

**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 Appropriations Committee on Health and Human Services

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BILL: CS/CS/SB 272

INTRODUCER: Appropriations Committee on Health and Human Services; Children, Families, and Elder Affairs Committee; and Senator Garcia and others

SUBJECT: Education for Children and Young Adults in Out-of-home Care

DATE: April 20, 2023

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Delia</u>	<u>Cox</u>	<u>CF</u>	<u>Fav/CS</u>
2.	<u>Sneed</u>	<u>Money</u>	<u>AHS</u>	<u>Fav/CS</u>
3.	<u>                    </u>	<u>                    </u>	<u>FP</u>	<u>                    </u>

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/CS/SB 272 is cited as the Nancy C. Detert Champion for Children Act.” The bill makes several changes to the statutes to enhance support for children and young adults who are currently or have formerly been in out-of-home care. The bill establishes the Office of the Children’s Ombudsman within the Department of Children and Families (DCF) and expands their participation in the Keys to Independence (Keys) program. The bill also requires certain information about their basic rights to be provided to them and requires the DCF to consult with these youth when creating or revising any print or digital information used to educate and inform these youth to ensure the information is understandable and age-appropriate.

The bill amends s. 39.4085, F.S., to establish the Office of the Children’s Ombudsman within the DCF to:

- Receive complaints from children and young adults about placement, care, and services and assist in mediating such concerns.
- Be a resource to identify and explain relevant policies or procedures to children, young adults, and their caregivers.
- Provide recommendations to the DCF to address systemic problems that are leading to complaints from children and young adults.

The bill requires case managers and other child welfare professionals to ensure that youth in out-of-home care receive information about laws and requirements on their rights and related education topics including:

- Normalcy and what that means for a child in out-of-home care;
- Safety;
- Education;
- Participation in court proceedings;
- Participation in permanency planning, transition planning and other case planning;
- Placement, visitation, and contact with siblings, family, and others; and
- Access to food, clothing, shelter, and health care.

The bill requires the DCF to consult with youth who are currently or have formerly been in out-of-home care when creating or revising any print or digital written information and use their feedback to ensure that such information is understandable, appropriate, and useful to them.

The bill amends s. 409.1454, F.S., to expand eligibility for the Keys program. The program is designed to remove barriers for foster and former foster youth to obtain a driver's license. The bill removes the criteria that the youth must have been in licensed care upon his or her 18<sup>th</sup> birthday. This change will allow approximately 450 additional young adults to be eligible to participate in the Keys program.

The bill has an insignificant negative fiscal impact on state government expenditures.

The bill is effective July 1, 2023.

## **II. Present Situation:**

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

The mission of the DCF 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>1</sup>

Under s. 20.19(4), F.S., the DCF must provide services relating to:

- Adult protection.
- Child care regulation.
- Child welfare.
- Domestic violence.
- Economic self-sufficiency.
- Homelessness.
- Mental health.
- Refugees.
- Substance abuse.

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

The DCF must also deliver services by contract through private providers to the extent allowed by law and funding.<sup>2</sup> These private providers include community based care lead agencies (CBCs) delivering child welfare services and managing entities (MEs) delivering behavioral health services.

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

Chapter 39, F.S., creates the dependency system charged with protecting child welfare. Florida's dependency system identifies children and families in need of services through reports to the central abuse hotline and child protective investigations. DCF and the 18 CBCs throughout Florida<sup>3</sup> work with those families to address the problems endangering children, if possible. If the problems are not addressed, the child welfare system finds safe out-of-home placements for these children.

The DCF's practice model is based on the safety of the child within the home by using in-home services, such as parenting coaching and counseling, to maintain and strengthen that child's natural supports in his or her environment.

The DCF contracts with CBCs for case management, out-of-home services, and related services. The outsourced provision of child welfare services is intended to increase local community ownership of service delivery and design. CBCs contract with a number of subcontractors for case management and direct care services to children and their families.

The DCF remains responsible for a number of child welfare functions, including operating the central abuse hotline, performing child protective investigations, and providing children's legal services.<sup>4</sup> Ultimately, the DCF is responsible for program oversight and the overall performance of the child welfare system.<sup>5</sup>

### **Rights of and Goals for Delivery of Services to Children in Foster Care**

The U.S. and Florida Constitutions provide rights to individuals, including children in foster care, as do certain federal and state laws. Examples include basic rights and a right to privacy under Article I, §2 and Article I, §23 of the Florida Constitution, the right to high quality education under Article IX of the Florida Constitution, and due process rights under the U.S. Constitution.

When a state takes a child into custody, it accepts responsibility for the child's safety.<sup>6</sup> Courts have found that foster children have a constitutional right to be free from unnecessary pain and a fundamental right to physical safety.<sup>7</sup> When a state fails to meet that obligation, it deprives the child of a liberty interest under the Fourteenth Amendment.<sup>8</sup>

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<sup>2</sup> *Id.*

<sup>3</sup> These 18 CBCs together serve the state's 20 judicial circuits.

