator program. In order to
367 meet the requirements of a kinship navigator program, the
368 program must:

369 1. Be coordinated with other state or local agencies that
370 promote service coordination or provide information and referral
371 services, including any entities that participate in the Florida
372 211 Network, to avoid duplication or fragmentation of services
373 to kinship care families;

374 2. Be planned and operated in consultation with kinship
375 caregivers and organizations representing them, youth raised by
376 kinship caregivers, relevant governmental agencies, and relevant
377 community-based or faith-based organizations;

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378 3. Establish a toll-free telephone hotline to provide
379 information to link kinship caregivers, kinship support group
380 facilitators, and kinship service providers to:

381 a. One another;

382 b. Eligibility and enrollment information for federal,
383 state, and local benefits;

384 c. Relevant training to assist kinship caregivers in
385 caregiving and in obtaining benefits and services; and

386 d. Relevant knowledge related to legal options available
387 for child custody, other legal assistance, and help in obtaining
388 legal services.

389 4. Provide outreach to kinship care families, including by
390 establishing, distributing, and updating a kinship care website,
391 or other relevant guides or outreach materials; and

392 5. Promote partnerships between public and private
393 agencies, including schools, community-based or faith-based
394 organizations, and relevant governmental agencies, to increase
395 their knowledge of the needs of kinship care families to promote
396 better services for those families.

397 (5) RULEMAKING.—The department shall adopt rules to
398 implement this section.

399 ~~(1) It is the intent of the Legislature in enacting this~~
400 ~~section to:~~

401 ~~(a) Provide for the establishment of procedures and~~
402 ~~protocols that serve to advance the continued safety of children~~
403 ~~by acknowledging the valued resource uniquely available through~~
404 ~~grandparents, relatives of children, and specified nonrelatives~~
405 ~~of children pursuant to subparagraph (2) (a)3.~~

406 ~~(b) Recognize family relationships in which a grandparent~~

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407 ~~or other relative is the head of a household that includes a~~
408 ~~child otherwise at risk of foster care placement.~~

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

413 ~~(d) Recognize that permanency in the best interests of the~~
414 ~~child can be achieved through a variety of permanency options,~~
415 ~~including permanent guardianship under s. 39.6221 if the~~
416 ~~guardian is a relative, by permanent placement with a fit and~~
417 ~~willing relative under s. 39.6231, by a relative, guardianship~~
418 ~~under chapter 744, or adoption, by providing additional~~
419 ~~placement options and incentives that will achieve permanency~~
420 ~~and stability for many children who are otherwise at risk of~~
421 ~~foster care placement because of abuse, abandonment, or neglect,~~
422 ~~but who may successfully be able to be placed by the dependency~~
423 ~~court in the care of such relatives.~~

424 ~~(e) Reserve the limited casework and supervisory resources~~
425 ~~of the courts and the department for those cases in which~~
426 ~~children do not have the option for safe, stable care within the~~
427 ~~family.~~

428 ~~(f) Recognize that a child may have a close relationship~~
429 ~~with a person who is not a blood relative or a relative by~~
430 ~~marriage and that such person should be eligible for financial~~
431 ~~assistance under this section if he or she is able and willing~~
432 ~~to care for the child and provide a safe, stable home~~
433 ~~environment.~~

434 ~~(2)(a) The Department of Children and Families shall~~
435 ~~establish, operate, and implement the Relative Caregiver Program~~

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436 ~~by rule of the department. The Relative Caregiver Program shall,~~
437 ~~within the limits of available funding, provide financial~~
438 ~~assistance to:~~

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

445 ~~2. Relatives who are within the fifth degree by blood or~~
446 ~~marriage to the parent or stepparent of a child and who are~~
447 ~~earing full-time for that dependent child, and a dependent half-~~
448 ~~brother or half-sister of that dependent child, in the role of~~
449 ~~substitute parent as a result of a court's determination of~~
450 ~~child abuse, neglect, or abandonment and subsequent placement~~
451 ~~with the relative under this chapter.~~

