

## HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

**BILL #:** HB 7065 PCB CFS 22-01 Child Welfare  
**SPONSOR(S):** Children, Families & Seniors Subcommittee, Altman and others  
**TIED BILLS:** IDEN./SIM. **BILLS:**

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**FINAL HOUSE FLOOR ACTION:** 117 Y's 0 N's **GOVERNOR'S ACTION:** Approved

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### SUMMARY ANALYSIS

HB 7065 passed the House on February 16, 2022, and subsequently passed the Senate on March 4, 2022. Part of the bill also passed the House and Senate in CS/CS/HB 1577 on March 4, 2022.

In the United States, one out of four children grow up in a household without a father. Research has found that fathers play a unique role in producing positive outcomes for children. Children raised in father-absent homes are more likely, on average, to abuse drugs and alcohol, show signs of antisocial and delinquent behavior, and drop out of high school. Such children are also more likely to experience poverty, teen pregnancy, child abuse and neglect, behavioral problems, and death in infancy. Florida has several state agencies and systems to support children and families which protect children from abuse or neglect, promote healthy families through the provision of home visiting services, and strengthen families by improving the lives of children at-risk of engaging in or involved in delinquent behavior.

The bill addresses the needs of families by:

- Creating grants for services to address the needs of fathers and to increase mentorship for at-risk boys.
- Requiring Florida's child welfare system and home visiting programs to increase engagement with and provision of services to fathers.
- Directing the Department of Children and Families (DCF) to contract for a Responsible Fatherhood Initiative to provide all fathers resources and inspiration to enhance their positive involvement with their children.
- Requiring DCF and the Department of Juvenile Justice to identify children involved with both systems of care and report to the Legislature specific data, information, and actions taken to better serve them.
- Requiring the Department of Revenue to provide information to those having difficulty paying child support.
- Requiring the Department of Economic Opportunity (DEO) to expand programs serving noncustodial parents who are having difficulty paying child support.

Young adults who age out of the foster care system have trouble achieving self-sufficiency. To assist such young adults, Florida provides independent living services, including services through the Postsecondary Education Services and Support (PESS) program. Young adults eligible for the program receive a stipend to assist them in meeting their financial needs while attending a postsecondary education institution.

The bill addresses the needs of young adults who aged out of foster care by:

- Requiring DCF and community-based care lead agencies (CBC's) to provide information about all independent living services and programs during the transition plan process before the child ages out of care.
- Increasing the stipend for youth participating in PESS and requires DCF and CBC's to assist such youth in developing financial and transition plans on how the young adult will meet financial needs while in postsecondary education and after leaving PESS.
- Requiring institutions where students are exempt from the payment of tuition and fees to have a staff member who can help students in resolving problems related to the use of the exemption and to maintain original documentation submitted that confers eligibility for the tuition and fee exemption.

The bill has a significant, negative, recurring fiscal impact on DCF and DEO, for which the FY 2022-23 General Appropriations Act provides funding. There is no fiscal impact on local governments.

The bill was approved by the Governor on April 11, 2022, ch. 2022-67, L.O.F., and will become effective on July 1, 2022.

### I. SUBSTANTIVE INFORMATION

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

**STORAGE NAME:** h7065z1.DOCX

**DATE:** 4/12/2022

## A. EFFECT OF CHANGES:

### **Background**

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, nurturing relationships and environments for children and families can allow children to grow up to their full potential. When parents and families are equipped with proper support and skills, they can meet the needs of their children and protect them from experiencing adverse childhood experiences.

Florida has several 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.

### **Child Welfare System**

The Department of Children and Families is responsible for providing child welfare and support services in accordance with federal and state law.<sup>1</sup> DCF contracts with community-based care lead agencies (CBC's) to deliver, administer, and manage child welfare services. Using CBC's to provide child welfare services is designed to increase local community ownership of service delivery.<sup>2</sup> DCF, through 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.

CBC's 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>3</sup> CBC's contract with a number of subcontractors for case management and direct care services to children and their families.<sup>4</sup> There are 18 CBC's statewide, which together serve the state's 20 judicial circuits.<sup>5</sup>

### **Juvenile Justice System**

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,
- Families-in-Need of Services,
- Other prevention, early intervention, and diversion programs,

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<sup>1</sup> S. 409.996, F.S.

<sup>2</sup> Florida Department of Children and Families, *Community-Based Care*, <https://www.myflfamilies.com/service-programs/community-based-care/> (last visited Jan. 28, 2022).

<sup>3</sup> S. 409.145(1), F.S.

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

<sup>5</sup> Florida Department of Children and Families, *Community-Based Care Lead Agency Map*, <http://www.myflfamilies.com/service-programs/community-based-care/cbc-map> (last visited Jan. 28, 2022).

- Detention centers and related programs and facilities,
- Community-based residential commitment and nonresidential programs, and
- Delinquency institutions provided or funded by 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>6</sup>

## Maternal and Child Health Services

The Department of Health (DOH) is the designated agency for administering maternal and child health services, including enhanced services for medically and socially high-risk clients, delivered through county health departments or subcontractors.<sup>7</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 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.

### Home Visiting Programs

DOH administers the maternal and child health program, in part, by contracting for Healthy Start services. Florida Healthy Start provides education, support, and proven interventions to families pre- and post-birth who are at-risk of poor birth outcomes or developmental delays.<sup>8</sup> The program focuses on common issues or conditions that occur during pregnancy or in infancy and is available in all 67 counties.<sup>9</sup> Risk screenings, offered by prenatal care providers and birthing hospitals, identifies families that could benefit from a home visiting program.<sup>10</sup> Families can participate in Healthy Start beginning in pregnancy or in the first year after birth, and can continue until the infant turns three.<sup>11</sup> The 32 local Healthy Start Coalitions coordinate these services, under contract with DOH.<sup>12</sup> Each coalition uses data and research to design a service delivery plan unique to its community.

