

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: HB 7065, 1st Eng.

INTRODUCER: House Children, Families and Seniors Subcommittee; and Representative Altman and others

SUBJECT: Child Welfare

DATE: February 18, 2022

REVISED: \_\_\_\_\_

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ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Cox</u>	<u>Sadberry</u>	<u>AP</u>	<u>Pre-meeting</u>

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**I. Summary:**

The bill aids in creating and sustaining safe, stable, nurturing relationships and environments for children and families that allow children to grow up to their full potential. Parents and families who are equipped with proper support and skills are better able to meet the needs of their children and protect them from experiencing adverse childhood experiences.

The bill takes a holistic approach to addressing the needs of children and families by:

- Creating opportunities for not-for-profit organizations who address the needs of fathers and provide mentorships for at-risk males to receive funding through grant programs established within the Department of Children and Families (DCF).
- Providing that the grants awarded for fatherhood initiatives and mentoring of at-risk boys may be awarded for a period of up to three years and requiring the grantees to comply with certain accountability and reporting requirements to continue receiving funding.
- Providing for increased engagement with and provision of services to fathers by requiring Florida’s community-based care lead agencies to hire father engagement specialists and requiring the Department of Health (DOH) to include father engagement activities in the current programs that offer home visiting services.
- Directing the DCF to contract for an initiative to promote responsible fatherhood with the goal of providing all fathers resources and inspiration to enhance their positive involvement with their children.
- Requiring the Legislature to designate the month of June as “Responsible Fatherhood Month” to recognize the importance of fathers in their children’s lives.
- Requiring the DCF and the Department of Juvenile Justice (DJJ) to identify children that are dually involved with both systems of care and provide a report to the Legislature that includes actions taken by both agencies to better serve such children.
- Requiring the DJJ to be invited to participate in multidisciplinary assessment staffings conducted pursuant to s. 39.4022, F.S., if the child is involved in both the DCF and the DJJ systems of care for open dependency and delinquency proceedings, respectively.

- Requiring the Department of Revenue to establish a dedicated webpage on its website to provide obligors who have difficulty paying child support due to economic hardship certain information that will, in part, assist the obligor with modifying a child support order or access services from CareerSource Florida.
- Requiring the notification related to delinquent child support to be in writing and include certain information.
- Requiring the Department of Economic Opportunity (DEO) to expand grants for organizations that assist certain noncustodial parents become self-sufficient and establish a successful pattern of meeting child support payments.
- Requiring a children's initiative to update the strategic community plan every five years to reflect the current status of the area served and providing requirements for a children's initiative to receive state funding.

The bill conforms to the House of Representatives proposed General Appropriations Act (GAA) for Fiscal Year 2022-2023. The House proposed GAA contains \$63,899,851 in recurring general revenue funds in the DCF, DOH, DJJ, and DEO to implement certain provisions of the bill. See Section V. Fiscal Impact Section.

The bill is effective July 1, 2022.

## **II. Present Situation:**

Refer to Section III (Effect of Proposed Changes) for discussion of the relevant portions of current law.

## **III. Effect of Proposed Changes:**

Children encounter negative experiences when growing up in households with substance misuse, mental health problems, and instability due to parental separation. Exposure to adverse childhood experiences can disrupt healthy brain development, affect social development, compromise immune systems, and can lead to unhealthy coping behaviors. Creating and sustaining safe, stable, and nurturing relationships and environments for children and families can allow children to grow to their full potential. Parents and families who are equipped with proper support and skills can meet the needs of their children and protect them from experiencing adverse childhood experiences.

### **Fatherhood and Child Well-Being (Sections 5, 8, 9, 15, and 18)**

There are an estimated 75 million fathers in the United States;<sup>1</sup> however, 18.4 million children, or one out of four, live without a biological, step, or adoptive father in the home.<sup>2</sup> Children in mother-only households are the second most common living arrangement in the United States.<sup>3</sup>

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<sup>1</sup> U.S. Census Bureau, *Fatherly figures: a snapshot of dads today*, (2018), available at <https://www.census.gov/library/visualizations/2018/comm/fathers-day.html> (last visited February 16, 2022).

<sup>2</sup> U.S. Census Bureau, *Living arrangements of children under 18 years old: 1960 to present*, (Nov. 2021), available at <https://www.census.gov/data/tables/time-series/demo/families/children.html> (last visited February 16, 2022).

<sup>3</sup> The first most common living arrangement is two-parent households. See U.S. Census Bureau, *Percentage and Number of Children Living with Two Parents Has Dropped since 1968*, (Apr. 2021), available at

About 7.6 million (11 percent) children lived in mother-only households in 1968, compared to 15.3 million (21 percent) in 2020.<sup>4</sup>

Children raised in father-absent households, compared to two-parent households, are more likely, on average, to abuse drugs and alcohol, show signs of antisocial and delinquent behavior, and drop out of high school.<sup>5</sup> Such children are also more likely to experience poverty,<sup>6</sup> teen pregnancy,<sup>7</sup> child abuse and neglect,<sup>8</sup> behavioral problems,<sup>9</sup> and death in infancy.<sup>10</sup>

There is growing research on the link between father involvement and children's well-being.<sup>11</sup> Father involvement and positive interactions with their children are important for children's health, self-esteem, social skills, and educational attainment. Multiple studies have found positive links between father involvement and a child's graduation from high school, social-emotional adjustment, and mental health into adulthood.<sup>12</sup>

Additionally, men experience benefits from being fathers, including improving mental and emotional health and being more community involved. Being a father is linked to positive employment outcomes including an increase in wages and work effort.<sup>13</sup> Fathers are more likely than childless men to be involved in community service and to provide support to friends and

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<https://www.census.gov/library/stories/2021/04/number-of-children-living-only-with-their-mothers-has-doubled-in-past-50-years.html> (last visited February 16, 2022).

<sup>4</sup> *Id.*

<sup>5</sup> See McLanahan, S., Tach, L., & Chneider, D. (2013), Annual Review of Sociology, *The causal effects of father absence*, 39(1), 399-427, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3904543/>; Salas-Wright, C.P, Vaughn, M.G., Uglade J., & Todoc, J. (2015), Addictive Behavior, *Substance abuse and teen pregnancy in the United States: Evidence from the NSDUH 2002-2012*, 45(1), 218-225, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4374013/> (all sites last visited February 17, 2022).

<sup>6</sup> See U.S. Department of Health and Human Services, *Information on Poverty and Income Statistics: A Summary of 2012 Current Population Survey Data*, (Sept. 2012), available at <https://aspe.hhs.gov/reports/information-poverty-income-statistics-summary-2012-current-population-survey-data-0> (last visited February 16, 2022).

<sup>7</sup> Ellis, B.J., Bates, J. E., Dodge, K. A., Fergusson, D. M., et. al. (2003). Does father absence place daughters at special risk of early sexual activity and teenage pregnancy? *Child Development*, 74(3), 801-821, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2764264/> (last visited February 17, 2022).

<sup>8</sup> Stapp, John, The Effects of Fatherlessness on Children, (Jan. 13, 2020), available at [The Effects of Fatherlessness on Children - Joe Stapp, LPC \(blueridgescounseling.org\)](https://www.blueridgescounseling.org/the-effects-of-fatherlessness-on-children) (last visited February 16, 2022).

<sup>9</sup> See Osborne, C., & McLanahan, S., Journal of Marriage and Family 69(4), *Partnership instability and child well-being*, (2007), p. 1065-1083, available at <https://psycnet.apa.org/record/2007-14907-012> (last visited February 17, 2022).

<sup>10</sup> See Mathews, T. J., MacDorman, M. F., & Thoma, M. E., National Vital Statistics Reports, 64(9), *Infant mortality statistics from the 2013 period linked birth/ infant death data set*, (2015), p. 1-30, available at [https://www.cdc.gov/nchs/data/nvsr/nvsr64/nvsr64\\_09.pdf](https://www.cdc.gov/nchs/data/nvsr/nvsr64/nvsr64_09.pdf) (last visited February 17, 2022).

<sup>11</sup> Karberg, E., Finochario, J., & Vann, N. (2019). *Father and child well-being: A scan of current research*. National Responsible Fatherhood Clearinghouse, available at <https://fatherhood.gov> (last visited February 16, 2022).

<sup>12</sup> McLanahan, S., Tach, L., & Schneider, D. (2013). The causal effects of father absence. Annual Review of Sociology, 39, 399-427, available at <https://www.annualreviews.org/doi/full/10.1146/annurev-soc-071312-145704> (last visited February 18, 2022).

<sup>13</sup> Astone, N.M., & Peters, H.E. (2014). Longitudinal influences on men's lives: Research from the transition to fatherhood project and beyond. *Fathering: A Journal of Theory, Research, and Practice about Men as Fathers*, 12(2), 161-173, available at <https://psycnet.apa.org/record/2014-35882-004> (last visited February 18, 2022)

extended family.<sup>14</sup> Additionally, fathers tend to be healthier than men who do not have children, and some research suggests they may live longer.<sup>15</sup>

### ***National and State Fatherhood Initiatives***

Federal and state initiatives are attempting to address the needs of fathers by providing resources and information to encourage fatherhood engagement and strengthen fathers and families. The Office of Family Assistance within in the United States Department of Health & Human Services funds the National Responsible Fatherhood Clearinghouse which provides, facilitates, and disseminates current research and innovative strategies to strengthen fatherhood engagement.<sup>16</sup> Some examples of state initiatives include the South Carolina Center for Fathers and Families and the Ohio Commission on Fatherhood. The South Carolina Center for Fathers and Families supports fathers by providing resources and tools to help men understand what responsible fatherhood means and how to achieve it.<sup>17</sup> The Ohio Commission on Fatherhood within the Ohio Department of Job and Family Services strengthens Ohio families by funding community-based programs that serve low-income fathers, advocates for father-oriented policy changes, and trains county leaders on how to mobilize their community to promote responsible fatherhood.<sup>18</sup>

### ***Department of Health***

The purpose of the Department of Health (DOH) is to protect and promote the health of all residents and visitors in Florida.<sup>19</sup> Under current law, the DOH must:

- Identify, diagnose, and conduct surveillance of disease and health conditions in the state and accumulate the health statistics necessary to establish trends,
- Implement interventions that prevent or limit the impact or spread of diseases and health conditions,
- Collect, manage, and analyze vital statistics and other health data to inform the public and formulate public health policy and planning,
- Maintain and coordinate preparedness for and responses to public health emergencies in the state,
- Provide or ensure the provision of quality health care and related services to identified populations in the state, and
- Regulate health practitioners for the preservation of the health, safety, and welfare of the public.<sup>20</sup>

<sup>14</sup> Eggebeen, D., Dew, J., & Knoester, C.W., *Journal of Family Issues*, *Fatherhood and men's lives at middle age*, (2010), p. 113-130, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4302395/> (last visited February 17, 2022).