452 ~~3. Nonrelatives who are willing to assume custody and care~~
453 ~~of a dependent child in the role of substitute parent as a~~
454 ~~result of a court's determination of child abuse, neglect, or~~
455 ~~abandonment and subsequent placement with the nonrelative~~
456 ~~caregiver under this chapter. The court must find that a~~
457 ~~proposed placement under this subparagraph is in the best~~
458 ~~interest of the child.~~

459 ~~4. A relative or nonrelative caregiver, but the relative or~~
460 ~~nonrelative caregiver may not receive a Relative Caregiver~~
461 ~~Program payment if the parent or stepparent of the child resides~~
462 ~~in the home. However, a relative or nonrelative may receive the~~
463 ~~Relative Caregiver Program payment for a minor parent who is in~~
464 ~~his or her care, as well as for the minor parent's child, if~~

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465 ~~both children have been adjudicated dependent and meet all other~~
466 ~~eligibility requirements. If the caregiver is currently~~
467 ~~receiving the payment, the Relative Caregiver Program payment~~
468 ~~must be terminated no later than the first of the following~~
469 ~~month after the parent or stepparent moves into the home,~~
470 ~~allowing for 10-day notice of adverse action.~~

471
472 ~~The placement may be court-ordered temporary legal custody to~~
473 ~~the relative or nonrelative under protective supervision of the~~
474 ~~department pursuant to s. 39.521(1)(c)3., or court-ordered~~
475 ~~placement in the home of a relative or nonrelative as a~~
476 ~~permanency option under s. 39.6221 or s. 39.6231 or under former~~
477 ~~s. 39.622 if the placement was made before July 1, 2006. The~~
478 ~~Relative Caregiver Program shall offer financial assistance to~~
479 ~~caregivers who would be unable to serve in that capacity without~~
480 ~~the caregiver payment because of financial burden, thus exposing~~
481 ~~the child to the trauma of placement in a shelter or in foster~~
482 ~~care.~~

483 ~~(b) Caregivers who receive assistance under this section~~
484 ~~must be capable, as determined by a home study, of providing a~~
485 ~~physically safe environment and a stable, supportive home for~~
486 ~~the children under their care and must assure that the~~
487 ~~children's well-being is met, including, but not limited to, the~~
488 ~~provision of immunizations, education, and mental health~~
489 ~~services as needed.~~

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

493 ~~(d) Relatives or nonrelatives who are caring for children~~

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494 ~~placed with them by the court pursuant to this chapter shall~~
495 ~~receive a special monthly caregiver benefit established by rule~~
496 ~~of the department. The amount of the special benefit payment~~
497 ~~shall be based on the child's age within a payment schedule~~
498 ~~established by rule of the department and subject to~~
499 ~~availability of funding. The statewide average monthly rate for~~
500 ~~children judicially placed with relatives or nonrelatives who~~
501 ~~are not licensed as foster homes may not exceed 82 percent of~~
502 ~~the statewide average foster care rate, and the cost of~~
503 ~~providing the assistance described in this section to any~~
504 ~~caregiver may not exceed the cost of providing out-of-home care~~
505 ~~in emergency shelter or foster care.~~

506 ~~(c) Children receiving cash benefits under this section are~~
507 ~~not eligible to simultaneously receive WAGES cash benefits under~~
508 ~~chapter 414.~~

509 ~~(f) Within available funding, the Relative Caregiver~~
510 ~~Program shall provide caregivers with family support and~~
511 ~~preservation services, flexible funds in accordance with s.~~
512 ~~409.165, school readiness, and other available services in order~~
513 ~~to support the child's safety, growth, and healthy development.~~
514 ~~Children living with caregivers who are receiving assistance~~
515 ~~under this section shall be eligible for Medicaid coverage.~~

516 ~~(g) The department may use appropriate available state,~~
517 ~~federal, and private funds to operate the Relative Caregiver~~
518 ~~Program. The department may develop liaison functions to be~~
519 ~~available to relatives or nonrelatives who care for children~~
520 ~~pursuant to this chapter to ensure placement stability in~~
521 ~~extended family settings.~~