<sup>4</sup> Ch. 39, F.S.

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

<sup>6</sup> *Ray v. Foltz*, 370 F.3d 1079, 1082 (11<sup>th</sup> Cir. 2004)(citing *Taylor v. Ledbetter*, 818 F.2d 791-95 (11<sup>th</sup> Cir. 1987).

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

<sup>8</sup> *Id.*

Section 39.4085, F.S., sets forth goals<sup>9</sup> for the delivery of services to children in shelter or foster care, including that services should be directed by the principle that the health and safety of children should be of paramount concern and children in shelter or foster care should:

- Receive a copy of these goals and have the goals fully explained to them when they are placed in the custody of the DCF.
- Enjoy individual dignity, liberty, pursuit of happiness, and the protection of their civil and legal rights as a person while in the custody of the state.
- Have their privacy protected, have their personal belongings secure and transported with them, and unless otherwise ordered by the court, have uncensored communication, including receiving and sending unopened communications and having access to a telephone.
- Have personnel providing services who are sufficiently qualified and experienced to assess risk children face prior to removal from their home and to meet the needs of the children once they are in the DCF's custody.
- Remain in the custody of their parents or legal custodians unless and until there has been a determination by a qualified person exercising competent professional judgment that removal is necessary to protect their physical, mental, or emotional health or safety.
- Have a full risk, health, educational, medical, and psychological screening, and, if needed, assessment and testing upon adjudication into foster care; and to have their photograph and fingerprints included in their case management file.
- Be referred to and receive services, including necessary medical, emotional, psychological, psychiatric, and educational evaluations and treatment, as soon as practicable after identification of the need for such services by the screening and assessment process.
- Be placed in a home with no more than one other child, unless part of a sibling group.
- Be placed away from other children known to pose a threat of harm to them, either because of their own risk factors or those of the other child.
- Be placed in a home where the shelter or foster caregiver is aware of and understands the child's history, needs, and risk factors.
- Be the subject of a plan developed by the counselor and the shelter or foster caregiver to deal with identified behaviors that may present a risk to the child or others.
- Be involved and incorporated, where appropriate, in the development of the case plan, to have a case plan that will address their specific needs, and to object to any of the provisions in the case plan.
- Receive meaningful case management and planning that will quickly return the child to the family or move the child on to other forms of permanency.
- Receive regular communication with a case manager, at least once a month, which includes meetings with the child alone and conferring with the caregiver.
- Enjoy regular visitation, at least once a week, with their siblings unless the court orders otherwise.
- Enjoy regular visitation with parents, at least once a month, unless the court orders otherwise.

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<sup>9</sup>The provisions of s. 39.4085, F.S., establish goals, not rights. The section does not require the delivery of any particular service or level of service in excess of existing appropriations. A person does not have a cause of action against the state or any of its subdivisions, agencies, contractors, subcontractors, or agents, based upon the adoption of or failure to provide adequate funding for the achievement of these goals by the Legislature. The section does not require the expenditure of funds to meet the goals except funds specifically appropriated for such purpose.

- Receive a free and appropriate education, minimal disruption to their education, and retention in their home school, if appropriate; referral to the child study team; all special educational services, including, where appropriate, the appointment of a parent surrogate; the sharing of all necessary information between the school board and the DCF, including information on attendance and educational progress.
- Be able to raise grievances with the DCF over the care they are receiving from their caregivers, case managers, or other service providers.
- Be heard by the court, if appropriate, at all review hearings.
- Have a guardian ad litem appointed to represent, within reason, their best interests and, where appropriate, an attorney ad litem appointed to represent their legal interests. Their guardian ad litem and attorney ad litem must have immediate and unlimited access to the children they represent.
- Have all their records available for review by their guardian ad litem and attorney ad litem if they deem such review is necessary.
- Organize as a group for purposes of ensuring they receive the services and living conditions to which they are entitled and to provide support for one another while in the DCF's custody.
- Be afforded prompt access to all available state and federal programs.