<sup>15</sup> Bartlett, E.E., *The Journal of Men's Health & Gender*, *The effects of fatherhood on the health of men: A review of the literature*, (2004), p. 159-169, available at [https://www.researchgate.net/publication/244815152\\_The\\_Effects\\_of\\_Fatherhood\\_on\\_the\\_Health\\_of\\_Men\\_A\\_Review\\_of\\_the\\_Literature](https://www.researchgate.net/publication/244815152_The_Effects_of_Fatherhood_on_the_Health_of_Men_A_Review_of_the_Literature) (last visited February 17, 2022) (hereinafter cited as "Journal of Men's Health and Gender - Effects of Fatherhood").

<sup>16</sup> U.S. Department of Health & Human Services, National Responsible Fatherhood Clearinghouse, *About Us*, available at <https://fatherhood.gov/about-us> (last visited February 16, 2022).

<sup>17</sup> South Carolina Center for Fathers and Families, *Who We Are*, available at <https://www.scfathersandfamilies.com/who-we-are/> (last visited February 16, 2022).

<sup>18</sup> Ohio Commission on Fatherhood, *About Us*, available at <https://fatherhood.ohio.gov/About-Us/Purpose> (last visited February 16, 2022).

<sup>19</sup> Section 20.43, F.S.

<sup>20</sup> *Id.*

The DOH is the designated agency for administering maternal and child health services, including delivering services through county health departments or subcontractors for the provision of enhanced services for medically and socially high-risk clients.<sup>21</sup> The DOH must establish in each county health department a Healthy Start Coordination Program in which a care coordinator is responsible, in part, for directing family outreach efforts.<sup>22</sup> Pursuant to s. 383.011(1)(e), F.S., the care coordination process must include, at a minimum, family outreach workers and health paraprofessionals who assist in providing enhanced services to pregnant women, infants, and their families that are determined to be at potential risk by the DOH's screening instrument. These enhanced services include, but are not limited to, home visiting to support the delivery of and participation in prenatal and infant primary care services.<sup>23</sup>

### Home Visiting Programs

The Florida Association of Healthy Start Coalitions, Inc., (FAHSC) develops and supports local systems of care to optimize the health of moms, babies and families.<sup>24</sup> The FAHSC is made up of 32 individual coalitions from across the state.<sup>25</sup> The DOH contracts directly with local Healthy Start Coalitions for the provision of services. Each coalition uses data and research to design a service delivery plan unique to their community.

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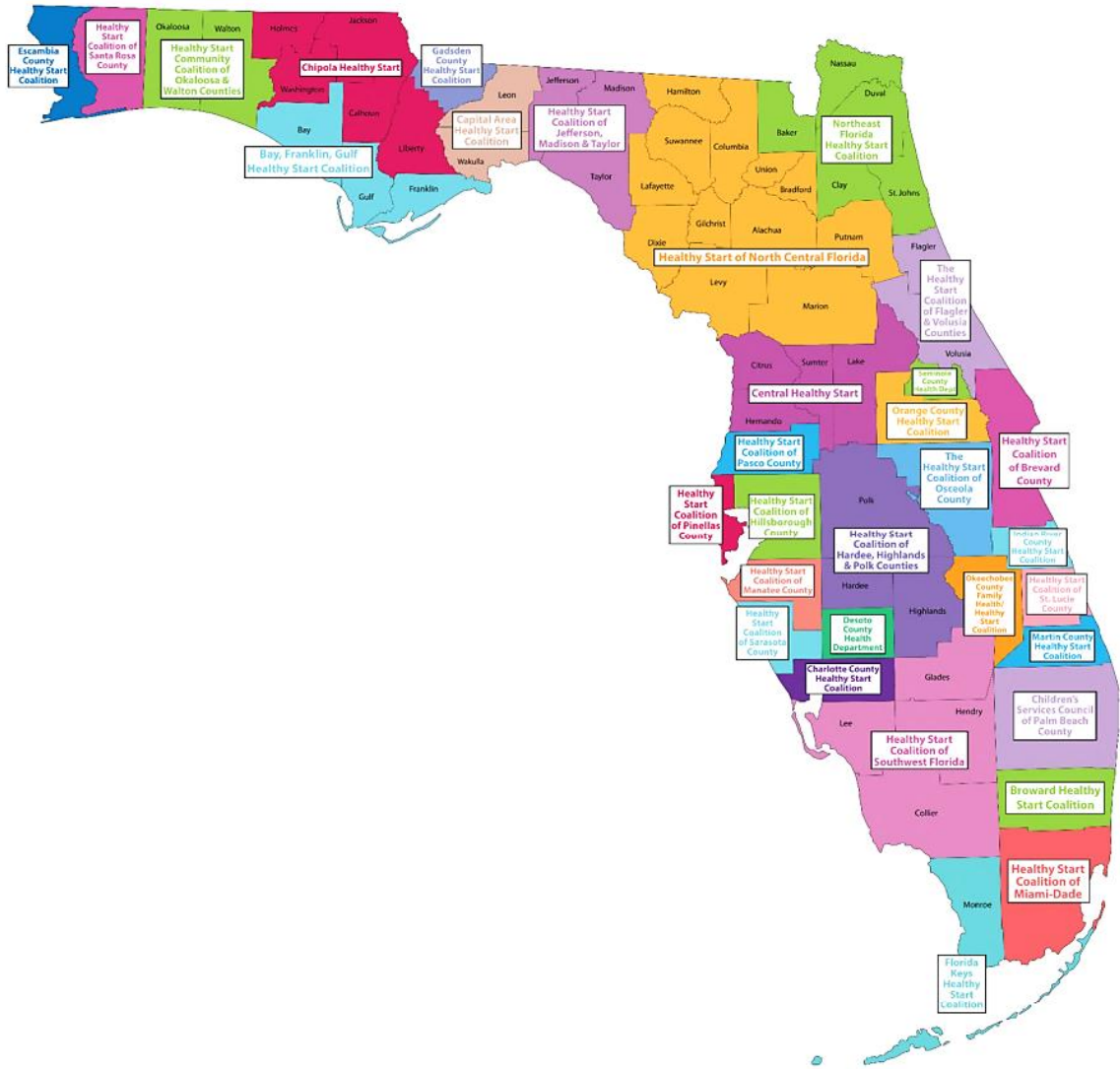
<sup>21</sup> Section 383.011(1), F.S.

<sup>22</sup> Section 383.011(1)(e), F.S.

<sup>23</sup> Section 383.011(1)(d), F.S.

<sup>24</sup> Florida Healthy Start Coalition, *About Us*, available at <https://www.healthystartflorida.com/about-us/> (last visited February 16, 2022).

<sup>25</sup> Florida Association of Healthy Start Coalitions, Inc., *Every Baby Deserves a Healthy Start* (on file with the Senate Committee on Appropriations).



FAHSC programs include, in part, Florida’s Maternal Infant and Early Childhood Home Visiting (MIECHV) and the Early Childhood Comprehensive System (ECCS), and Florida’s Healthy Start.<sup>26</sup>

The Health Resources and Services Administration within the United States Department of Health and Human Services contracts with the FAHCS to administer MIECHV funding for evidence-based home visiting programs. In Fiscal Year 2019-2020, Florida’s MIECHV initiative provided perinatal home visiting services to 2,790 families in 29 of Florida’s high-need communities.<sup>27</sup>

Florida’s three federally-funded evidence-based home visiting programs include:

- **Nurse-Family Partnerships**, which is a national program that provides education and support to first time mothers in low-income communities using specially-trained nurse home

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*



visitors. Families receive services starting in pregnancy through the child's second birthday.<sup>28</sup>

- **Healthy Families Florida**, which is a nationally accredited program by Healthy Families America which provides highly trained home visitors to educate and support overburdened families at risk for adverse childhood experiences, including maltreatment. Services begin prenatally or within the first three months after a child's birth and can last up to five years depending on the unique needs of the family.<sup>29</sup>
- **Parents as Teachers**, which is a national program that includes one-on-one home visits, monthly group meetings, developmental screenings, and a resource network for families. Parent educators conduct the home visits using structured visit plans and guided planning tools.<sup>30</sup>

In addition to the above-mentioned three federally-funded home visiting programs, Florida has other home visiting programs available statewide or within local communities.<sup>31</sup> Florida Healthy Start is a program that provides education, support, and proven interventions to expecting families who are at-risk of poor birth outcomes or developmental delays.<sup>32</sup> The program focuses on common issues or conditions that occur during pregnancy or in infancy and is available in all 67 counties. Risk screenings, offered by prenatal care providers and birthing hospitals, identifies families that could benefit from Healthy Start or other home visiting programs. Healthy Start is available statewide to all eligible families. Families can participate in Healthy Start beginning in pregnancy or in the first year after birth, and can continue until the infant turns three. All home visiting programs are voluntary and match parents with trained professionals to provide information and support during pregnancy and throughout the child's first three years of life.