522 Section 6. Paragraph (e) of subsection (1) of section

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523 39.521, Florida Statutes, is amended to read:

524 39.521 Disposition hearings; powers of disposition.—

525 (1) A disposition hearing shall be conducted by the court,
526 if the court finds that the facts alleged in the petition for
527 dependency were proven in the adjudicatory hearing, or if the
528 parents or legal custodians have consented to the finding of
529 dependency or admitted the allegations in the petition, have
530 failed to appear for the arraignment hearing after proper
531 notice, or have not been located despite a diligent search
532 having been conducted.

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

535 1. The placement or custody of the child.

536 2. Special conditions of placement and visitation.

537 3. Evaluation, counseling, treatment activities, and other
538 actions to be taken by the parties, if ordered.

539 4. The persons or entities responsible for supervising or
540 monitoring services to the child and parent.

541 5. Continuation or discharge of the guardian ad litem, as
542 appropriate.

543 6. The date, time, and location of the next scheduled
544 review hearing, which must occur within the earlier of:

545 a. Ninety days after the disposition hearing;

546 b. Ninety days after the court accepts the case plan;

547 c. Six months after the date of the last review hearing; or

548 d. Six months after the date of the child's removal from
549 his or her home, if no review hearing has been held since the
550 child's removal from the home.

551 7. If the child is in an out-of-home placement, child

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552 support to be paid by the parents, or the guardian of the
553 child's estate if possessed of assets which under law may be
554 disbursed for the care, support, and maintenance of the child.
555 The court may exercise jurisdiction over all child support
556 matters, shall adjudicate the financial obligation, including
557 health insurance, of the child's parents or guardian, and shall
558 enforce the financial obligation as provided in chapter 61. The
559 state's child support enforcement agency shall enforce child
560 support orders under this section in the same manner as child
561 support orders under chapter 61. Placement of the child shall
562 not be contingent upon issuance of a support order.

563 8.a. If the court does not commit the child to the
564 temporary legal custody of an adult relative, legal custodian,
565 or other adult approved by the court, the disposition order must
566 ~~shall~~ include the reasons for such a decision and ~~shall include~~
567 a written determination as to whether ~~diligent efforts were made~~
568 ~~by~~ the department and the community-based care lead agency
569 reasonably engaged in family finding in attempting to locate an
570 adult relative, legal custodian, or other adult willing to care
571 for the child in order to present that placement option to the
572 court instead of placement with the department. The level of
573 reasonableness is determined by the length of the case and
574 amount of time the department or community-based care lead
575 agency has had to begin or continue the process.

576 b. If no suitable relative is found and the child is placed
577 with the department or a legal custodian or other adult approved
578 by the court, both the department and the court shall consider
579 transferring temporary legal custody to an adult relative
580 approved by the court at a later date, but neither the

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581 department nor the court is obligated to so place the child if
582 it is in the child's best interest to remain in the current
583 placement.

584

585 ~~For the purposes of this section, "diligent efforts to locate an~~
586 ~~adult relative" means a search similar to the diligent search~~
587 ~~for a parent, but without the continuing obligation to search~~
588 ~~after an initial adequate search is completed.~~

589 9. Other requirements necessary to protect the health,
590 safety, and well-being of the child, to preserve the stability
591 of the child's child care, early education program, or any other
592 educational placement, and to promote family preservation or
593 reunification whenever possible.

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

597 39.6012 Case plan tasks; services.—

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

600 (b) A description of the plan for ensuring that the child
601 receives safe and proper care and that services are provided to
602 the child in order to address the child's needs. To the extent
603 available and accessible, the following health, mental health,
604 and education information and records of the child must be
605 attached to the case plan and updated throughout the judicial
606 review process:

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

609 2. The child's grade level performance;

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

613 4. Documentation of compliance or noncompliance with the
614 attendance requirements under s. 39.604, if the child is
615 enrolled in a child care program, early education program, or
616 preschool program;

617 ~~5.4.~~ Assurances that the child's placement takes into
618 account proximity to the school in which the child is enrolled
619 at the time of placement;

620 ~~6. 5. A record of~~ The child's immunizations;

621 ~~7.6.~~ The child's known medical history, including any known
622 health problems;

623 ~~8.7.~~ The child's medications, if any; and

624 ~~9.8.~~ Any other relevant health, mental health, and
625 education information concerning the child.

