



549386

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/02/2022	.	
	.	
	.	
	.	

Appropriations Subcommittee on Health and Human Services
(Garcia) recommended the following:

Senate Amendment

Delete lines 46 - 178
and insert:

(d) 1. Relatives or nonrelatives who have a child placed with them in out-of-home care and who have obtained licensure as a child-specific level I foster placement, regardless of whether a court has found the child to be dependent, shall receive a monthly payment in accordance with s. 409.145(3) from the date the child is placed in out-of-home care with his or her



549386

11 relatives or with nonrelatives until the child achieves
12 permanency as determined by the court pursuant to s. 39.621.

13 2. Relatives or nonrelatives who have a child who has been
14 found to be dependent placed with them in out-of-home care shall
15 receive a monthly payment at a rate equal to the rate
16 established in s. 409.145(3) for licensed foster parents,
17 regardless of whether the relatives or nonrelatives have
18 obtained a child-specific level I foster license, from the date
19 the child is found to be dependent or from the date the child is
20 placed with them in out-of-home care, whichever is later, for a
21 period of no more than 6 months or until the child achieves
22 permanency as determined by the court pursuant to s. 39.621,
23 whichever occurs first.

24 3. Relatives or nonrelatives who have a child who has been
25 found to be dependent placed with them in out-of-home care and
26 who have not obtained a child-specific level I foster license
27 within 6 months from the date of such placement shall receive a
28 monthly payment in an amount determined by department rule from
29 6 months after the date the child is found to be dependent or
30 from 6 months after the child is placed with them in out-of-home
31 care, whichever is later, until the relatives or nonrelatives
32 obtain a child-specific level I foster license or until the
33 child achieves permanency as determined by the court pursuant to
34 s. 39.621, whichever occurs first. The monthly payment amount
35 paid to relatives or nonrelatives pursuant to this subparagraph
36 must be less than the monthly payment amount provided to a
37 participant enrolled in the Guardianship Assistance Program
38 pursuant to s. 39.6225.

39 4. Relatives or nonrelatives who have a child placed in



549386

40 their care by permanent guardianship pursuant to s. 39.6221, in
41 a permanent placement with a fit and willing relative pursuant
42 to s. 39.6231, or under former s. 39.622 if the placement was
43 made before July 1, 2006, and who are not enrolled in the
44 Guardianship Assistance Program pursuant to s. 39.6225 shall
45 receive a monthly payment in an amount determined by department
46 rule which must be less than the monthly payment amount provided
47 to a participant enrolled in the Guardianship Assistance Program
48 ~~under s. 39.6225 Relatives or nonrelatives who are caring for~~
49 ~~children placed with them by the court pursuant to this chapter~~
50 ~~shall receive a special monthly caregiver benefit established by~~
51 ~~rule of the department.~~

52 (e) Relatives or nonrelatives obtaining monthly payments
53 under this section may also obtain a special benefit payment.
54 The amount of the special benefit payment shall be based on the
55 child's age within a payment schedule established by rule of the
56 department and subject to availability of funding. ~~The statewide~~
57 ~~average monthly rate for children judicially placed with~~
58 ~~relatives or nonrelatives who are not licensed as foster homes~~
59 ~~may not exceed 82 percent of the statewide average foster care~~
60 ~~rate, and the cost of providing the assistance described in this~~
61 ~~section to any caregiver may not exceed the cost of providing~~
62 ~~out-of-home care in emergency shelter or foster care.~~

63 Section 2. Present subsection (4) of section 409.145,
64 Florida Statutes, is redesignated as subsection (5), a new
65 subsection (4) is added to that section, and subsection (3) of
66 that section is amended, to read:

67 409.145 Care of children; "reasonable and prudent parent"
68 standard.—The child welfare system of the department shall



549386

69 operate as a coordinated community-based system of care which
70 empowers all caregivers for children in foster care to provide
71 quality parenting, including approving or disapproving a child's
72 participation in activities based on the caregiver's assessment
73 using the "reasonable and prudent parent" standard.