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<sup>6</sup> Ryan, J. P., & Testa, M. F. (2005). Child Maltreatment and Juvenile Delinquency: Investigating the Role of Placement and Placement Instability. *Children and Youth Services Review*, 27(3), 227-249. <https://doi.org/10.1016/j.childyouth.2004.05.007>.

<sup>7</sup> S. 383.011(1), F.S.

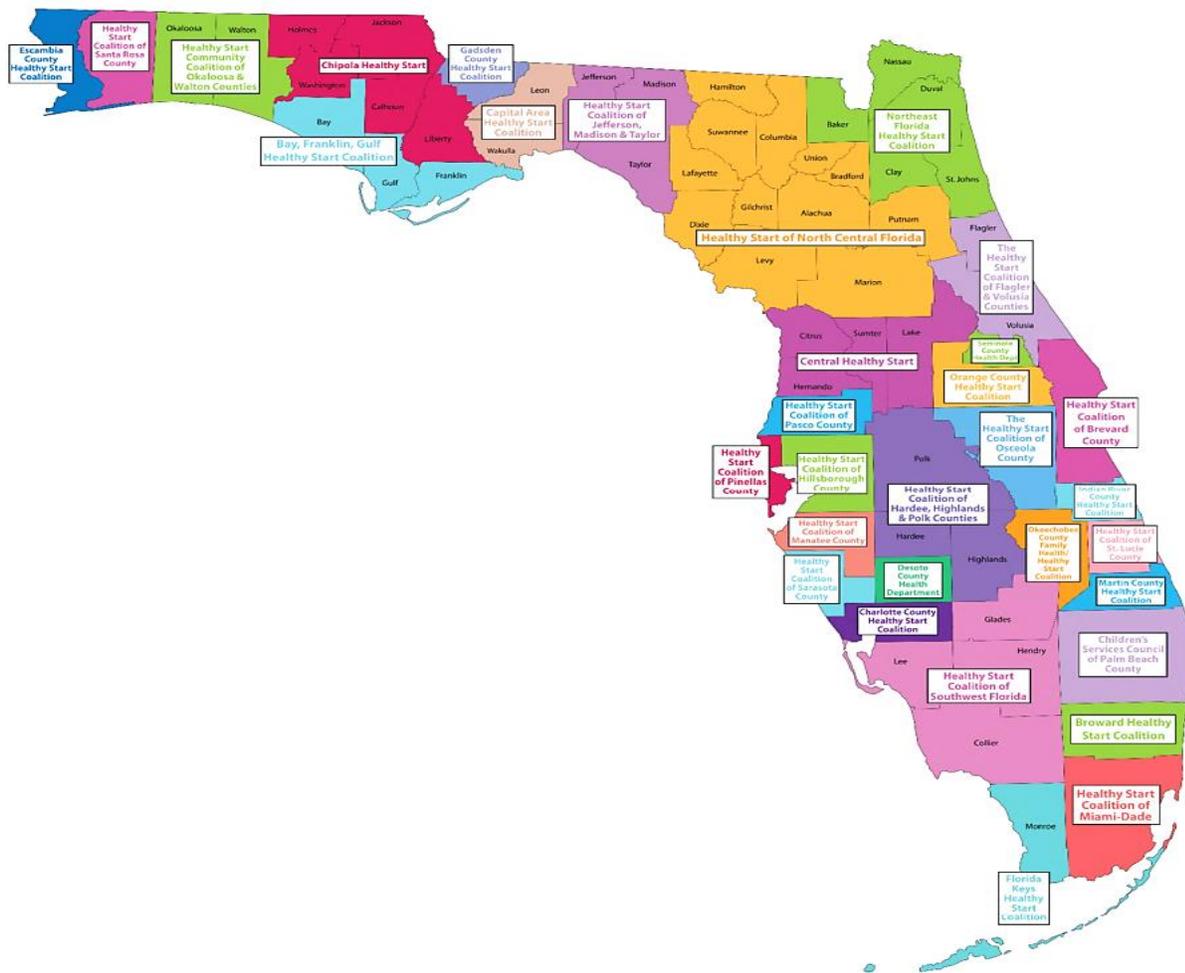
<sup>8</sup> Florida Department of Health, *Healthy Start*, <https://www.floridahealth.gov/programs-and-services/childrens-health/healthy-start/index.html> (last visited Jan. 28, 2022).

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> Department of Health, *Healthy Start*, <http://www.floridahealth.gov/programs-and-services/childrens-health/healthy-start/index.html> (last visited March 14, 2022).



Healthy Start uses a home visiting model, which matches parents with trained professionals to provide information and support during pregnancy and throughout the child’s first three years of life.<sup>13</sup> The program offers a participant face-to-face home visits with a trained professional who facilitates access to needed services based on an individualized family support plan.<sup>14</sup> Participation in Healthy Start services is voluntary for the families.

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>15</sup> FAHSC is made up of the 32 individual coalitions from across the state.<sup>16</sup> In July 2018, Florida implemented a statewide, coordinated intake and referral system (Connect) that is housed within FAHSC.<sup>17</sup> Connect is an entry point for services, including Florida’s Healthy Start program. 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.