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

628 (a) A description of the type of placement in which the
629 child is to be living and, if the child has been placed with the
630 department, whether the department and the community-based care
631 lead agency have reasonably engaged in family finding to locate
632 an adult relative, legal custodian, or other adult willing to
633 care for the child in order to present that placement option to
634 the court instead of placement with the department.

635 Section 8. Section 39.604, Florida Statutes, is amended to
636 read:

637 39.604 Rilya Wilson Act; short title; legislative intent;
638 early intervention; child care; early education; preschool

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639 ~~requirements, attendance and reporting responsibilities.-~~

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

642 (2) LEGISLATIVE FINDINGS AND INTENT.—

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

646 (b) The Legislature also finds that children who are abused
647 or neglected are at high risk of experiencing physical and
648 mental health problems and problems with language and
649 communication, cognitive development, and social and emotional
650 development.

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

656 (d) The Legislature also finds that the needs of each of
657 these children are unique, and while some children may be best
658 served by a quality child care or early education program,
659 others may need more attention and nurturing that can best be
660 provided by a stay-at-home caregiver ~~The Legislature recognizes~~
661 ~~that children who are in the care of the state due to abuse,~~
662 ~~neglect, or abandonment are at increased risk of poor school~~
663 ~~performance and other behavioral and social problems.~~

664 (e) It is the intent of the Legislature that children who
665 are ~~currently in~~ out-of-home ~~the care of the state~~ be provided
666 with an age-appropriate developmental child care or early
667 education arrangement that is in the best interest of the child

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668 ~~education program~~ to help ameliorate the negative consequences
669 of abuse, neglect, or abandonment.

670 (3) EARLY INTERVENTION FOR CHILDREN UNDER THE AGE OF
671 THREE.—The Child Abuse Prevention and Treatment Act, 42 U.S.C.
672 ss. 5101, et seq., and federal the Individuals with Disabilities
673 Education Act requires states to have provisions and procedures
674 for referring to early intervention services children who are
675 under the age of 3 years and involved in substantiated cases of
676 child abuse or neglect, or who are affected by substance abuse
677 or withdrawal symptoms from prenatal drug exposure.

678 (a) Referral process.—A child from birth to age 36 months
679 who is determined to be a victim of any substantiated case of
680 child abuse or neglect or who is affected by substance abuse or
681 withdrawal symptoms from prenatal drug exposure, shall be
682 referred to the Early Steps Program under s. 391.301, according
683 to the following criteria:

684 1. Children who will remain in the home of their parents or
685 legal guardian without referral to a community-based care lead
686 agency for services shall be referred to the Early Steps Program
687 by the protective investigator handling the case within 48 hours
688 of verification of the abuse or neglect.

689 2. When there is an indication that they may have an
690 established condition or developmental delay, children who will
691 remain in the home of their parents or legal guardian and who
692 are referred to a community-based care lead agency for services
693 must be referred to the Early Steps Program by the community-
694 based care lead agency case worker during the case plan
695 development process within 7 days after the identification of an
696 established condition or possible developmental delay. The

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697 community-based care lead agency shall follow up to determine
698 whether the child has been found eligible for Part C services
699 and shall support the participation of the eligible children's
700 families in the Early Steps Program. Support may include, but
701 need not be limited to:

702 a. Assistance with transportation, if necessary;

703 b. Providing written information about the Early Steps
704 Program; and

705 c. Followup with the family and encouraging the child's
706 participation in the Early Steps Program.