In July 2018, Florida implemented a statewide, coordinated intake and referral system (Connect) that is housed within the FAHSC.<sup>33</sup> Connect is an entry point for services, including home visiting. Staff receive information from prenatal providers or from parents who self-refer or are referred by community partners. The Connect staff contacts parents to determine their needs and desires for services, then offers an array of services available in their community. Assuming home visiting is accepted, a referral to a program is made and the program contacts the parent to schedule an appointment.

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<sup>28</sup> Florida Maternal Infant & Early Childhood Home Visiting Initiative, *Home Visiting is Provided*, available at [https://www.flmiechv.com/systemsbuilding/the-models/#:~:text=The%20Nurse%2DFamily%20Partnership%20\(NFP,through%20the%20child's%20second%20birthday](https://www.flmiechv.com/systemsbuilding/the-models/#:~:text=The%20Nurse%2DFamily%20Partnership%20(NFP,through%20the%20child's%20second%20birthday). (last visited February 17, 2022).

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> Email from Cathy Timuta, Chief Executive Office, Florida Association of Healthy Start Coalitions, Healthy Start Coalitions/Home Visiting Programs, January 31, 2022 (on file with the Senate Committee on Appropriations).

<sup>32</sup> Florida Department of Health, *Healthy Start*, available at <https://www.floridahealth.gov/programs-and-services/childrens-health/healthy-start/index.html> (last visited February 16, 2022).

<sup>33</sup> Florida Association of Healthy Start Coalitions, *Florida Home Visiting Statewide Needs Assessment Update*, (2020), available at <https://usf.app.box.com/s/lkof5m5kewur9seaj872333j5tsna3bm> (last visited February 16, 2022).

*Effect of the Bill (Sections 5, 8, 9, 15, and 18)*Responsible Fatherhood Initiative (Section 8)

The bill creates s. 409.1464, F.S., requiring the DCF to contract for the development and implementation of a communications initiative regarding responsible fatherhood. The goal of the initiative is to provide resources and inspiration to Florida's fathers to motivate and enable them to enhance their abilities as fathers. The bill requires the campaign to involve, at a minimum, a website and related electronic resources to allow fathers to obtain information about effective parenting and where to receive support and services. The campaign must include, but not be limited to, print, television, and digital and social media elements, and public events. The communications initiative may also have appearances by and involvement from public figures and influencers. The selected contractor must collaborate with other agencies and organizations to develop and implement the communication initiative. The state agencies must collaborate with the contractor to carry out the initiative.

Grants to Address the Needs of Fathers (Section 9)

The bill creates s. 409.1465, F.S., requiring the DCF to award grants to not-for-profit community-based organizations to address the needs of fathers. Under the bill, two types of grants are available to not-for-profit community organizations, including grants to:

- Comprehensively address the needs of fathers, such as assisting them in finding employment, establishing appropriate child support obligations, transitioning from incarceration, accessing health care, and obtaining parenting education. Services provided by grantees must be tailored to the needs of fathers being served and must include case management services to be provided to fathers. If the father receiving case management services has a child receiving case management services from a community-based care lead agency (CBC) because the child is the subject of a dependency proceeding under ch. 39, F.S., the case management services may be coordinated.
- Provide evidence-based parenting education specifically for fathers. These grants do not include case management.

The bill requires grants to be prioritized based on:

- Need in the geographical area and population proposed to be served. Criteria for selecting grant recipients includes, at a minimum, local rates of unemployment, incarceration, housing instability, graduation, single parenthood, and receipt of public benefits.
- Applicants having a primary mission of, or a history of a significant focus on and effective work towards, addressing the needs of men in their role as fathers.
- Commitment and capability to employ sufficient, competent staff that are able to relate to and connect with the fathers being served.
- The number of individuals the applicant plans to serve through the grant and the projected costs for the program.
- Applicant organizational capacity to effectively meet the requirements of the grant and to deliver the programs proposed by the applicant.

The bill requires grants to be awarded for no more than three years, with subsequent year funding contingent on compliance with grant requirements and adequate performance. Grant



recipients must submit reports to the DCF in a format and at intervals prescribed by the DCF, which must be at least annually.

The bill provides that the DCF may adopt rules to implement the grant program.

#### Fatherhood Engagement Activities (Sections 5 and 15)

##### *Required Activities of the DOH*

The bill amends s. 383.011, F.S., requiring the DOH, through county health departments or subcontractors, to provide services that include father engagement activities, such as individualized support to increase participation in services that strengthen family and child well-being.

##### *Required Activities of the CBCs*

The bill also amends s. 409.988, F.S., requiring CBCs to meet the unique needs of fathers with dependent children. Specifically, the bill requires a CBC to assess its engagement with fathers and provision of father-oriented services. Each CBC must create and implement an action plan to address any gaps identified through the assessment.

The bill also requires the CBCs to hire a father engagement specialist to build relationships with fathers, assist fathers in accessing services, and provide guidance to the CBC in understanding the challenges faced by fathers and how to appropriately meet their unique needs.

The bill also requires the DCF to annually review how CBCs are meeting the needs of fathers, including, at a minimum, how the CBC is working with fathers to establish positive, stable relationships with children and assisting fathers to receive needed services. The CBC is required to provide any relevant information on how it is meeting the needs of fathers to the DCF to be included in the annual report required by s. 409.986, F.S.

#### Responsible Fatherhood Month (Section 18)

The bill creates s. 683.344, F.S., to designate the month of June of every year as “Responsible Fatherhood Month” to recognize the importance of fathers in children’s lives, how fathers contribute to children’s safety and stability, and the direct link between positive father involvement and child well-being. The DCF, the DOH, local governments, and other agencies are encouraged to sponsor events to promote awareness of responsible fatherhood engagement and the contributions fathers make in the lives of children.

#### **At-Risk Children and Agencies that Serve such Children (Sections 1, 3, and 10)**

Children who live in vulnerable families and in communities that are inadequately supportive are more likely to engage in high-risk behavior.<sup>34</sup> Such children are vulnerable to multiple and intersecting problems, including emotional and behavioral disorders, substance misuse, violent

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<sup>34</sup> Brack, C.J., Brack, G., Orr, DP., Journal on Early Adolescence, *Dimensions underlying problem behaviors, emotions, and related psychological factors in early and middle adolescents*, 14:345-370, available at [Dimensions Underlying Problem Behaviors, Emotions, and Related Psychosocial Factors in Early and Middle Adolescents - Catherine J. Brack, Greg Brack, Donald P. Orr, 1994 \(sagepub.com\)](#), (last visited February 17, 2022).

and risk-taking behaviors, and poor connection to and performance in high school.<sup>35</sup> Not all vulnerable children experience negative outcomes. However, multiple factors can influence whether children face negative outcomes in adolescence and adulthood.<sup>36</sup>

- **Poverty** is linked to a number of potential future problems among children, including chronic health conditions, low educational attainment, and engagement in delinquent behavior.
- **Family instability** can lead to negative health outcomes and negative behaviors.
- **Family dysfunction**, including witnessing violence against mothers and criminal activity among fathers, are particularly detrimental to the future well-being of children.
- **Child maltreatment** by parents or other caregivers put children at risk for many negative outcomes, including poor physical and mental health, lower cognitive functioning and educational attainment, and poor social development and behavior.
- **Exposure to violence in the community** is linked to several negative outcomes such as depression, aggressive behavior, anxiety, posttraumatic stress, psychological trauma, and antisocial behavior.
- **Schools with fewer resources** are associated with poor academic outcomes and can create environments with problematic social issues, such as bullying and behavioral problems.

Children from struggling, single-parent families who live in neighborhoods that offer few positive outlets and limited number of positive role models benefit from stable relationships with caring adults, other than parents.<sup>37</sup> Overall, children participating in mentoring relationships experience positive academic returns such as fewer unexcused absences, increased likelihood to attend postsecondary education, and an overall better attitude towards school.<sup>38</sup> Mentoring also show promise in the prevention of substance misuse and the reduction of some negative behaviors.<sup>39</sup>

Florida has several agencies and systems to support children and families who may face difficulties, some of which protect children from abuse or neglect, promote healthy families through the provision of in-home services, and strengthen families by improving the lives of children at-risk of engaging in or involved in delinquent behavior.

### ***Department of Children and Families***

The DCF mission is to work in partnership with local communities to protect the vulnerable, promote strong and economically self-sufficient families, and advance personal and family recovery and resiliency.<sup>40</sup> The DCF must deliver services by contract through private providers to the extent allowed by law and funding.<sup>41</sup> These private providers include managing entities delivering behavioral health services and CBCs delivering child welfare services.

<sup>35</sup> See Congressional Research Services, *Vulnerable Youth: Background and Policies*, Jan 30, 2018, p. 5-6, available at <https://sgp.fas.org/crs/misc/RL33975.pdf> (last visited February 17, 2022).

<sup>36</sup> Journal of Men's Health and Gender - Effects of Fatherhood.

<sup>37</sup> See Jekielek, M.A., Moore, Kristin, Hair, Elizabeth, and Scarupa, Harriet, *Mentoring: A Promising Strategy for Youth Development* (Feb. 2002), *Child Trends*, available at <https://www.childtrends.org/wp-content/uploads/2002/02/MentoringRB.pdf> (last visited February 16, 2022) (hereinafter cited as "Mentoring – Promising Strategy").

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> Section 20.19(1), F.S.

<sup>41</sup> *Id.*

### ***Florida's Child Welfare System***

In part, the DCF is responsible for providing services to children and families who are involved in the child welfare system. Chapter 39, F.S., creates the dependency system which is charged with protecting child welfare. Florida's child welfare system identifies children and families in need of services through reports to the central abuse hotline and child protective investigations.<sup>42</sup> The DCF and the CBCs work with those families to address the problems endangering children, if possible. If the problems cannot be addressed, the child welfare system finds safe out-of-home placements for children.