74 (3) ~~FOSTER CARE ROOM AND BOARD RATES.~~-

75 (a) Effective July 1, 2022 ~~2018~~, room and board rates shall
76 be paid to foster parents, including relative and nonrelative
77 caregivers who are licensed as a level I child-specific foster
78 placement, and to relative and nonrelative caregivers who are
79 participating in the Relative Caregiver Program and receiving
80 payments pursuant to s. 39.5085(2)(d)1. or 2., as follows:
81

82 Monthly Room and Board ~~Foster Care~~ Rate

0-5 Years	6-12 Years	13-21 Years
Age	Age	Age
<u>\$517.94</u> \$457.95	<u>\$531.21</u> \$469.68	<u>\$621.77</u> \$549.74

83
84
85
86 (b) Each January, foster parents, including relative and
87 nonrelative caregivers who are licensed as a level I child-
88 specific foster placement and relative and nonrelative
89 caregivers who are participating in the Relative Caregiver
90 Program and receiving payments pursuant to s. 39.5085(2)(d)1. or
91 2., shall receive an annual cost of living increase. The
92 department shall calculate the new room and board rate increase



549386

93 equal to the percentage change in the Consumer Price Index for
94 All Urban Consumers, U.S. City Average, All Items, not
95 seasonally adjusted, or successor reports, for the preceding
96 December compared to the prior December as initially reported by
97 the United States Department of Labor, Bureau of Labor
98 Statistics. The department shall make available the adjusted
99 room and board rates annually.

100 ~~(c) Effective July 1, 2019, foster parents of level I~~
101 ~~family foster homes as defined in s. 409.175(5)(a) shall receive~~
102 ~~a room and board rate of \$333.~~

103 ~~(d) Effective July 1, 2019, the foster care room and board~~
104 ~~rate for level II family foster homes as defined in s.~~
105 ~~409.175(5)(a) shall be the same as the new rate established for~~
106 ~~family foster homes as of January 1, 2019.~~

107 ~~(e) Effective January 1, 2020, paragraph (b) shall only~~
108 ~~apply to level II through level V family foster homes, as~~
109 ~~defined in s. 409.175(5)(a).~~

110 ~~(f)~~ The amount of the monthly ~~foster care~~ room and board
111 rate may be increased upon agreement among the department, the
112 community-based care lead agency, and the foster parent.

113 (d)(g) Effective July 1, 2022 ~~From July 1, 2018, through~~
114 ~~June 30, 2019,~~ community-based care lead agencies providing care
115 under contract with the department shall pay a supplemental room
116 and board payment to foster ~~care~~ parents, including relative and
117 nonrelative caregivers who are licensed as a level I child-
118 specific foster placement and relative and nonrelative
119 caregivers who are participating in the Relative Caregiver
120 Program and receiving payments pursuant to s. 39.5085(2)(d)1. or
121 2. of all family foster homes, on a per-child basis, for



549386

122 providing independent life skills and normalcy supports to
123 children who are 13 through 17 years of age placed in their
124 care. The supplemental payment must ~~shall~~ be paid monthly ~~to the~~
125 ~~foster care parents~~ in addition to the current monthly room and
126 board rate payment. The supplemental monthly payment shall be
127 based on 10 percent of the monthly room and board rate for
128 children 13 through 21 years of age as provided under this
129 section and adjusted annually. ~~Effective July 1, 2019, such~~
130 ~~supplemental payments shall only be paid to foster parents of~~
131 ~~level II through level V family foster homes.~~

132 (4) CHILD CARE SUBSIDY.—Any foster parents and relative or
133 nonrelative caregivers, regardless of whether the relative or
134 nonrelative caregivers are licensed as a level I child-specific
135 foster placement or participate in the Relative Caregiver
136 Program, who have a child placed in out-of-home care in the home
137 between the age of birth to school entry shall receive a payment
138 of \$200 per month per child to pay toward the cost of an early