707 3. Children being placed into shelter care for referral to
708 a community-based care lead agency for out-of-home placement
709 must receive an initial assessment during the case plan
710 development process and may be referred to the Early Steps
711 Program according to the following criteria:

712 a. Children who are not referred for a comprehensive
713 behavioral health assessment under the Medicaid program must be
714 referred to the Early Steps Program by the case worker during
715 the case plan development process for the child. The referral
716 must be documented in the case plan.

717 b. Children who are referred for a comprehensive behavioral
718 health assessment under the Medicaid program must be referred to
719 the Early Steps Program by the community-based care lead agency
720 case worker if their comprehensive behavioral health assessment
721 flags them as potentially having a developmental delay or an
722 established condition. The referral must be documented in the
723 case plan. The Early Steps Program referral form must be
724 accompanied by the comprehensive behavioral health assessment
725 that flagged the child as potentially having a developmental

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726 delay or an established condition.

727 (b) Screening and evaluation.—The local Early Steps Program
728 shall screen or evaluate all children referred by the department
729 or its contracted agencies. The information on the outcome of a
730 child's screening or evaluation, and any recommended services on
731 the child's individualized family support plan, shall be
732 forwarded by the Early Steps Program's service coordinator to
733 the department and the community-based care lead agency for
734 consideration in development of the child's case plan.

735 (c) Appointment of surrogate parent.—Federal law requires
736 parental consent and participation at every stage of the early
737 intervention process after referral. A dependency court shall
738 appoint a surrogate parent under s. 39.0016 for a child from
739 birth to age 36 months whose parents are unavailable or
740 unwilling to provide consent for services when the child has
741 been determined to be a victim of any substantiated case of
742 child abuse or neglect or is affected by substance abuse or
743 withdrawal symptoms from prenatal drug exposure and has been
744 referred to the Early Steps Program under s. 391.301.

745 (4) EARLY INTERVENTION FOR CHILDREN AGES THREE YEARS TO
746 FIVE YEARS.—The federal Individuals with Disabilities Education
747 Act requires states to develop a comprehensive Child Find
748 program to locate children who are potentially eligible for
749 services, including children who are involved in substantiated
750 cases of child abuse or neglect, and link them to early
751 intervention services. If the department or a community-based
752 care lead agency suspects that a child is a victim of
753 substantiated child abuse or neglect, the child must be referred
754 to the Child Find program of the Florida Diagnostic and Learning

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755 Resources System for assessment.

756 (5) CHILD CARE, EARLY EDUCATION PROGRAMS, PRESCHOOL.—

757 Research has found that the quality of child care, early
758 education programs, and preschool programs is important to the
759 cognitive, language, and social development of young children,
760 with consistent and emotionally supportive care being of great
761 benefit to children and their families. Children who receive
762 high-quality early childhood care and education have better
763 math, language, and social skills as they enter school, and, as
764 they grow older, require less remedial education, progress
765 further in school, and have fewer interactions with the justice
766 system. Significant involvement of parents in early childhood
767 care and education may help reduce the incidence of maltreatment
768 of children and may be beneficial to children and families who
769 are already involved in the child welfare system by virtue of
770 establishing caring relationships in a supportive learning
771 environment that assists parents in establishing social support
772 networks, accessing information about parenting and child
773 development, and receiving referrals to other services.

774 (a) *Early child care and education preference.*—Care for
775 children in out-of-home care shall be chosen by the caregiver
776 according to the following order:

777 1. Providers who receive a Gold Seal Quality Care
778 designation pursuant to s. 402.281, or providers participating
779 in a quality rating system;

780 2. Licensed child care providers;

781 3. Public school providers; and

782 4. License-exempt child care providers, including
783 religious-exempt and registered providers, and non-public

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784 schools. These providers must be participating in the school
785 readiness program through the local early learning coalition.