### ***Community-Based Care Lead Agencies***

The DCF remains responsible for providing child welfare and support services in accordance with federal and state law.<sup>43</sup> However, Florida's child welfare system is served through the DCF contracting with the CBCs for the delivery, administration, and management of care of child welfare services. Using the CBCs to provide child welfare services is designed to increase local community ownership of service delivery and design.<sup>44</sup> The DCF, through the CBCs, administers a system of care for children with the goals of:

- Prevention of separation of children from their families.
- Intervention to allow children to remain safely in their own homes.
- Reunification of families who have had children removed from their care.
- Safety for children who are separated from their families.
- Well-being of children through emphasis on educational stability and timely health care.
- Achievement of permanency.
- Effective transition to independence and self-sufficiency.

The CBCs provide foster care and related services, including, but not limited to, counseling, domestic violence services, substance abuse services, family preservation, emergency shelter, and adoption.<sup>45</sup> The CBCs contract with a number of subcontractors for case management and direct care services to children and their families.<sup>46</sup> There are 18 CBCs statewide, which together serve the state's 20 judicial circuits.<sup>47</sup>

### ***The Dependency Court Process***

When child welfare necessitates that the DCF remove a child from the home, a series of dependency court proceedings must occur to adjudicate a child dependent and place that child in out-of-home care.

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<sup>42</sup> See ss. 39.101 and 39.201, F.S.

<sup>43</sup> Section 409.996, F.S.

<sup>44</sup> The DCF, *Community-Based Care*, available at <https://www.myflfamilies.com/service-programs/community-based-care/> (last visited February 16, 2022).

<sup>45</sup> Section 409.145(1), F.S.

<sup>46</sup> *Id.*

<sup>47</sup> The DCF, *Community-Based Care Lead Agency Map*, available at <http://www.myflfamilies.com/service-programs/community-based-care/cbc-map> (last visited February 16, 2022).

Dependency Proceeding	Description of Process	Controlling Statute
Shelter Hearing	A shelter hearing occurs within 24 hours after removal. The judge determines whether to keep the child out-of-home.	s. 39.401, F.S.
Petition for Dependency	A petition for dependency occurs within 21 days of the shelter hearing. This petition seeks to find the child dependent.	s. 39.501, F.S.
Arraignment Hearing and Shelter Review	An arraignment and shelter review occurs within 28 days of the shelter hearing. This allows the parent to admit, deny, or consent to the allegations within the petition for dependency and allows the court to review any shelter placement.	s. 39.506, F.S.
Adjudicatory Trial	An adjudicatory trial is held within 30 days of arraignment. The judge determines whether a child is dependent during trial.	s. 39.507, F.S.
Disposition Hearing	If the child is found dependent, disposition occurs within 15 days of arraignment or 30 days of adjudication. The judge reviews the case plan and placement of the child. The judge orders the case plan for the family and the appropriate placement of the child.	s. 39.506, F.S. s. 39.521, F.S.
Postdisposition Hearing	The court may change temporary placement at a postdisposition hearing any time after disposition but before the child is residing in the permanent placement approved at a permanency hearing.	s. 39.522, F.S.
Judicial Review Hearings	The court must review the case plan and placement every 6 months, or upon motion of a party.	s. 39.701, F.S.
Petition for Termination of Parental Rights	Once the child has been out-of-home for 12 months, if DCF determines that reunification is no longer a viable goal, termination of parental rights is in the best interest of the child, and other requirements are met, a petition for termination of parental rights is filed.	s. 39.802, F.S. s. 39.8055, F.S. s. 39.806, F.S. s. 39.810, F.S.
Advisory Hearing	This hearing is set as soon as possible after all parties have been served with the petition for termination of parental rights. The hearing allows the parent to admit, deny, or consent to the allegations within the petition for termination of parental rights.	s. 39.808, F.S.
Adjudicatory Hearing	An adjudicatory trial shall be set within 45 days after the advisory hearing. The judge determines whether to terminate parental rights to the child at this trial.	s. 39.809, F.S.

**Multidisciplinary Teams**

Florida’s child welfare system is responsible for finding safe out-of-home placements for children when children cannot safely remain at home with parents at any stage of the dependency proceedings described in the above table. A child may be placed with a relative, fictive kin, licensed foster parent, or in a group home.<sup>48</sup> A multidisciplinary team (MDT) staffing with certain relevant participants is required any time a child must be initially placed in out-of-home care, subsequently moved to another placement, or when there is an important decision that must be made regarding the child.<sup>49</sup>

The formation of an MDT must begin as soon as possible when a child is removed from the home or before a child is moved from a current placement, or within 72 hours in an emergency situation.<sup>50</sup> The DCF or the CBC *must* invite the following participants to each MDT staffing, with reasonable efforts to have all mandatory invitees attend:

- The child, unless not of an age or capacity to participate in the staffing;

<sup>48</sup> Rule 65C-28.004, F.A.C.

<sup>49</sup> Section 409.4022, F.S.

<sup>50</sup> Section 39.4022(7), F.S.

- The child's family members and other individuals identified by the family as being important to the child, provided that a parent who has a no contact order or injunction, is alleged to have sexually abused the child, or is subject to a termination of parental rights may not participate;
- The child's current caregiver, unless the caregiver is a parent who has a no contact order or injunction, is alleged to have sexually abused the child, or is subject to a termination of parental rights;
- A representative from the DCF, other than the DCF attorney, when the DCF is directly involved in the decision being made by the staffing;
- A representative from the CBC, when the CBC is directly involved in decision being made by the staffing; and
- The child's case manager or case manager supervisor.<sup>51</sup>

Additionally, based on the particular decision being made at the staffing, the DCF or the CBC *may* also invite other professionals, including, but not limited to:

- A representative from the Children's Medical Services, if the Children's Medical Services is involved with the family;
- A guardian ad litem, if one is appointed;
- A school personnel representative who has direct contact with the child;
- A therapist or other behavioral health professional, if applicable;
- A mental health professional with expertise in sibling bonding, if the DCF or the CBC deems such expert is necessary; or
- Other community providers of services to the child or stakeholders, when applicable.<sup>52</sup>

Before formulating a decision regarding the child, the members of the MDT must gather and consider data and information on the child which is known at the time of the staffing. The assessment conducted by the MDT may also use an evidence-based assessment instrument or tool that is best suited for determining the specific decision of the staffing and the needs of the child and family.<sup>53</sup>

The DCF and the CBCs must follow and support an MDT decision if the MDT participants reach a unanimous consensus decision. However, if participants cannot come to a unanimous consensus decision, the MDT facilitator must notify the court and the DCF within 48 hours after the conclusion of the staffing. The DCF must then determine how to address the issues raised at the staffing by what is in the child's best interest.<sup>54</sup>

### ***Department of Juvenile Justice***

Section 20.316, F.S., establishes the Department of Juvenile Justice (DJJ), and directs the Governor to appoint a Secretary who is responsible for planning, coordinating, and managing all juvenile justice services and programs in Florida, including:

- Children-in-Need of Services;

<sup>51</sup> Section 39.4022(4)(a)1., F.S.

<sup>52</sup> Section 39.4022(4)(b), F.S.

<sup>53</sup> Section 39.4022(6), F.S.

<sup>54</sup> Section 39.4022(6)(d), F.S.

- Families-in-Need of Services;
- Other prevention, early intervention, and diversion programs;
- Detention centers and related programs and facilities;
- Community-based residential commitment and nonresidential programs; and
- Delinquency institutions provided or funded by the DJJ.

Children involved in the child welfare system are more likely to become involved with the juvenile justice system. Overall, maltreated children are estimated to be at a 47 percent greater risk of becoming involved in delinquency than children from the greater population.<sup>55</sup>

***Dually Involved Children***

Crossover youth is a broad term used to refer to at-risk children who have experienced maltreatment and who have engaged in delinquent behavior. Terms that are often used to describe subsets of this population include dually involved and dually adjudicated. Many children who have experienced child maltreatment early in life may only encounter the juvenile justice system later on. There are four common ways children fall into the crossover category:

Overview of Pathways Leading to Crossing Over			
	Starting Point	Occurrence	Result
<b>Pathway 1</b>	Child has an open child welfare case	Child is arrested	Child enters the delinquency system
<b>Pathway 2</b>	Child is arrested	Child has a previously closed child welfare case	Referral is made to child welfare agency
<b>Pathway 3</b>	Child is arrested – no previous contact with child welfare	Upon investigation, maltreatment is discovered	Referral is made to child welfare agency
<b>Pathway 4</b>	Child is arrested, adjudicated, and placed in a correctional placement	Time in correctional placement ends, but there is no safe home to return to	Referral to child welfare agency

In comparison to peers, crossover youth have higher rates of mental health issues, higher rates of recidivism, educational challenges, placement instability, poor permanency outcomes, and extensive behavioral problems. In adulthood, such children are more likely to interact with the criminal justice system, use more public services, and remain unemployed with fewer earnings over time.

***Data on Dually Involved Children***

Systems of care rarely share information; therefore, identifying and responding to dually involved children has been difficult to find. Much of the research on dually involved children is the result of special projects that match cohorts of children from one system to another. Findings of some of the available research include, for example, that:

<sup>55</sup> Ryan, J. P., & Testa, M. F., Children and Youth Services Review, *Child Maltreatment and Juvenile Delinquency: Investigating the Role of Placement and Placement Instability*, (2005), p. 227-249 available at <https://doi.org/10.1016/j.chilyouth.2004.05.007> (last visited February 16, 2022).