Because Healthy Start is generally focused on improving health outcomes for pregnant women, new mothers, and infants, there is little emphasis on engaging expectant or new fathers during service

<sup>13</sup> *Id.*  
<sup>14</sup> *Id.*  
<sup>15</sup> Florida Healthy Start Coalition, *About Us*, <https://www.healthystartflorida.com/about-us/> (last visited Jan. 28, 2022).  
<sup>16</sup> Florida Association of Healthy Start Coalitions, Inc. *Every Baby Deserves a Healthy Start* (on file with the House Children, Families, & Seniors Subcommittee).  
<sup>17</sup> Florida Association of Healthy Start Coalitions, *Florida Home Visiting Statewide Needs Assessment Update* (2020) <https://usf.app.box.com/s/lqof5m5kewur9sea1872333j5tsna3bm>.

provision. This may limit the effectiveness of the program, because data indicates that active engagement by fathers strengthens family and child well-being.

## Fatherhood and Child Well-Being

### Current Situation

There are an estimated 75 million fathers in the United States<sup>18</sup>; however, 18.4 million children, or one out of four, live without a biological, step-, or adoptive father in the home.<sup>19</sup> Children in mother-only households are the second most common living arrangement in the United States.<sup>20</sup> About 7.6 million (11%) children lived in mother-only households in 1968, compared to 15.3 million (21%) in 2020.<sup>21</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>22</sup> Such children are also more likely to experience poverty,<sup>23</sup> teen pregnancy,<sup>24</sup> child abuse and neglect,<sup>25</sup> behavioral problems,<sup>26</sup> and death in infancy.<sup>27</sup>

Research has found that fathers play a unique role in producing positive outcomes for children. Although mothers tend to be more nurturing and emotionally supportive than fathers, fathers tend to focus more on preparing children for their lives as adults.<sup>28</sup> There is growing research on the link between father involvement and children's well-being.<sup>29</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>30</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>31</sup> Fathers are more likely than childless men to be involved in community service and to provide support to friends and extended family.<sup>32</sup> Additionally,

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<sup>18</sup> U.S. Census Bureau, *Fatherly figures: a snapshot of dads today*, (2018), <https://www.census.gov/library/visualizations/2018/comm/fathers-day.html> (last visited Jan. 28, 2022).

<sup>19</sup> U.S. Census Bureau, *Living arrangements of children under 18 years old: 1960 to present*, (Nov. 2021), <https://www.census.gov/data/tables/time-series/demo/families/children.html> (last visited Jan. 28, 2022).

<sup>20</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), <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 Jan. 28, 2022).

<sup>21</sup> *Id.*  
<sup>22</sup> See McLanahan, S., Tach, L., & Chneider, D. (2013). The causal effects of father absence. *Annual Review of Sociology*, 39(1), 399-427; Salas-Wright, C.P., Vaughn, M.G., Uglade J., & Todici, J. (2015). Substance abuse and teen pregnancy in the United States: Evidence from the NSDUH 2002-2012. *Addictive Behavior*, 45(1), 218-225.

<sup>23</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), <https://aspe.hhs.gov/reports/information-poverty-income-statistics-summary-2012-current-population-survey-data-0> (last visited Jan. 28, 2022).

<sup>24</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.

<sup>25</sup> Stapp, John, *The Effects of Fatherlessness on Children*, (Jan. 13, 2020), [The Effects of Fatherlessness on Children - Joe Stapp, LPC \(blueridgecounseling.org\)](http://TheEffectsOfFatherlessness.org) (last visited Feb. 1, 2022).

<sup>26</sup> See Osborne, C., & McLanahan, S. (2007). Partnership instability and child well-being. *Journal of Marriage and Family*, 69(4), 1065-1083.

<sup>27</sup> See Mathews, T. J., MacDorman, M. F., & Thoma, M. E. (2015). Infant mortality statistics from the 2013 period linked birth/infant death data set. *National Vital Statistics Reports*, 64(9), 1-30.

<sup>28</sup> Jeynes, Williams (2016) *Meta-Analysis on the Roles of Fathers in Parenting: Are They Unique?*, *Marriage & Family Review*, 52:7, 665-688, DOI: 10.1080/01494929.2016.1157121.

<sup>29</sup> Karberg, E., Finochiaro, J., & Vann, N. (2019). *Father and child well-being: A scan of current research*. National Responsible Fatherhood Clearinghouse. <https://fatherhood.gov>. (last visited Jan. 30, 2022).

<sup>30</sup> McLanahan, S., Tach, L., & Schneider, D. (2013). The causal effects of father absence. *Annual Review of Sociology*, 39, 399-427.

<sup>31</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.

<sup>32</sup> Eggebeen, D., Dew, J., & Knoester, C.W. (2010). Fatherhood and men's lives at middle age. *Journal of Family Issues*, 31(1), 113-130.

fathers tend to be healthier than men who do not have children, and some research suggests they may live longer.<sup>33</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>34</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>35</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 communities to promote responsible fatherhood.<sup>36</sup>

### Effect of the Bill – Fatherhood and Child Well-Being

#### *Responsible Fatherhood Initiative*

The bill requires 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 bill requires the entity with which DCF contracts for the initiative to be a not-for-profit organization that:

- Has a history of focusing on responsible fatherhood, including providing online resources to fathers, and engaging fathers, father figures, and children through community-based and school-based events to encourage responsible fatherhood.
- Has the organizational capacity to manage a statewide initiative and successfully carry out the requirements for the initiative.

The selected contractor must collaborate with other relevant agencies of state government and private organizations to develop and implement the initiative.

#### *Grants to Address the Needs of Fathers*

The bill requires 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:

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<sup>33</sup> Bartlett, E.E. (2004). The effects of fatherhood on the health of men: A review of the literature. *The Journal of Men’s Health & Gender*, 1(2-3), 159-169.

<sup>34</sup> U.S. Department of Health & Human Services, National Responsible Fatherhood Clearinghouse, *About Us*, <https://fatherhood.gov/about-us> (last visited Feb. 7, 2022).

<sup>35</sup> South Carolina Center for Fathers and Families, *Who We Are*, <https://www.scfathersandfamilies.com/who-we-are/> (last visited Feb. 7, 2022).