786 (b) Enrollment

787 ~~(3) REQUIREMENTS.-~~

788 1. A child from birth to the age of school entry, who is
789 under court-ordered protective supervision or in out-of-home
790 care and is the custody of the Family Safety Program Office of
791 the Department of Children and Families or a community-based
792 lead agency, and enrolled in an a licensed early education or
793 child care program must attend the program 5 days a week unless
794 the court grants an exception due to the court determining it is
795 in the best interest of a child from birth to age 3 years:

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

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

800 2. Notwithstanding s. 39.202, the department of Children
801 and Families must notify operators of an the licensed early
802 education or child care program, subject to the reporting
803 requirements of this act, of the enrollment of any child from
804 birth to the age of school entry, under court-ordered protective
805 supervision or in out-of-home care. If the custody of the Family
806 Safety Program Office of the Department of Children and Families
807 or a community-based lead agency. When a child is enrolled in an
808 early education or child care program regulated by the
809 department, the child's attendance in the program must be a
810 required task action in the safety plan or the case plan
811 developed for the child pursuant to this chapter. An exemption
812 to participating in the licensed early education or child care

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813 ~~program 5 days a week may be granted by the court.~~

814 ~~(c)(4) Attendance ATTENDANCE AND REPORTING REQUIREMENTS.-~~

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

821 ~~2.a.(b)1.~~ If a child covered by this section is absent from
822 the program on a day when he or she is supposed to be present,
823 the person with whom the child resides must report the absence
824 to the program by the end of the business day. If the person
825 with whom the child resides, whether the parent or caregiver,
826 fails to timely report the absence, the absence is considered to
827 be unexcused. The program shall report any unexcused absence or
828 seven consecutive excused absences of a child who is enrolled in
829 the program and covered by this act to the ~~local designated~~
830 ~~staff of the Family Safety Program Office of the department of~~
831 ~~Children and Families~~ or the community-based care lead agency by
832 the end of the business day following the unexcused absence or
833 seventh consecutive excused absence.

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

838 ~~c.3.~~ If the site visit results in a determination that the
839 child is missing, the department or community-based care lead
840 agency shall follow the procedure set forth in s. 39.0141 ~~report~~
841 ~~the child as missing to a law enforcement agency and proceed~~

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842 ~~with the necessary actions to locate the child pursuant to~~
843 ~~procedures for locating missing children.~~

844 ~~d.4.~~ If the site visit results in a determination that the
845 child is not missing, the parent or caregiver shall be notified
846 that failure to ensure that the child attends the ~~licensed~~ early
847 education or child care program is a violation of the safety
848 plan or the case plan. If more than two site visits are
849 conducted pursuant to this paragraph subsection, staff shall
850 ~~initiate action to~~ notify the court of the parent or caregiver's
851 noncompliance with the case plan.

852 (6) EDUCATIONAL STABILITY.—Just as educational stability is
853 important for school-age children, it is also important to
854 minimize disruptions to secure attachments and stable
855 relationships with supportive caregivers of children from birth
856 to school age and to ensure that these attachments are not
857 disrupted due to placement in out-of-home care or subsequent
858 changes in out-of-home placement.

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

863 (b) If it is not in the best interest of the child for him
864 or her to remain in his or her child care or early education
865 setting upon entry into out-of-home care, the caregiver must
866 work with the case manager, guardian ad litem, child care and
867 educational staff, and educational surrogate, if one has been
868 appointed, to determine the best setting for the child. Such
869 setting may be a child care provider that receives a Gold Seal
870 Quality Care designation pursuant to s. 402.281, a provider

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871 participating in a quality rating system, a licensed child care
872 provider, a public school provider, or a license-exempt child
873 care provider, including religious-exempt and registered
874 providers, and non-public schools.

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

879 (7) TRANSITIONS.—In the absence of an emergency, if a child
880 from birth to school age leaves a child care or early education
881 program, the transition must be pursuant to a plan that involves
882 cooperation and sharing of information among all persons
883 involved, that respects the child's developmental stage and
884 associated psychological needs, and that allows for a gradual
885 transition from one setting to another.