- Upwards of 50 percent of children referred to delinquency juvenile courts may be dually involved.<sup>56</sup>
- Between 7 percent and 30 percent of children in the child welfare system, between the ages of 10 and 18, are eventually served by the juvenile justice system.<sup>57</sup>
- Family risk factors and the number of incidents with protective services increase the likelihood of a child arrest regardless of age and gender.
- Placement instability has more negative consequences for offending than just being placed in out-of-home care.<sup>58</sup> For example, one study found that children who moved three or more times had significantly higher arrest rates for all types of criminal behavior.<sup>59</sup>
- There is some indication that positive attachments to others and safe school environments reduce the likelihood of delinquency among maltreated children.<sup>60</sup>
- Childhood abuse and neglect increases the odds of future delinquency and adult criminality overall by 29 percent.<sup>61</sup>

In December 2021, 767 children were served by *both* the DCF and the DJJ. The graph below depicts the statewide trend of dually involved children and their placements in care from June 2017 to December 2021.<sup>62</sup> Based on this data, a significant portion of dually involved children live in out-of-home care. There is no readily available data indicating how these children came into care and how their needs are being met by the DCF and the DJJ.

<sup>56</sup> Thomas, D., et. al., Nat'l Ctr. For Juv. Justice, *When systems collaborate: how three jurisdictions improved their handling of dual-status cases*, (2015), available at <https://www.ncjfcj.org/wp-content/uploads/2015/05/WhenSystemsCollaborateJJGPSCaseStudyFinal042015.pdf> (last visited February 16, 2022).

<sup>57</sup> Cutuli, JJ, et al., *Journal of Youth and Adolescence*, *From foster care to juvenile justice: exploring characteristics of youth in three cities*, (2019), available at [https://link.springer.com/epdf/10.1007/s10964-019-01090-3?author\\_access\\_token=jPBoH90dEh7dOhxNe9mvuve4RwlQNchNByi7wbcMAY5vpzFiYs87Z\\_Lzh70N-LjV4D\\_jU6Q0H4vHbfn8PFKJS6vKDWpp8mYYeB3wfUbKIhNAPQA2HUX-Qyf4lchyHDS\\_xVWLdZUfnEKTAxu4qSPFyw%3D%3D](https://link.springer.com/epdf/10.1007/s10964-019-01090-3?author_access_token=jPBoH90dEh7dOhxNe9mvuve4RwlQNchNByi7wbcMAY5vpzFiYs87Z_Lzh70N-LjV4D_jU6Q0H4vHbfn8PFKJS6vKDWpp8mYYeB3wfUbKIhNAPQA2HUX-Qyf4lchyHDS_xVWLdZUfnEKTAxu4qSPFyw%3D%3D) (last visited February 16, 2022).

<sup>58</sup> Widom, C.S., and Maxfield, M.G., Washington, DC.: U.S. Department of Juvenile, Office of Justice Programs, National Institute of Justice, *An update on the "cycle of violence": Research in Brief*, (2001) (on file with the Senate Committee on Appropriations).

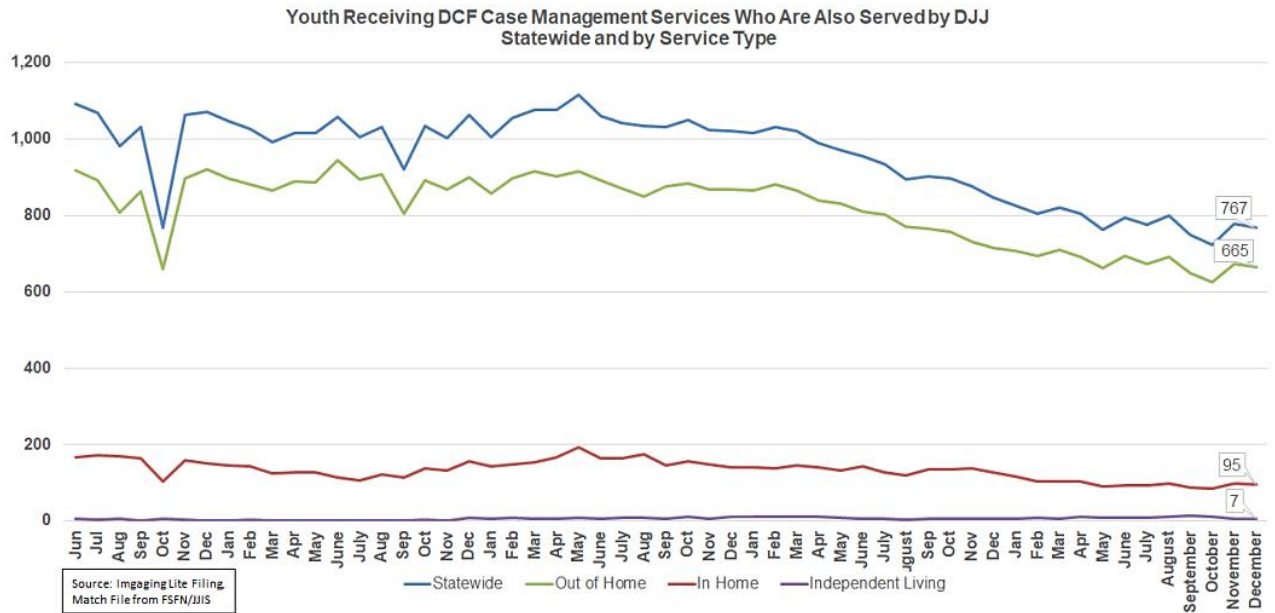
<sup>59</sup> *Id.*

<sup>60</sup> Ryan, J.P., Testa, M.F., Zhai, F., *Child Welfare, African American youth in foster care and the risk of delinquency: The value of social bonds and permanence*, (2008), p. 115-40; Crooks et al., *Youth Violence and Juvenile Justice, Project Confirm: An outcome evaluation of a program for children in the child welfare and juvenile justice systems*, p. 97-115; and Benda, B. B., and Corwyn, R. F., *Youth & Society, The effect of abuse in childhood and in adolescence on violence among adolescents*, (2002), p. 339-65 (all documents on file with the Senate Committee on Appropriations).

<sup>61</sup> Mentoring – Promising Strategy.

<sup>62</sup> Florida Department of Children and Families, *Child Welfare Key Indicators Monthly Report*, (Jan. 2022), available at [http://www.centerforchildwelfare.org/qa/cwkeyindicator/KI\\_Monthly\\_Report\\_Jan%202022.pdf](http://www.centerforchildwelfare.org/qa/cwkeyindicator/KI_Monthly_Report_Jan%202022.pdf) (last visited February 16, 2022).





A draft of the DJJ-DCF Crossover Report for Fiscal Year 2016-2017 is the most recent data available from DJJ.<sup>63</sup> The table below represents children served at various levels in the DJJ system during Fiscal Year 2106-2017 by the DCF level of care since 2005.<sup>64</sup>

DCF Involvement	DJJ Involvement						
	Prevent	Civil Citation	Intake	Diversion	Probation	Commitment	Aftercare
No DCF Involvement	7,346	8,020	15,600	8,424	7,346	1,067	1,045
Investigation	7,472	3,620	13,684	5,659	7,472	1,823	1,484
In Home	1,278	508	2,318	866	1,278	383	318
Out-of-Home	3,253	931	5,656	1,780	3,253	1,002	755
Total	19,349	13,079	37,258	16,729	19,349	4,275	3,602

There is a lack of consistent data collection at the DCF and the DJJ level. For example, there is no readily available data from the DJJ that includes current data on dually involved children. Additionally, the DCF published data is limited to children currently being served by *both* the DJJ and the DCF, and does not include past involvement with either agency. There is no readily available data on the number of children placed in foster care after leaving the DJJ custody or data on placement disruptions or time to placement for this specific population. Increased information is important to identify and serve this at-risk population.

<sup>63</sup> Draft DJJ-DCF Crossover Report Fiscal Year 2016-2017 (on file with the Senate Committee on Appropriations).

<sup>64</sup> *Id.*

***Memorandum of Understanding (MOU) with Specified Agencies on Dually Involved Youth***

The DCF reports that it and the DJJ have worked over the last four years to develop and implement interagency statewide efforts to address issues surrounding dually involved youth who have an open case simultaneously with both agencies.<sup>65</sup>

Number of Dually Served Youth <sup>66</sup>					
Fiscal Year	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
Youth Served	2,194	2,183	2,110	1,997	1,645

The DCF/DJJ partnership provides an important foundation as the DCF aligns group home standards with the new FFSPA restrictions on federal reimbursement for children not placed in a foster home and prepares to provide a certification in the state plan assuring that new policies and practices will not result in an increase in the number of youth in the juvenile justice system.

Additionally, the DCF has entered into an updated MOU for Fiscal Years 2017-2022, titled “Interagency Agreement to Coordinate Services Served by More than One Agency”, which includes the Agency for Health Care Administration, the Agency for Persons with Disabilities, the DCF, the DJJ, the Department of Education, the DOH, the Guardian ad Litem Program, and Florida’s Division of Early Learning. The goal of the MOU is to collaborate on developing necessary local and statewide resources for children being served by multiple agencies to advance the goals of the Florida Children and Youth Cabinet as outlined in s. 402.56, F.S.<sup>67</sup>

The DCF further reports that it is the lead agency for the MOU and that it is tasked with identifying Local (LRT), Regional (RRT), and State Review Team (SRT) leads.<sup>68</sup> There are 20 LRT, 6 RRT, and 3 SRT Leads for the DCF. Each Review Team is tasked with staffing youth cases where the data from these staffings is provided into a detailed report and shared with the leads, Crossover Champions, and DCF and DJJ Leadership each month. Summation reports are also completed on a 6-month, annual, and 18-month basis.<sup>69</sup>

***Effect of the Bill***

**Mentorship for At-Risk Male Students (Section 10)**

The bill creates s. 409.1467, F.S., to require the DCF to award grants to community-based not-for-profit organizations incorporated under ch. 617, F.S., to offer mentorship programs for at-risk male students. The DCF must provide grants to:

- Assist at-risk male students in middle and high school in developing social, emotional, and cognitive skills to prepare them for success.