<sup>36</sup> Ohio Commission on Fatherhood, *About Us*, <https://fatherhood.ohio.gov/About-Us/Purpose> (last visited Feb. 7, 2022).

- 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 must be tailored to the needs of fathers being served. These grants shall require case management services to be provided to fathers.
- Grants to 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 geographic 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.

### *Fatherhood Engagement and Services*

The bill requires CBC's to meet the unique needs of fathers with dependent children. It 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. Additionally, CBC's must 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 requires DCF to annually review how CBC's 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 DCF to be included in the annual report required by s. 409.986, F.S.

### *Home Visiting Programs*

The bill requires DOH, through county health departments or subcontractors, to integrate father engagement activities, such as individualized support to increase participation in services that strengthen family and child well-being, into home visiting programs.

### *Responsible Fatherhood Month*

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. DCF, 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**

### Current Situation

Children who live in vulnerable families and in communities that are inadequately supportive are more likely to engage in high-risk behavior.<sup>37</sup> Such children are vulnerable to multiple and intersecting problems, including emotional and behavioral disorders, substance misuse, violent and risk-taking behaviors, and poor connection to and performance in high school.<sup>38</sup> Not all vulnerable children experience negative outcomes. However, multiple factors can influence whether children face negative outcomes in adolescence and adulthood:<sup>39</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, is 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 a limited number of positive role models benefit from stable relationships with caring adults other than parents.<sup>40</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>41</sup> Mentoring also show promise in the prevention of substance misuse and the reduction of some negative behaviors.<sup>42</sup>

### *Dually Involved Children*

“Crossover youth” is a broad term used to refer to at-risk children who have experienced maltreatment and become involved in the child welfare system and who have also engaged in delinquent behavior and become involved in the child welfare system. Terms 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 encounter the juvenile justice system later in life. There are four common ways children fall into the crossover category, as indicated by the table below.

Overview of Pathways Leading to Crossing Over			
	Starting Point	Occurrence	Result
1	Child has open child welfare case	Child is arrested	Child enters delinquency system
2	Child has a previously closed child welfare case	Child is arrested	Referral to child welfare agency
3	Child has no previous contact with child welfare	Child is arrested; maltreatment discovered upon investigation,	Referral to child welfare agency

<sup>37</sup> Brack, C.J, Brack, G., Orr, DP., Dimensions underlying problem behaviors, emotions, and related psychological factors in early and middle adolescents. *Journal on Early Adolescence*. 1194; 14:345-370.

<sup>38</sup> Congressional Research Services, *Vulnerable Youth: Background and Policies*, Jan 30, 2018.

<sup>39</sup> *Supra* note 40.

<sup>40</sup> See Jekielek, M.A., Moore, Kristin, Hair, Elizabeth, and Scarupa, Harriet, *Mentoring: A Promising Strategy for Youth Development* (Feb. 2002), *Child Trends*, <https://www.childtrends.org/wp-content/uploads/2002/02/MentoringRB.pdf>

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

<sup>42</sup> *Id.*

4	Child in a correctional placement (post-arrest, -adjudication)	Time in correctional placement ends, but no safe home to return to	Referral to child welfare agency
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In comparison to their peers, crossover children 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 is difficult. Most 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 available research include:

- Upwards of 50 percent of children referred to delinquency juvenile courts may be dually involved.<sup>43</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>44</sup>
- Family risk factors and the number of incidents with protective services increase the likelihood of a child arrest regardless of age and gender.<sup>45</sup>
- Placement instability has more negative consequences for offending than just being placed in out-of-home care.<sup>46</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>47</sup>
- There is some indication that positive attachments to others and safe school environments reduce the likelihood of delinquency among maltreated children.<sup>48</sup>
- Childhood abuse and neglect increases the odds of future delinquency and adult criminality overall by 29 percent.<sup>49</sup>

In December 2021, 767 children were served by *both* DCF and DJJ. The graph below depicts the statewide trend of dually involved children and their placements in care from June 2017 to December 2021.<sup>50</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 DCF and DJJ.

<sup>43</sup> Douglas Thomas et. al., *When systems collaborate: how three jurisdictions improved their handling of dual-status cases*, Nat'l Ctr. For Juv. Justice (2015), <https://www.ncjfcj.org/wp-content/uploads/2015/05/WhenSystemsCollaborateJJGPSCaseStudyFinal042015.pdf>.

<sup>44</sup> Cutuli, JJ, et al., *From foster care to juvenile justice: exploring characteristics of youth in three cities*, [https://link.springer.com/epdf/10.1007/s10964-019-01090-3?author\\_access\\_token=jPBoH90dEh7dOhxNe9mvuve4RwlQNchNByi7wbcMAY5vpzFiYs87Z\\_Lzh70N-LjV4D\\_jU6Q0H4vHbfn8PFKJS6vKDWpp8mYYeB3wUfUbkIhNAPQA2HUx-Qyf4lchyHDS\\_xWVLdZUfnEKTAxu4gSPFyw%3D%3D](https://link.springer.com/epdf/10.1007/s10964-019-01090-3?author_access_token=jPBoH90dEh7dOhxNe9mvuve4RwlQNchNByi7wbcMAY5vpzFiYs87Z_Lzh70N-LjV4D_jU6Q0H4vHbfn8PFKJS6vKDWpp8mYYeB3wUfUbkIhNAPQA2HUx-Qyf4lchyHDS_xWVLdZUfnEKTAxu4gSPFyw%3D%3D).

<sup>45</sup> Johnson, K., Ereth, J., and Wagner, D. (2004), *Juvenile Delinquency Among Children Involved in a Child Maltreatment Investigation: A longitudinal study*, Madison, Wis.: Children's Research Center.