886 Section 9. Paragraph (c) of subsection (2) of section
887 39.701, Florida Statutes, is amended to read:

888 39.701 Judicial review.—

889 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
890 AGE.—

891 (c) *Review determinations.*—The court and any citizen review
892 panel shall take into consideration the information contained in
893 the social services study and investigation and all medical,
894 psychological, and educational records that support the terms of
895 the case plan; testimony by the social services agency, the
896 parent, the foster parent or legal custodian, the guardian ad
897 litem or surrogate parent for educational decisionmaking if one
898 has been appointed for the child, and any other person deemed
899 appropriate; and any relevant and material evidence submitted to

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900 the court, including written and oral reports to the extent of
901 their probative value. These reports and evidence may be
902 received by the court in its effort to determine the action to
903 be taken with regard to the child and may be relied upon to the
904 extent of their probative value, even though not competent in an
905 adjudicatory hearing. In its deliberations, the court and any
906 citizen review panel shall seek to determine:

907 1. If the parent was advised of the right to receive
908 assistance from any person or social service agency in the
909 preparation of the case plan.

910 2. If the parent has been advised of the right to have
911 counsel present at the judicial review or citizen review
912 hearings. If not so advised, the court or citizen review panel
913 shall advise the parent of such right.

914 3. If a guardian ad litem needs to be appointed for the
915 child in a case in which a guardian ad litem has not previously
916 been appointed or if there is a need to continue a guardian ad
917 litem in a case in which a guardian ad litem has been appointed.

918 4. Who holds the rights to make educational decisions for
919 the child. If appropriate, the court may refer the child to the
920 district school superintendent for appointment of a surrogate
921 parent or may itself appoint a surrogate parent under the
922 Individuals with Disabilities Education Act and s. 39.0016. If
923 the child is under the age of school entry, the court must make
924 the appointment.

925 5. The compliance or lack of compliance of all parties with
926 applicable items of the case plan, including the parents'
927 compliance with child support orders.

928 6. The compliance or lack of compliance with a visitation

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929 contract between the parent and the social service agency for
930 contact with the child, including the frequency, duration, and
931 results of the parent-child visitation and the reason for any
932 noncompliance.

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

937 8. The compliance or lack of compliance of the parent in
938 meeting specified financial obligations pertaining to the care
939 of the child, including the reason for failure to comply, if
940 applicable.

941 9. Whether the child is receiving safe and proper care
942 according to s. 39.6012, including, but not limited to, the
943 appropriateness of the child's current placement, including
944 whether the child is in a setting that is as family-like and as
945 close to the parent's home as possible, consistent with the
946 child's best interests and special needs, and including
947 maintaining stability in the child's educational placement, as
948 documented by assurances from the community-based care provider
949 that:

950 a. The placement of the child takes into account the
951 appropriateness of the current educational setting and the
952 proximity to the school in which the child is enrolled at the
953 time of placement.

954 b. The community-based care agency has coordinated with
955 appropriate local educational agencies to ensure that the child
956 remains in the school in which the child is enrolled at the time
957 of placement.

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958 10. Whether the department or community-based care lead
959 agency continues to reasonably engage in family finding. The
960 level of reasonableness is determined by the length of the case
961 and amount of time the department or community-based care lead
962 agency has had to continue the process.

963 11. ~~10.~~ A projected date likely for the child's return home
964 or other permanent placement.

965 12. ~~11.~~ When appropriate, the basis for the unwillingness
966 or inability of the parent to become a party to a case plan. The
967 court and the citizen review panel shall determine if the
968 efforts of the social service agency to secure party
969 participation in a case plan were sufficient.

970 13. ~~12.~~ For a child who has reached 13 years of age but is
971 not yet 18 years of age, the adequacy of the child's preparation
972 for adulthood and independent living. For a child who is 15
973 years of age or older, the court shall determine if appropriate
974 steps are being taken for the child to obtain a driver license
975 or learner's driver license.

976 14. ~~13.~~ If amendments to the case plan are required.
977 Amendments to the case plan must be made as provided in ~~under~~ s.
978 39.6013.