<sup>65</sup> The DCF, *Agency Analysis on HB 7065*, February 10, 2022, p. 3 (on file with the Senate Committee on Appropriations) (hereinafter cited as “The DCF HB 7065 Analysis”).

<sup>66</sup> The source for dually served youth data is a monthly DCF/DJJ data match and this data includes unduplicated counts, meaning a child is counted one time regardless of the number of times they interact with either DCF or DJJ. The DCF HB 7065 Analysis at p. 3.

<sup>67</sup> *Id.*

<sup>68</sup> *Id.*

<sup>69</sup> *Id.*

- Provide an opportunity for smaller not-for-profit organizations to receive training and technical assistance that will strengthen their capacity to provide high-quality, effective services and obtain additional non-state funding in the future.

The bill further requires grant recipients to:

- Recruit and train mentors for eligible at-risk male students.
- Provide mentorship, social and academic support, life skill development, and other opportunities for eligible at-risk male students.
- Use trauma-informed practices and interventions to address adverse childhood experiences of eligible at-risk male students.
- Be inclusive of eligible at-risk male students who have a disability.

The bill specifies minimum factors for the DCF to consider when prioritizing applicants for a grant, including:

- Unemployment rates; incarceration rates; housing instability; the number of single-parent households; the number of public benefit recipients; graduation rates; and levels of academic achievement in the geographic area in which mentorship services would be provided.
- The number of at-risk male students that the applicant plans to serve through the grant and the projected costs for the new or expanded mentorship program.
- The applicant's current revenues and organizational capacity, experience and demonstrated effectiveness in serving at-risk male students or providing mentorship programs, and commitment to organizational development through the training required under the bill to achieve specific goals.

The bill provides that the DCF may award grants that are between \$25,000 and \$250,000 per year and the grants may be awarded to a community-based not-for-profit organization for no more than three years, contingent on continued eligibility, compliance with grant requirements, and adequate performance. The DCF is required to create categories of grants based on the annual revenues of the community-based not-for-profit organizations that are applying in order to maximize the opportunities for small not-for-profit organizations to receive grants.

Grant recipients are required to submit reports to the DCF in a format and at intervals prescribed by the DCF. At a minimum, grant recipients must report on the number of at-risk male students served and their ages, the number of mentors providing mentorship services, and the outcomes of the at-risk students served, including, but not limited to, improved academic success, decreased involvement in the juvenile justice system, and enhanced readiness for and involvement in postsecondary education, as appropriate.

The DCF is required to contract for the provision of technical assistance and training in not-for-profit management, outcomes measurement, and positive youth development for grant recipients. Within 6 months after receiving a grant, a grant recipient must complete any training as required by the DCF in order to achieve the goal specified in these provisions. The contracted provider must determine the specific training needed by grant recipients and directly provide or subcontract for such training and technical assistance.

Further, the bill requires a community-based not-for-profit organization to have organizational management and a board of directors reflective of the community served by the organization in order to be eligible to receive a grant.

#### Dually Involved Children (Sections 1 and 3)

The bill creates s. 39.0143, F.S., requiring the DCF and the DJJ to identify children dually involved with both systems of care. Beginning in Fiscal Year 2022-2023 through Fiscal Year 2023-2024, the DCF and the DJJ are required to collaboratively take appropriate action within available resources to meet the needs of dually-involved children more effectively, and shall jointly submit to the Legislature a quarterly report that includes, at a minimum:

- Data on the number of children who are dually involved with both systems of care. Such children include, but are not limited to, those who are the subject of any proceeding under ch. 39, F.S., and, at the same time, are under the supervision of the DJJ under ch. 985, F.S., and those children who were previously served by either the DCF or the DJJ and come to the attention of either agency after being served.
- Data on the number of children who are placed in licensed care after leaving the custody of the DJJ.
- Information on how both the DCF and the DJJ track children who are or become dually involved.
- A summary of the actions taken by both the DCF and the DJJ to better serve dually involved children.

The bill amends s. 39.4022, F.S., requiring the DCF or the CBCs to invite a representative from the DJJ to an MDT staffing if the child is dually involved with both the DCF and the DJJ. This ensures that the necessary professionals who are involved with the child are a part of the discussion and the decision related to the child that is being made at the MDT staffing.

#### **Older Foster Youth (Sections 4, 6, and 7)**

Young adults who age out of the foster care system have trouble achieving self-sufficiency. Compared to young adults without foster care involvement, these young adults are less likely to earn a high school diploma or GED, or attend college. They are more likely to suffer from mental health problems, have a higher rate of criminal justice system involvement, have difficulty achieving financial independence, need public assistance, and to experience housing instability and homelessness.<sup>70</sup>

In Federal Fiscal Year 2017, around 189,000 teens and young adults spent at least one day in foster care.<sup>71</sup> Of those who left care during that year, more than 19,000 aged out of care.<sup>72</sup> This generally means youth reached a state's legal age of adulthood without reaching permanency.

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<sup>70</sup> The Florida Commission on the Status of Women, *The Aging Out Dilemma and Foster Care in Florida*, available at <http://fcsw.net/wp-content/uploads/2015/02/revisedFosterCareandtheAgingOutDilemma.pdf> (last visited February 17, 2022).

<sup>71</sup> Congressional Research Services, *John H. Chafee Foster Care Program for Successful Transition to Adulthood*, (Jan. 15, 2019), available at <https://fas.org/sgp/crs/misc/IF11070.pdf> (last visited February 16, 2022).

<sup>72</sup> *Id.*

In State Fiscal Year (SFY) 2020-2021, 1,047 young adults started the year at 17 years of age in Florida’s foster care system.<sup>73</sup> Of those, 862 youth, or 82 percent, aged out of care at the age of 18 years. Such foster youth can elect to enter Florida’s extended foster care program if they meet certain requirements. Within the group of youth that aged out of care, 477 entered extended foster care and were eligible to receive foster care services until age 21 years, or 22 years if the youth is disabled.<sup>74</sup>

***Independent Living Services***

Florida provides independent living services to older youth to help them transition out of foster care and to prepare them to become self-sufficient adults. Florida’s independent living services include extended foster care, which applies to young adults who were in licensed foster care upon turning 18.<sup>75</sup> Florida also offers two other independent living programs, including Postsecondary Education Services and Supports (PESS) and Aftercare Services. The following table provides information on the eligibility to participate in Florida’s independent living programs and the services provided by each program.

Program	Eligibility	Services
<b>Extended Foster Care (EFC)</b>	Young adults who turned 18 in foster care and are: <ul style="list-style-type: none"> <li>• Completing high school or its equivalent; <b>or</b></li> <li>• Enrolled in college or vocational schooling; <b>or</b></li> <li>• Working at least 80 hours per month.</li> </ul> To stay in EFC, the young adult must: <ul style="list-style-type: none"> <li>• Meet with a case manager every month.</li> <li>• Continue to participate in at least one of the required activities above.</li> <li>• Attend court reviews every six months.</li> </ul>	Young adults may choose to remain in licensed foster care and receive foster care services until the age of 21 (22 with a disability).
<b>Postsecondary Education Services and Support (PESS)</b>	<ol style="list-style-type: none"> <li>1. Young adults who turned 18 in foster care and spent at least 6 months in licensed out-of-home care before age 18.</li> <li>2. Young adults who are at least 18 and were adopted from foster care after age 16 or were placed with a court-approved guardian after spending at least 6 months in licensed foster care within the 12 months immediately preceding such adoption or placement; <b>and</b> <ul style="list-style-type: none"> <li>• Have earned a high school diploma or equivalent; <b>and</b></li> <li>• Are attending a college or vocational school that is Florida Bright Futures eligible.</li> </ul> </li> </ol>	<ul style="list-style-type: none"> <li>• \$1,256 per month for:                             <ul style="list-style-type: none"> <li>○ Housing</li> <li>○ Utilities</li> <li>○ Living expenses</li> </ul> </li> <li>• Available until the age 23.</li> </ul>
<b>Aftercare Services</b>	Young adults who turned 18 while in licensed foster care, but are not yet 23, and <ul style="list-style-type: none"> <li>• Are <i>not</i> in EFC; <b>or</b></li> <li>• Are <i>not</i> in PESS.</li> </ul>	<ul style="list-style-type: none"> <li>• Mentoring</li> <li>• Tutoring</li> <li>• Substance abuse treatment</li> <li>• Counseling</li> <li>• Job and career skills training</li> <li>• Temporary financial assistance for necessities</li> </ul>

In addition, s. 409.1452, F.S., requires the DCF to work in collaboration with the Board of Governors, the Florida College System, and the Florida Department of Education to help address the need for a comprehensive support structure in the academic arena to assist children and

<sup>73</sup> Email from John Paul Fiore, Legislative Affairs Director, Florida Department of Children and Families, *Updated Info*, Jan. 20, 2022 (on file with the Senate Committee on Appropriations).

<sup>74</sup> *Id.*

<sup>75</sup> Chapter 2013-178, L.O.F.

young adults who have been or continue to remain in the foster care system in making the transition from a structured care system into an independent living setting. To accomplish this, campus coaching positions provide current and former foster children and young adults with dedicated, on-campus support.

The DCF determines which state universities or colleges offer a campus coaching position based on departmental demographic data indicating the greatest need.<sup>76</sup> The campus coaching positions are employees of the educational institutions. The Chancellors of the Florida College System and the Board of Governors must report annually to the DCF specific data, subject to privacy laws, about the children and young adults served by the campus coaches, including academic progress, retention rates for students enrolled in the program, financial aid requested and received, and information required by the National Youth in Transition Database.<sup>77</sup>

### ***Postsecondary Education Services and Supports***

Since the passage of the Foster Care Independence Act of 1999, federal law has encouraged states to create programs to support a continuum of services to youth aging out of foster care. As part of the Florida's Road-to-Independence program, the Postsecondary Education Services and Support (PESS) program provides eligible youth with financial assistance to complete postsecondary education.<sup>78</sup>

The DCF must advise the availability of PESS and must provide information on the criteria and application process for PESS to children and young adults leaving, or who were formerly in, foster care; their caregivers; case managers; guidance and family services counselors; principals or other relevant school administrators; and guardians ad litem.<sup>79</sup> The DCF or the CBC must annually determine whether a young adult meets the eligibility requirements for a renewal award for the subsequent year.<sup>80</sup> PESS services are terminated upon the child turning 23, or if the child no longer meets eligibility requirements.