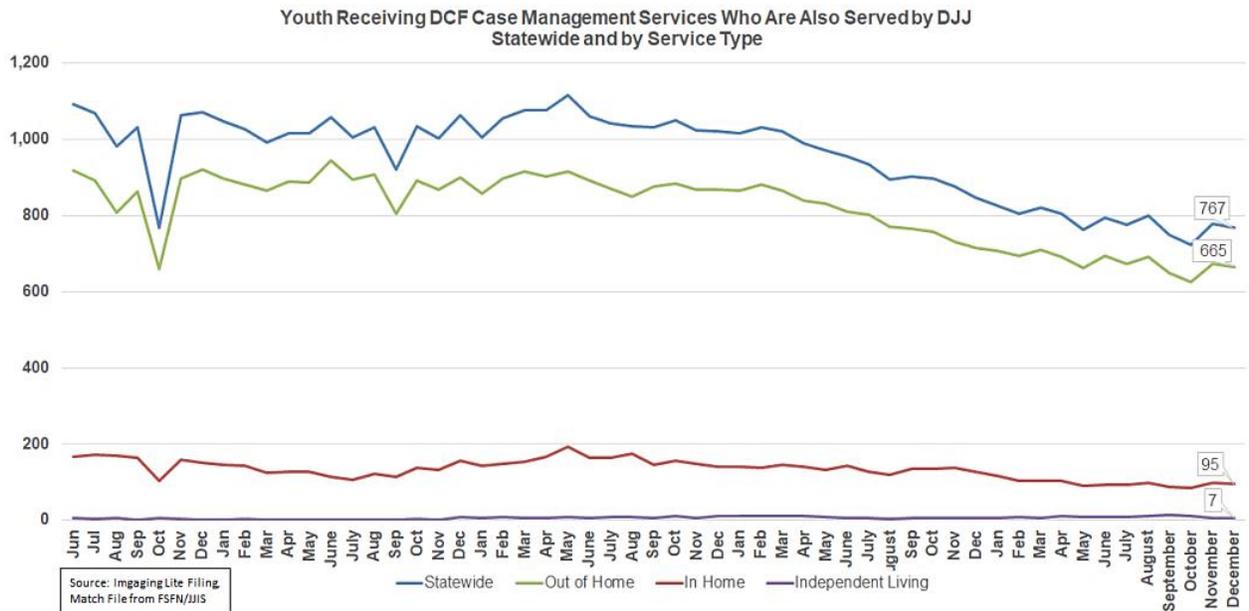
<sup>46</sup> Widom, C.S., and Maxfield, M.G. (2001). *An update on the "cycle of violence": Research in Brief*, Washington, DC.: U.S. Department of Juvenile, Office of Justice Programs, National Institute of Justice.

<sup>47</sup> *Id.*

<sup>48</sup> Ryan, J.P., Testa, M.F., Zhai, F., (2008) *African American youth in foster care and the risk of delinquency: The value of social bonds and permanence*, *Child Welfare*, 87(1) 115-40; Crooks et al., *Project Confirm: An outcome evaluation of a program for children in the child welfare and juvenile justice systems*, *Youth Violence and Juvenile Justice*, 4, 97-115; and Benda, B. B., and Corwyn, R. F. (2002), *The effect of abuse in childhood and in adolescence on violence among adolescents*, *Youth & Society*, 33(3), 339-65. DOI: 10.1177/0044118X02033003001.

<sup>49</sup> *Supra* note 51.

<sup>50</sup> Florida Department of Children and Families, *Child Welfare Key Indicators Monthly Report*, (Jan. 2022), [http://www.centerforchildwelfare.org/qa/cwkeyindicator/KI\\_Monthly\\_Report\\_Jan%202022.pdf](http://www.centerforchildwelfare.org/qa/cwkeyindicator/KI_Monthly_Report_Jan%202022.pdf).



A draft DJJ-DCF Crossover Report for FY 2016-17 contains the most recent data available from DJJ.<sup>51</sup> The table below represents children served at various levels in the DJJ system during FY 2016-17 by DCF level of care since 2005.<sup>52</sup>

DCF Involvement	DJJ Involvement						
	Prevention	Civil Citation	Intake	Diversion	Probation	Commitment	Aftercare
None	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
<b>Total</b>	<b>19,349</b>	<b>13,079</b>	<b>37,258</b>	<b>16,729</b>	<b>19,349</b>	<b>4,275</b>	<b>3,602</b>

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

Effect of the Bill – At-Risk Children

*Mentorship for At-Risk Male Students*

The bill creates s. 409.1467, F.S., to provide grants to not-for-profit organizations to offer mentorship programs to at-risk male students. Subject to available funds, DCF shall 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>51</sup> Draft DJJ-DCF Crossover Report FY 2016-17 (on file with the House Children, Families, & Seniors Subcommittee).

<sup>52</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 sets eligibility requirements for organizations to receive a grant. These eligibility requirements include:

- Serving males between ages 13 and 18 who live in underserved communities or are at-risk of starting or continuing criminal involvement or not reaching their academic potential.
- Having organization management and a board of directors reflective of the community served by the organization.
- Recruiting and training mentors.
- Providing mentorship, social, academic support, life skill development, and other opportunities for eligible male students.
- Using trauma-informed practices and interventions to address adverse childhood experiences.

The bill requires applicants to include in the application the number of individuals they plan to serve through the grant and the projected costs for the new or expanded mentorship program.

The bill limits the grant award total to between \$25,000 and \$250,000, and a grant may be awarded for up to three years. The bill specifies that an organization may receive only one grant every three years.

