

The Florida Senate  
**HOUSE MESSAGE SUMMARY**

---

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

---

[2021s00080.hms]

BILL: CS/CS/SB 80

INTRODUCER: Rules Committee; Children, Families, and Elder Affairs Committee; Senator Brodeur and others (Albritton and Book)

SUBJECT: Child Welfare

DATE: April 28, 2021

---

### **I. Amendments Contained in Message:**

**House Amendment - # 943257** (body with title)

### **II. Summary of Amendments Contained in Message:**

**House Amendment - # 943257**

The substantive provisions of CS/CS/SB 80 remain the same with some technical and clarification changes to the language. The amendment also adds new provisions that are the substance of CS/CS/HB 1473 related to judicial review hearings of older youth in foster care, services for older youth in foster care, and reinstatement of parental rights. Specifically, the new provisions included in the amendment are as follows:

#### Judicial Reviews of Older Youth

- Provides additional requirements for the court to address in judicial reviews for children 16 and 17 years old, including changing the start of transition planning for older children up to within the year the child reaches 16 years old, instead of the 180-days period after the child turns 17 years old and requiring judicial reviews to begin looking at factors related to independent living skills at 16 years old instead of the current 17 years old.
- Provides the child the opportunity to address the court at review hearings as well as allowing foster parent, legal custodian, or guardian ad litem to provide any relevant information related to child's best interest at court.

#### Services for Older Youth in Foster Care

- Provides a number of resources to older youth, including to:
  - Allow young adults in the Road-to-Independence Program that are accessing aftercare services to access financial assistance in emergencies such as large medical expenses or automobile repairs.
  - Modify the Independent Living Services Advisory Council (ILSAC) and require the council to provide outreach and contact with young adults who have aged out of care.
  - Require the lead agency to at least annually attempt to contact each young adult who has aged out of care who is potentially eligible for extended foster care or Road-to-Independence and is not participating.

- Require the lead agencies to offer services for intensive independent living development for young adults with the greatest deficits in life.
- Require the DCF to comply with specified provisions to support participation in the development of age-appropriate life skills including providing opportunities for children in foster care to interact with mentors and developing and implementing procedures for certain children to directly access and manage the personal allowance they receive from the DCF.
- Expand eligibility to have the costs of licensure and motor vehicle insurance be reimbursed to include young adults that were in licensed care when the child reached 18 years old and is currently receiving PESS.
- Require lead agencies to provide post-adoption supports to avoid dissolution of adoptions.
- Creates an Office of Continuing Care within DCF to help people who have aged out of the child welfare system and provide necessary support to youth who are not accessing the full range of services provided to them after aging out.
- Requires the Office to ensure young adults have a point of contact until age 26 and specifies duties of the office and the lead agencies to annually contact young adults to reconnect them to independent living services until the young adult is 26 years old.
- Requires the Florida Institute for Child Welfare to evaluate the state's efforts to assist young adults in foster care to developing independent living skills and provide a report by November 1, 2022 and analyzing data related to permanency outcomes with a report due by October 1, 2022.

#### Reinstatement of Parental Rights

- Allows the court to consider a motion to reinstate parental rights if certain factors are satisfied, including, in part, the termination of such rights had to be based on either the parent's voluntarily surrenders or the parent failed to substantially comply with case plan; that the child must be at least 13 years of age; both the child and parent want the reinstatement; and the multidisciplinary team convened for this identified goal recommends the reinstatement is in the child's best interest in addition to other specified entities being considered.
- If the court finds by clear and convincing evidence that the necessary factors are met, the bill requires the court to conduct supervised visitation and trial home visits for at least 3 consecutive months with regular reports on progress.
- This provision allows the court to reinstate parental rights, if upon a finding of clear and convincing evidence upon the conclusion of the specified requirements, that it is the best interest of the child with an in-home safety plan.
- This provision of the bill will apply in limited situations and allow a child to find permanency back with his or her former parent in a safe and stable home.