Young adults in PESS drop out of postsecondary education due to limited support and financial hardship. The current amount received has not changed since 2013, and young adults have reported that the amount is inadequate to support housing and other necessities.<sup>81</sup> Some young adults reported that they must get jobs to make up the difference, which results in them falling behind in meeting the academic requirements to participate in PESS.<sup>82</sup>

Additionally, some young adults participate in PESS to receive the financial stipend but they do not have the skills necessary to succeed in postsecondary education and live independently.<sup>83</sup> Although some CBCs assist young adults in meeting skill deficits, there is no requirement for the young adult to receive an assessment and strengthen skill deficits prior to participation in PESS.

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<sup>76</sup> Section 409.1452, F.S.

<sup>77</sup> Section 409.1452, F.S.

<sup>78</sup> Section 409.1451(2), F.S.

<sup>79</sup> Section 409.1451(2)(d)1., F.S.

<sup>80</sup> Section 409.1451(2)(d)3., F.S.

<sup>81</sup> House Children, Families, and Seniors Subcommittee Questions, Answered by Florida Youth SHINE Youth and Young Adults (on file with the Senate Committee on Appropriations).

<sup>82</sup> *Id.*

<sup>83</sup> *Id.*

Young adults receive the financial stipend without knowing how to budget money appropriately to meet their financial needs. This could be the first time the young adult receives a significant amount of money, but there is no requirement in current law for the DCF or the CBCs to work with young adults on financial literacy.

In Fiscal Year 2019-2020, there were 809 young adults in PESS.<sup>84</sup>

### ***Transition Plans for Older Foster Youth***

During the year after the child reaches age 16 years, the DCF and CBC are required to collaborate with the caregiver and any other individuals that are identified by the child to assist him or her with creating a transition plan.<sup>85</sup> The transition plan must contain information on obtaining services, such as housing, education, and financial literacy, and must include tasks for establishing personal support services.<sup>86</sup> The transition plan must be updated as necessary before the child reaches 18 years of age and before each judicial review so long as the child or young adult remains in care.<sup>87</sup> However, young adults exit PESS without a transition plan to live independently and be self-sufficient. There is no requirement for the DCF or the CBCs to work with young adults prior to exiting PESS to develop a transition plan that details how the young adult will live independently and be self-sufficient without the financial stipend provided under PESS.

### ***Effect of the Bill (Sections 4, 6, and 7)***

#### Postsecondary Education Services and Supports (Sections 4 and 6)

The bill amends s. 39.6035, F.S., requiring the CBCs to continue to periodically meet with a young adult to develop, review, and if necessary, update transition plans for the youth even after reaching 18 years of age if the youth is receiving funding under the PESS program.

In developing the transition plan for these PESS youth, the CBC is required to provide information about independent living services and programs which is tailored to the individual needs and plans of the child, including, at a minimum, the specific benefits of each program and how such benefits meet the needs and plans of the child, the advantages and disadvantages of participation in each program considering the needs and plans of the child, and the financial value of each program to the child. The bill also requires the CBCs to discuss this information with the child, and the child must sign a document indicating that he or she:

- Received such information.
- Discussed such information with the CBC representative.
- Understands how such services and benefits would meet his or her individual needs.
- Understands how such services would assist him or her in accomplishing future plans.

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<sup>84</sup> Florida Department of Children and Families, Independent Living Services Annual Report (Jan. 31, 2021), available at [https://www.myflfamilies.com/service-programs/child-welfare/lmr/docs/2021LMRs/Independent\\_Living\\_Services\\_2020\\_Annual\\_Report.pdf](https://www.myflfamilies.com/service-programs/child-welfare/lmr/docs/2021LMRs/Independent_Living_Services_2020_Annual_Report.pdf) (last visited February 16, 2022).

<sup>85</sup> Section 39.6035(1), F.S.

<sup>86</sup> *Id.*

<sup>87</sup> Section 39.6035(1) and (3), F.S.



The bill amends s. 409.1451, F.S., increasing the monthly stipend awarded to young adults in PESS from \$1,256 to \$1,720 to assist young adults in meeting their needs while in postsecondary education.

The bill also requires the DCF or the CBCs to assess executive functioning, self-regulation, and similar skills that are important for successful completion of postsecondary education. The DCF or CBC must do this assessment prior to the young adult's enrollment in postsecondary education and must provide information and referral to the young adult as needed to assist him or her in strengthening necessary skills. The assessment must be included as part of the transition plan.

#### Campus Liaisons Program (Section 7)

The bill amends s. 409.1452, F.S., to require on-campus liaisons to provide children and young adults currently in or formerly in foster care or who are experiencing homelessness with on-campus support. The bill requires each institution where a student is exempt from the payment of tuition and fees under s. 1009.25, F.S., to have, at a minimum, a knowledgeable, accessible, and responsive staff member who can provide effective assistance to students using the exemption in resolving any problems related to use of the exemption. The bill allows postsecondary institutions to provide coaching services and other supports, in addition to liaisons, to such students to promote their successful completion of postsecondary education and transition to independent living.

The bill also requires postsecondary institutions to maintain the original documentation submitted regarding a child or young adult's involvement in the child welfare system that confers eligibility for the tuition and fee exemption. The bill prohibits the postsecondary institution from making additional requests for such documentation.

#### **Children's Initiatives (Section 11)**

##### *Children's Initiatives in Florida*

In 2008, the Legislature created s. 409.147, F.S., which established children's initiatives. Florida children's initiatives assist disadvantaged areas within the state in creating a community-based service network that develops, coordinates, and provides quality education, accessible health care, youth development programs, opportunities for employment, and safe and affordable housing for children and families living within [their] boundaries.<sup>88</sup>

Section 409.147, F.S., outlines the process for a county or municipality (or designated area) to apply to the Ounce of Prevention Fund of Florida, Inc. (Ounce) to designate an area as a children's initiative. The governing body must first adopt a resolution finding the area has issues related to poverty, that changes are necessary for the area to improve, and that resources are necessary for revitalization of the area.<sup>89</sup> The county or municipality must then establish a children's initiative planning team and develop and adopt a strategic community plan.<sup>90</sup> Once a

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<sup>88</sup> Section 409.147(1)(b), F.S.

<sup>89</sup> Section 409.147(4)(a), F.S.

<sup>90</sup> Section 409.147(5), 409.147(6), F.S.

county or municipality has completed these steps, they must create a not-for-profit corporation to facilitate fundraising and secure broad community ownership of the children's initiative.<sup>91</sup>

There are five children's initiatives in Florida:<sup>92</sup>

- New Town Success Zone in Jacksonville;
- Miami Children's Initiative;
- Parramore Kidz Zone in Orlando;
- Sulphur Springs Neighborhood of Promise in Tampa; and
- Overtown Children and Youth Coalition in Miami.

### ***The Ounce of Prevention Fund of Florida***

The Ounce is a private, not-for-profit corporation dedicated to shaping prevention policy and investing in innovative prevention programs that provide measurable benefits to Florida's children, families, and communities.<sup>93</sup> The Ounce identifies, funds, supports, and tests innovative programs to improve the life outcomes of children, preserve and strengthen families, and promote healthy behavior and functioning in society.<sup>94</sup> The Legislature identifies the Ounce as the only organization able to designate areas in Florida as children's initiatives.<sup>95</sup>

### ***Effect of the Bill***

The bill amends s. 409.147, F.S., requiring children's initiatives to update strategic community plans every five years to reflect, at a minimum, the current status of the area served by the children's initiative, the goals, objectives, and strategies for each focus area, and the tasks required to implement the strategies the following year. The bill requires the Ounce to directly provide technical assistance to the corporations designated as a children's initiative to facilitate achievement of the strategic community plans.

The bill also sets requirements for children's initiatives to receive state funding. Unless otherwise specified in the general appropriations act, a children's initiative must be awarded state funding through a performance-based contract that links payments to achievement of outcomes directly related to the goals, objectives, strategies, and tasks outlines in the strategic community plan. It also sets priority for funding to go to children's initiatives being established in counties which do not currently have an initiative.

### **Child Support (Sections 12-14)**

#### ***Title IV-D Cases***

Title IV-D (IV-D) refers to Title IV, Part D of the Social Security Act, which is the federally funded, state administered child support enforcement program.<sup>96</sup> The IV-D program is administered by the federal Office of Child Support Enforcement (OCSE), within the United

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<sup>91</sup> Section 409.147(7), F.S.

<sup>92</sup> The Ounce of Prevention Fund of Florida, *Children's Initiative Communities in Florida*, available at [https://ounce.org/fci\\_communities.html](https://ounce.org/fci_communities.html) (last visited February 16, 2022).

<sup>93</sup> The Ounce of Prevention Fund of Florida, *Home*, available at <https://www.ounce.org/> (last February 16, 2022).

<sup>94</sup> *Id.*

<sup>95</sup> Section 409.147(4), F.S.

<sup>96</sup> 42 U.S.C. ss. 651, et. seq.