The bill requires grant recipients to submit reports in a format and at intervals set by DCF. Further, within six months after receipt of the grant award, organizations must complete training in non-profit management, outcome measurement, and positive youth development.

The bill requires DCF to contract for technical assistance to organizations receiving grants.

### *Dually Involved Children*

The bill requires DCF and DJJ to identify children dually involved with both systems of care. DCF and DJJ must collaboratively take appropriate action within available resources to meet the needs of such children more effectively. Beginning in fiscal year 2022-23 through fiscal year 2023-24, the agencies must take such action and jointly submit to the Legislature quarterly reports that include, at a minimum:

- Data on how many children 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, under the supervision of DJJ under Ch. 985, F.S., and those children who were previously served by either DJJ or DCF 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 DJJ.
- Information on how both departments track children who are dully involved.
- A summary of the actions taken by both departments to better serve dually involved children.

## **Child Welfare System**

### Current Situation

Chapter 39, F.S., creates the dependency system 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. DCF and CBC's 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.

When child welfare necessitates that 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, as illustrated in the table below.

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 finds safe out-of-home placements for children when children cannot safely remain at home with parents. A child may be placed with a relative, fictive kin, licensed foster parent, in a group home or a residential setting.<sup>53</sup> When a child must be moved to another placement or there is an important decision that must be made regarding the child, statute requires the use of a multidisciplinary team (MDT) staffing.<sup>54</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. DCF or the CBC must invite the following 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.
- 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.

<sup>53</sup> R. 65C-28.004, F.A.C.

<sup>54</sup> S. 409.4022, F.S.

- 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 DCF, other than the DCF attorney, when 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.
- The child's case manager or case manager supervisor.

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

- A representative from Children's Medical Services, if 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 DCF or the CBC deems such expert is necessary; or
- Other community providers of services to the child or stakeholders, when applicable.

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.

DCF and CBC's 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 DCF within 48 hours after the conclusion on the staffing. DCF must then determine how to address the issues raised at the staffing by what is in the child's best interest.

### Effect of the Bill – Child Welfare System

The bill requires DCF or CBC's to invite a representative from DJJ to MDT staffings when the child is dually involved with DCF and DJJ. This ensure that the necessary professionals who are involved with the child have an opportunity to be part of the discussion and decision being made at the MDT staffing.

### **Older Foster Youth**

#### Current Situation

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 experience housing instability and homelessness.

In Federal Fiscal Year 2017, around 189,000 teens and young adults spent at least one day in foster care.<sup>55</sup> Of those who left care during that year, more than 19,000 aged out of care. This generally means youth reached a state's legal age of adulthood without reaching permanency.

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<sup>55</sup> Congressional Research Services, *John H. Chafee Foster Care Program for Successful Transition to Adulthood* (Jan. 15, 2019) <https://fas.org/sqp/crs/misc/IF11070.pdf>

In State Fiscal Year (SFY) 2020-21, 1,047 young adults started the year at 17 years of age in Florida's foster care system.<sup>56</sup> Of those, 862 (82%) aged out of care at the age of 18. Such foster youth can elect to enter Florida's extended foster care program if they meet certain requirements. Of these, 477 entered extended foster care and were eligible to receive foster care services until age 21 (or 22 if disabled).<sup>57</sup>

### *Independent Living Services*

Under s. 39.6035, F.S., DCF and CBC's, in collaboration with the caregiver and any other individual whom the child would like to include, must assist the child in developing a transition plan out of foster care during the year after a child turns 16. The transition plan must address specific options for the child to use in obtaining services, including housing, health insurance, education, financial literacy, a driver license, and workforce support and employment services. The transition plan must be updated as needed before the child turns 18. During the transition plan process, children should be informed of all the independent living services Florida provides to allow the child to decide what independent living program would best fit his or her needs. However, statute does not currently require DCF and CBC's to inform children of all the available independent living services during the transition plan process.

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>58</sup> Florida also offers two other independent living programs: 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
<p><b>Extended Foster Care (EFC)</b></p>	<p>Young adults who turned 18 in foster care and are:</p> <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> <p>To stay in EFC, the young adult must:</p> <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>	<p>Young adults may choose to remain in licensed foster care and receive foster care services until the age of 21 (22 with a disability).</p>
<p><b>Postsecondary Education Services and Support (PESS)</b></p>	<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>

<sup>56</sup> Email from John Paul Fiore, Legislative Affairs Director, Florida Department of Children and Families, Updated Info, Jan. 20, 2022 (on file with the House Children, Families, and Seniors Subcommittee).

<sup>57</sup> *Id.*

<sup>58</sup> Ch. 2013-178, L.O.F.

<p><b>Aftercare Services</b></p>	<p>Young adults who turned 18 while in licensed foster care, but are not yet 23, and</p> <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>
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*Postsecondary Education Services and Support Program*

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.

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>59</sup> DCF or the CBC must annually determine whether a young adult meets the eligibility requirements for a renewal award for the subsequent year.<sup>60</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 find the amount inadequate to support housing and other necessities.<sup>61</sup> Some young adults must get jobs to make up the difference, which results in them falling behind in meeting the academic requirements to participate in PESS.<sup>62</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>63</sup> Although some CBC’s assist young adults in meeting skill deficits, there is no requirement for the young adult to receive an assessment and have the opportunity to strengthen skill deficits prior to participation in PESS. 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 for DCF or CBC’s to work with young adults on financial literacy. Young adults also exit PESS without a transition plan to live independently and be self-sufficient. There no requirement for DCF or CBC’s 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.

In SFY 2019-20, 809 young adults were in PESS.<sup>64</sup>

*Postsecondary Education Support*

Section 409.1452, F.S., requires the Department of Children and Families (DCF) to work in collaboration with the Board of Governors, the Florida College System, and the Department of Education to address the need for a comprehensive support structure in the academic arena to assist

<sup>59</sup> S.409.1451(2)(d)1., F.S.