979 Section 10. Effective January 1, 2019, paragraph (b) of
980 subsection (1) of section 414.045, Florida Statutes, is amended
981 to read:

982 414.045 Cash assistance program.—Cash assistance families
983 include any families receiving cash assistance payments from the
984 state program for temporary assistance for needy families as
985 defined in federal law, whether such funds are from federal
986 funds, state funds, or commingled federal and state funds. Cash

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987 assistance families may also include families receiving cash
988 assistance through a program defined as a separate state
989 program.

990 (1) For reporting purposes, families receiving cash
991 assistance shall be grouped into the following categories. The
992 department may develop additional groupings in order to comply
993 with federal reporting requirements, to comply with the data-
994 reporting needs of the board of directors of CareerSource
995 Florida, Inc., or to better inform the public of program
996 progress.

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

1000 1. Children in the care of caretaker relatives, if the
1001 caretaker relatives choose to have their needs excluded in the
1002 calculation of the amount of cash assistance.

1003 2. Families in the Kinship Care ~~Relative Caregiver~~ Program
1004 as provided in s. 39.5085.

1005 3. Families in which the only parent in a single-parent
1006 family or both parents in a two-parent family receive
1007 supplemental security income (SSI) benefits under Title XVI of
1008 the Social Security Act, as amended. To the extent permitted by
1009 federal law, individuals receiving SSI shall be excluded as
1010 household members in determining the amount of cash assistance,
1011 and such cases shall not be considered families containing an
1012 adult. Parents or caretaker relatives who are excluded from the
1013 cash assistance group due to receipt of SSI may choose to
1014 participate in work activities. An individual whose ability to
1015 participate in work activities is limited who volunteers to

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1016 participate in work activities shall be assigned to work
1017 activities consistent with such limitations. An individual who
1018 volunteers to participate in a work activity may receive child
1019 care or support services consistent with such participation.

1020 4. Families in which the only parent in a single-parent
1021 family or both parents in a two-parent family are not eligible
1022 for cash assistance due to immigration status or other
1023 limitation of federal law. To the extent required by federal
1024 law, such cases shall not be considered families containing an
1025 adult.

1026 5. To the extent permitted by federal law and subject to
1027 appropriations, special needs children who have been adopted
1028 pursuant to s. 409.166 and whose adopting family qualifies as a
1029 needy family under the state program for temporary assistance
1030 for needy families. Notwithstanding any provision to the
1031 contrary in s. 414.075, s. 414.085, or s. 414.095, a family
1032 shall be considered a needy family if:

1033 a. The family is determined by the department to have an
1034 income below 200 percent of the federal poverty level;

1035 b. The family meets the requirements of s. 414.095(2) and
1036 (3) related to residence, citizenship, or eligible noncitizen
1037 status; and

1038 c. The family provides any information that may be
1039 necessary to meet federal reporting requirements specified under
1040 Part A of Title IV of the Social Security Act.

1041
1042 Families described in subparagraph 1., subparagraph 2., or
1043 subparagraph 3. may receive child care assistance or other
1044 supports or services so that the children may continue to be

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1045 cared for in their own homes or in the homes of relatives. Such
1046 assistance or services may be funded from the temporary
1047 assistance for needy families block grant to the extent
1048 permitted under federal law and to the extent funds have been
1049 provided in the General Appropriations Act.

1050 Section 11. Paragraph (d) of subsection (1) of section
1051 1009.25, Florida Statutes, is amended to read:

1052 1009.25 Fee exemptions.—

1053 (1) The following students are exempt from the payment of
1054 tuition and fees, including lab fees, at a school district that
1055 provides workforce education programs, Florida College System
1056 institution, or state university:

1057 (d) A student who is or was at the time he or she reached 18
1058 years of age in the custody of a kinship caregiver ~~relative or~~
1059 ~~nonrelative~~ under s. 39.5085 or who was adopted from the
1060 Department of Children and Families after May 5, 1997. Such
1061 exemption includes fees associated with enrollment in applied
1062 academics for adult education instruction. The exemption remains
1063 valid until the student reaches 28 years of age.

1064 Section 12. Except as otherwise expressly provided in this
1065 act, this act shall take effect July 1, 2018.