States Department of Health and Human Services. The OCSE oversees the national child support program and partners with state and local child support agencies to encourage parental responsibility so that children receive financial, emotional, and medical support from both parents, even when they live in separate households.<sup>97</sup> The OCSE does not provide services directly to families, but helps state child support agencies develop, manage, and operate their child support programs effectively and according to federal law.<sup>98</sup>

As Florida's IV-D agency,<sup>99</sup> the Department of Revenue (DOR) is responsible for collecting and enforcing child support.<sup>100</sup> The Child Support Program provides child support services to over one million children and collects over a billion dollars in child support each year.<sup>101</sup> The Child Support Program works with parents, employers, financial institutions, the Internal Revenue Service, state and local agencies, and courts throughout the state to receive timely child support payments and also works with families and partners to:<sup>102</sup>

- Locate parents, employers, and assets;
- Establish paternity;
- Establish and modify child support orders;
- Collect and disburse child support payments; and
- Monitor and enforce child support orders.

Child support services are available even if a parent lives in another state or country. To receive the no-cost services from the Child Support Program, families either complete an application for services or are automatically referred because a parent is receiving cash or food assistance.<sup>103</sup>

The DOR offers child support services in all but two Florida counties, partnering with the State Attorney's Office for services in Miami-Dade County and the Manatee County Clerk of Court for services in Manatee County.

Other than contacting DOR directly, there is currently no accessible resource for obligors who are having difficulty paying child support due to economic hardship.

### ***Non-IV-D Cases***

A non-IV-D child support case is a case in which a court has determined that income withholding for support is required and neither the employee/obligor nor the custodial party/obligee has applied for, or is receiving, child support services through their state's IV-D agency.<sup>104</sup>

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<sup>97</sup> *Id.*

<sup>98</sup> U.S. Department of Health & Human Services, Office of Child Support Enforcement (OCSE), An Office of the Administration for Children & Families, *About the Office of Child Support Enforcement*, available at <https://www.acf.hhs.gov/css/about> (last visited February 16, 2022).

<sup>99</sup> Section 409.2557(1), F.S.

<sup>100</sup> *See* s. 61.13, F.S.

<sup>101</sup> Florida Department of Revenue (DOR), *Child Support Program: Overview 2019*, available at [https://floridarevenue.com/childsupport/Documents/pdf/CS-1003x\\_Child\\_Support\\_Overview\\_Presentation\\_External\\_2020\\_FFY\\_2018-19.pdf](https://floridarevenue.com/childsupport/Documents/pdf/CS-1003x_Child_Support_Overview_Presentation_External_2020_FFY_2018-19.pdf) (last visited February 16, 2022).

<sup>102</sup> *Id.* at 7.

<sup>103</sup> *Id.* at 5.

<sup>104</sup> Justia, *Non IV-D Orders*, available at <https://www.justia.com/dictionary/non-iv-d-orders/> (last visited February 17, 2022).

### ***Delinquent Child Support Payments***

When an obligor is delinquent in making required child support payments, the DOR may increase the amount of the monthly support obligation to include amounts for delinquencies.<sup>105</sup> If the obligor is not subject to income deductions, the DOR must notify the obligor of his or her delinquency and of the DOR's intent to require an additional 20 percent of the monthly obligation amount to allow for collection of the delinquency unless, within 20 days, the obligor pays the delinquency in full or files a petition with the circuit court to contest the delinquency status.<sup>106</sup>

Current law does not require the notification information to the obligor to include information on how the obligor can access services if the obligor is having trouble paying child support due to economic hardship.

### ***Non-Custodial Parent Employment Program***

The Non-Custodial Parent Employment Program (NCPEP) assists unemployed or underemployed noncustodial parents in establishing a pattern of regular child support payments by obtaining and maintaining employment.<sup>107</sup> The NCPEP currently serves families in Hernando, Hillsborough, Pasco, Pinellas, and Miami-Dade counties. Since 1996, the program has assisted 20,070 unduplicated clients impacting 52,182 children. In 2020-21, over 67 percent of NCPEP clients obtained and maintained employment.<sup>108</sup>

### **Effect of the Bill**

The bill amends s. 409.2557, F.S., requiring the DOR to establish on its website a dedicated webpage that provides information to obligors who have difficulty paying child support due to economic hardship, and provide a link to the webpage on the main child support page. The bill requires the webpage to be in plain language, and include, at a minimum, information on how an obligor can modify a child support order, information on how to access services from CareerSource Florida and organizations receiving grants that assist non-custodial parents meet child support obligations, and hyperlinks to the CareerSource Florida website.

The bill amends s. 409.2564, F.S., to require that notices provided to obligors related to delinquent child support payments be in writing and include information on how the obligor can access the above-mentioned webpage and other information related to how to access services through CareerSource Florida or other organizations receiving grants that assist non-custodial parents meet child support obligations.

Lastly, the bill creates s. 409.25996, F.S., requiring the Department of Economic Opportunity to award grants to organizations that assist non-custodial parents who are unemployed or

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<sup>105</sup> Section 409.2564(9)(a), F.S.

<sup>106</sup> Section 409.2564(9)(b), F.S.

<sup>107</sup> Gulf Coast Jewish Family and Community Services, Inc., *Children & Family Services*, available at <https://gulfoastjewishfamilyandcommunityservices.org/children-family-service/> (last visited February 16, 2022).

<sup>108</sup> Gulf Coast Jewish Family and Community Services, Inc., *Non-Custodial Parent Employment Program: 2020-2021*, available at [https://gulfoastjewishfamilyandcommunityservices.org/wp-content/uploads/2021/12/NCPEP\\_Results\\_Aug2021.pdf](https://gulfoastjewishfamilyandcommunityservices.org/wp-content/uploads/2021/12/NCPEP_Results_Aug2021.pdf) (last visited February 16, 2022).

underemployed and have difficulty meeting child support obligations, become self-sufficient and establish a successful pattern of meeting child support payments.

### **Legislatively Mandated Reports (Sections 2, 16, and 17)**

Several statutes direct the DCF to submit reports on various topics to the Legislature. Such reports include:

- Section 39.205(7), F.S., requires the DCF to submit an annual report detailing the number of false reports referred to law enforcement for consideration of an investigation. This report has consistently indicated that the vast majority of hotline reports are made in good faith. In Fiscal Year 2019-2020, 0.18 percent of reports were suspected as being false. For the last five fiscal years, the percent of false reports have been below 0.30 percent, with a five-year average of 0.18 percent.
- Section 409.996(3), F.S. requires the DCF to annually conduct a comprehensive, multiyear review of the revenues, expenditures, and financial positions of CBCs. The report must cover the most recent two consecutive fiscal years. The review must include a comprehensive system-of-care analysis and all CBCs must develop and maintain a plan to achieve financial viability. The DCF's review and CBC plans must be submitted to the Governor and the Legislature by November 1 of each year. The DCF reconciles all CBC accounting for the prior fiscal year around September 30, which results in a limited time frame to prepare and finalize the required report.
- Section 409.997(3), F.S., requires the DCF to submit an annual Results Oriented Accountability performance report to the Governor and the Legislature by October 1 of each year. The report describes the current status of the community-based child welfare system of care. The report uses draft data from May and June for the fiscal year due to the current due date of the report being October 1 of each year. This does not allow inclusion of final annualized child welfare data for the fiscal year.

### Effect of the Bill

The bill amends several statutes to remove or adjust the due dates for mandated legislative reports. Specifically, the bill:

- Removes the statutory requirement for a report to be submitted to the Governor and the Legislature on false reporting of child abuse, abandonment, and neglect.
- Amends the due date of the report required in s. 409.996(3), F.S., by requiring it to be submitted on December 1 rather than November 1. This change will allow the DCF more time to reconcile all CBC accounting data for the prior fiscal year.
- Amends the due date of the report required in s. 409.997(3), F.S., by requiring it to be submitted on November 15 rather than October 1. This allows the inclusion of final annualized child welfare data for the fiscal year.

The bill is effective July 1, 2022.

## **IV. Constitutional Issues:**

### **A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

**Departments of Children and Families, Health, Juvenile Justice, and Economic Opportunity**

The bill conforms to the House proposed General Appropriations Act (GAA) for Fiscal Year 2022-2023. The House proposed GAA provides total recurring funding of \$63,899,851 in the General Revenue Fund to fund various provisions of the bill. The House proposed GAA includes the following appropriations attributable to the estimated costs of the bill:

- \$27,585,000 to the Department of Children and Families (DCF) to award grants that expand mentorship programs for at-risk boys, grants that address the comprehensive needs of fathers, grants specifically for evidence-based programs that provide parenting education for fathers, and for the Responsible Fatherhood Initiative.
- \$4,200,000 to the DCF to fund new or existing Children's Initiatives.
- \$8,352,000 to the DCF to increase financial assistance stipends for youth in the Post-Secondary Education Services Support (PESS) Program from \$1,256 to 1,720 per month.
- \$2,855,376 to the DCF for the community-based care lead agencies (CBCs) to add father engagement specialists and expand services to fathers of at-risk children.
- \$5,710,752 to the DCF for the CBCs to conduct readiness assessments and provide support to youth in the PESS Program.

- \$4,420,000 to the Department of Health to integrate fatherhood programs into home visiting programs.
- \$3,726,723 to the Department of Juvenile Justice to expand vocational and education services for at-risk youth.
- \$7,050,000 to the Department of Economic Opportunity to award grants to entities to provide Noncustodial Parent Employment Programs statewide.

### **Department of Revenue (DOR)**

The bill has an indeterminate insignificant fiscal impact on the DOR to implement the provisions related to requiring written notification to delinquent obligors and the creation of a website to provide information to obligors having difficulty making child support payments. However, the department should be able to absorb the costs within existing resources.

#### **VI. Technical Deficiencies:**

None.

#### **VII. Related Issues:**

None.

#### **VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 39.205, 39.4022, 39.6035, 383.011, 409.1451, 409.1452, 409.147, 409.2557, 409.2564, 409.988, 409.996, 409.997, and 683.334

This bill creates the following sections of the Florida Statutes 39.0143, 409.1464, 409.1465, 409.1467, and 409.25996

#### **IX. Additional Information:**

##### **A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

##### **B. Amendments:**

None.