<sup>60</sup> S. 409.1451(2)(d)3., F.S.

<sup>61</sup> Children, Families, and Seniors Subcommittee Questions, Answered by Florida Youth SHINE Youth and Young Adults (on file with the Children, Families, and Seniors Subcommittee).

<sup>62</sup> *Id.*

<sup>63</sup> *Id.*

<sup>64</sup> Florida Department of Children and Families, *Independent Living Services Annual Report* (Jan. 31, 2021), [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).

current or former foster youth 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 youth with dedicated, on-campus support. DCF determines which state universities or colleges offer a campus coaching position based on departmental demographic data indicating the greatest need.<sup>65</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 DCF specific data about the children and young adults served by the campus coaches.

Seven out of 12 Florida universities and seven out of 28 Florida colleges have a campus-based coach identified on campus.<sup>66</sup>

### Tuition and Fee Exemption

Section 1009.25(1)(c) and (d), F.S., allows former foster youth to be exempt from the payment of tuition and fees at a school district that provides workforce education programs, Florida College System institution, or state university. A former foster youth is eligible for the exemption if that youth:

- Is or was, at the time of turning 18, in the custody of DCF or in the custody of a relative or nonrelative participating in the Relative Caregiver Program under s. 39.5085, F.S., or the Guardianship Assistance Program under s. 39.6225, F.S.
- Was placed in guardianship by the court after spending at least six months in foster care after turning 16.
- Was adopted from the foster care system after May 5, 1997.

### Effect of the Bill – Older Foster Youth

#### *Independent Living Services*

The bill requires DCF and CBC's to provide information about independent living services and programs during the transition plan process. The bill requires information to be 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 plan of the child, the advantages and disadvantages of participation in each program, and the financial value of each program to the child. The bill also requires the child to sign a document indicating that he or she received that information, discussed it with a CBC representative, understands how the services and benefits would meet his or her needs and would assist the youth in accomplishing future plans.

#### *Postsecondary Education Services and Supports*

The bill increases 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 DCF or CBC's to assess a young adult's financial literacy and executive functioning, self-regulation, and similar skills that are important for successful completion of postsecondary education. The bill requires such assessment to be included in the young adult's transition plan required under s. 39.6035, F.S. DCF or CBC's must do the assessment prior to the

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<sup>65</sup> S. 409.1452, F.S.

<sup>66</sup> Department of Children and Families, *Agency Bill Analysis 2022 HB 7065* (Feb. 21, 2022).

young adult's receiving funding for PESS and must provide information and referral to the young adult as needed to assist him or her in strengthening necessary skills within a reasonable time after completion of the assessment.

The bill also requires DCF or CBC's to work with a young adult participating in PESS to create a financial plan that is guided by the young adult's financial goals to meet his or her needs while in postsecondary education. The financial plan must be included in the young adult's transition plan required under s. 39.6035, F.S., and must be reviewed with the young adult and updated, if necessary, every six months until the young adult no longer receives PESS funding.

The bill requires DCF or CBC's to review with the young adult his or her transition plan required under s. 39.6035, F.S., during the year before the young adult graduates from postsecondary education or the year before the young adult turns 23, whichever occurs first. DCF or the CBC must ensure the transition plan includes an assessment of the young adult's current and future needs and challenges for self-sufficiency and address, at a minimum, how the young adult will meet his or her financial needs and obligations when PESS funding is no longer provided.

### *Postsecondary Education Support and Tuition and Fee Exemption*

The bill amends s. 409.1452, F.S., to require on-campus liaisons to provide children and young adults currently 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 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**

### Current Situation

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 that area.<sup>67</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 of the county or municipality 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>68</sup> The county or municipality must then establish a children's initiative planning team and develop and adopt a strategic community plan.<sup>69</sup> Once a county or municipality has completed these steps, it must create a not-for-profit corporation to facilitate fundraising and secure broad community ownership of the children's initiative.<sup>70</sup>

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<sup>67</sup> S. 409.147(1)(b), F.S.

<sup>68</sup> S. 409.147(4)(a), F.S.

<sup>69</sup> S. 409.147(5), 409.147(6), F.S.

<sup>70</sup> S. 409.147(7), F.S.

There are five children's initiatives in Florida:<sup>71</sup>

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

Current law does not authorize state funding for children's initiatives, or establish eligibility criteria for children's initiatives to receive state funding. However, Ounce of Prevention has historically obtained nonrecurring funding for children's initiatives through local funding requests.<sup>72</sup> This results in varying services provided by each children's initiative based on level of funding available.

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

The Ounce is a private, nonprofit corporation dedicated to shaping prevention policy and investing in innovative prevention programs that provide measurable benefits to Florida's children, families, and communities.<sup>73</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>74</sup> Current law identifies the Ounce as the only organization able to designate areas in Florida as children's initiatives.<sup>75</sup>

#### Effect of the Bill – Children's Initiatives

The bill requires 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 children's initiative corporations 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 outlined in the strategic community plan. It also sets the priority for funding to go to children's initiatives being established in counties which do not currently have an initiative.

### **Child Support**

#### Current Situation

##### *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>76</sup> The IV-D program is administered by the federal Office of Child Support Enforcement (OCSE), within the United States Department of Health and

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<sup>71</sup> The Ounce of Prevention Fund of Florida, *Children's Initiative Communities in Florida*, [https://ounce.org/fci\\_communities.html](https://ounce.org/fci_communities.html) (last visited Feb. 1, 2022).

<sup>72</sup> See, e.g., Fiscal Year 2021-22, Conference Report of SB 2500, specific appropriations 1180 and 1502; Fiscal Year 2020-21, Conference Report of HB 5001, specific appropriations 1196.

<sup>73</sup> The Ounce of Prevention Fund of Florida, <https://www.ounce.org/> (last visited Jan. 28, 2022).

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

<sup>75</sup> S. 409.147(4), F.S.

<sup>76</sup> 42 U.S.C. ss.651, et. seq.

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>77</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>78</sup>

As Florida's IV-D agency,<sup>79</sup> the Department of Revenue (DOR) is responsible for collecting and enforcing child support.<sup>80</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>81</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>82</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>83</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.

#### *Delinquent Child Support Payments*

When an obligor is delinquent in making required child support payments, DOR may increase the amount of the monthly support obligation to include amounts for delinquencies.<sup>84</sup> If the obligor is not subject to income deductions, DOR must notify the obligor of his or her delinquency and of 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>85</sup>

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<sup>77</sup> *Id.*

<sup>78</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*, <https://www.acf.hhs.gov/css/about> (last visited Jan. 28, 2022).

<sup>79</sup> S. 409.2557(1), F.S.

<sup>80</sup> See s. 61.13, F.S.

<sup>81</sup> Florida Department of Revenue (DOR), *Child Support Program: Overview 2019*, [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 Jan. 28, 2022).

<sup>82</sup> *Id.* at 7.

<sup>83</sup> *Id.* at 5.

<sup>84</sup> S. 409.2564(9)(a), F.S.

<sup>85</sup> S. 409.2564(9)(b), F.S.

Statue currently doesn't require the notification information 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>86</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>87</sup>

### Effect of the Bill – Child Support

The bill requires 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 requires the delinquent child support payments notification provided to obligors to be in writing and include information on how the obligor can access the webpage mentioned above and information on how to access services through CareerSource Florida and organizations receiving grants that assist non-custodial parents meet child support obligations.

The bill requires Department of Economic Opportunity to award grants to organizations that assist non-custodial parents, who are unemployed or underemployed and have difficulty meeting child support obligations, become self-sufficient and establish a successful pattern of meeting child support payments.

### **DCF Reports**

#### Current Situation

Several statutes require DCF to submit reports on various topics to the Legislature:

- False Hotline Reports: Section 39.205(7), F.S., requires 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 FY 2019-20, 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%, with a five-year average of 0.18%.
- CBC Financial Review: Section 409.996(3), F.S. requires DCF to annually conduct a comprehensive, multiyear review of the revenues, expenditures, and financial positions of CBC's. The report must cover the most recent two consecutive fiscal years. The review must include a comprehensive system-of-care analysis and all CBC's must develop and maintain a plan to achieve financial viability. DCF's review and CBC plans must be submitted to the Governor and the Legislature by November 1 of each year. DCF reconciles all CBC accounting

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<sup>86</sup> Gulf Coast Jewish Family and Community Services, Inc., Children & Family Services, <https://gulfcoastjewishfamilyandcommunityservices.org/children-family-service/> (last visited Feb. 7, 2022).

<sup>87</sup> Gulf Coast Jewish Family and Community Services, Inc., Non-Custodial Parent Employment Program: 2020-2021, [https://gulfcoastjewishfamilyandcommunityservices.org/wp-content/uploads/2021/12/NCPEP\\_Results\\_Aug2021.pdf](https://gulfcoastjewishfamilyandcommunityservices.org/wp-content/uploads/2021/12/NCPEP_Results_Aug2021.pdf).

for the prior fiscal year around September 30, which cause a tight turnaround for finalization and review of the required report.

- **Performance Report:** S. 409.997(3), F.S., requires 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. Because the current due date of the report is October 1 of each year, it uses draft data from May and June for the fiscal year. This does not allow inclusion of final annualized child welfare data for the fiscal year.

### Effect of the Bill – DCF Reports

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

- Repeals the requirement to submit a report to the Governor and the Legislature on false reporting of child abuse, abandonment, and neglect.
- Amends the due date of the CBC financial review report to be December 1 rather than November 1. This change will allow DCF more time to reconcile all CBC accounting for the prior fiscal year.
- Amends the due date of the performance report to be November 15 rather than October 1. This allows the inclusion of final annualized child welfare data for the fiscal year.

The bill provides an effective date of July 1, 2022.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### **1. Revenues:**

None.

#### **2. Expenditures:**

The bill has a significant, negative, recurring fiscal impact on DEO and DCF. The FY 2022-23 GAA provides \$60,173,128 to fund various provisions of the bill. The GAA includes the following appropriations attributable to the estimated costs of the bill:

- \$27,585,000 in recurring general revenue to 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 in recurring general revenue to DCF to fund new or existing Children's Initiatives.
- \$4,420,000 in recurring general revenue to the Department of Health to integrate fatherhood programs into home visiting programs.
- \$7,050,000 in recurring general revenue to the Department of Economic Opportunity to award grants to entities to provide Non-Custodial Parent Employment Programs statewide.

The bill has a negative fiscal impact on CBC's to implement its provisions related to hiring father engagement specialists and increasing the financial stipends to young adults participating in the Postsecondary Education Services and Support (PESS) program, which is funded through the FY 2022-23 GAA. Specifically, the GAA appropriates:

- \$2,855,376 in recurring general revenue to hire father engagement specialists and to enhance services to fathers of children involved, or at-risk of involvement, in the child welfare system.
- \$8,352,000 in recurring general revenue to increase the PESS financial assistance stipend.
- \$5,710,752 in recurring general revenue to support former foster youth success in PESS, including readiness assessments before entering postsecondary education and helping enhance the skills of such young adults, providing ongoing support after entering postsecondary education, and creating transition plans to ensure a successful transition to adulthood after completion of the PESS program.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

D. FISCAL COMMENTS:

None.