In accordance with s. 39.4091, F.S., caregivers for children in out-of-home care must use the “reasonable and prudent parent standard”. This means that the caregiver must use sensible parental decision-making that maintains the child’s health, safety, and best interests while at the same time encourages the child’s emotional and developmental growth when determining whether to allow a child in out-of-home care to participate in extracurricular, enrichment, and social activities.<sup>10</sup>

Public Law 113-183, Preventing Sex Trafficking and Strengthening Families Act, requires that, as part of case planning beginning at age 14, children in foster care must be given a document describing their rights with respect to safety, exploitation, education, health, visitation, and court participation. They must also be informed of their rights to be provided certain specific documents such as copies of consumer credit reports. Children are to sign an acknowledgement that they received these documents.<sup>11</sup>

The DCF created a 5-page brochure that outlines these expectations and describes the services of the Children’s Ombudsman.<sup>12</sup>

### **Education and Information for Children in the Child Welfare System**

Section 39.4085, F.S., requires that the design and delivery of child welfare services must be directed by the principle that the health and safety of children, including the freedom from abuse, abandonment, or neglect, is of paramount concern. The DCF is to operate with the understanding that the rights of children in shelter or foster care are critical to their safety, permanency, and

<sup>10</sup> The DCF, *CFOP 170-11, Ch. 6*, Sept. 2020, available at <https://www.myflfamilies.com/resources/policies-procedures/cfop-170-11-placement> (last visited March 30, 2023).

<sup>11</sup> The DCF, *2023 Agency Bill Analysis for SB 272* at p. 2, March 1, 2023 (on file with the Senate Appropriations Committee on Health and Human Services) (hereinafter cited as, “The DCF Analysis”).

<sup>12</sup> The DCF, *Youth in Foster Care*, available at <https://www.myflfamilies.com/sites/default/files/2022-12/10-28-Foster-Expectations.pdf> (last visited March 30, 2023).

well-being and to work with all stakeholders to help such children become knowledgeable about their rights.

Case managers or other staff must provide verbal and written instructions to a child entering shelter or foster care in an understandable manner on how to identify and report child abuse, abandonment, or neglect. The case manager or other staff must review this information with a child every six months and upon every placement change until the child leaves shelter or foster care. The case manager must document in court reports and case notes the date the child received the information.

### **Florida Children's Ombudsman**

In September of 2016, the DCF created an Ombudsman position which operates within the Office of Child and Family Wellbeing. The position was designed with the intent to listen and be a voice for children and youth involved in the child welfare system. The Ombudsman receives complaints about placement, care, and services, while assisting in mediating those concerns. The Ombudsman is a resource to identify and explain relevant policies or procedures to children, young adults, and their caregivers. The current Ombudsman responds to 450 cases on average each year. Although the Ombudsman is an important piece of the larger child welfare system, this team currently consists of one Ombudsman who serves mostly as a resource for information to the population they serve. As currently structured, the Ombudsman is not responsible for onsite investigations, reaching complaint resolution, or coordination with Lead Agencies, case workers, or the guardian ad litem.

The DCF currently operates a webpage that explains the Ombudsman's role and displays a toll-free number and email address to be used for children and young adults in out-of-home care who may have questions, concerns, or complaints.

Rule 65C-46.003(5)(d), F.A.C., requires all licensed residential group homes (child-caring agencies) to have written and posted grievance procedures which allow children in care or others to make complaints without fear of retaliation. This includes the requirement for group homes to post the phone number of the DCF's Ombudsman (1-844-KIDS-FLA) in areas frequented by children and where they can read it without scrutiny.<sup>13</sup>

### **Independent Living Services**

Florida's Independent Living service array is designed to assist youth and young adults in obtaining skills and support in six federally identified outcome areas<sup>14</sup> as they transition to adulthood. Independent Living programs include:

- Extended Foster Care (EFC) – a program that allows young adults to remain in foster care until the age of 21 while they participate in school, work or work training, and live in a supervised living arrangement;

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<sup>13</sup> The DCF Analysis at p. 3.

<sup>14</sup> The six federally identified outcome areas are increasing financial self-sufficiency, improving educational attainment, increasing connections to caring adults, reducing homelessness, reducing high-risk behavior, and improving access to health insurance.

- Postsecondary Education Services and Support (PESS) – a program that helps pay for housing, and other expenses related to attending an educational institution; and
- Aftercare Services – a temporary needs-based program intended to be a bridge between EFC and PESS programs that may include mentoring, tutoring, mental health and substance abuse services, counseling, and financial assistance.<sup>15</sup>

**Postsecondary Education Services and Support**

Postsecondary Education Services and Support (PESS) is a state-funded Independent Living program that provides a monthly financial award of \$1,720 for housing, utilities, and related expenses to eligible youth who were in the foster care system while working to receive the skills and education necessary to become self-sufficient.<sup>16</sup>

**PESS Eligibility**

Group 1	Group 2
Not yet 23 years of age but turned 18 years of age while in the custody of the Department of Children and Families (DCF) and spent at least six months in licensed care before turning 18.	Not yet 23 years of age but at least 18 years of age and adopted or placed with a court-approved guardian after his or her 16 <sup>th</sup> birthday and spent at least six months in licensed care during the 12 months immediately preceding such placement or adoption.
<b>OR</b>	
<b>AND</b>	
Earned a standard high school diploma or equivalent	
<b>AND</b>	
Enrolled in at least nine credit hours and attending a Florida Bright Futures eligible college or vocational school.	

**Keys to Independence Program**

Children in the foster care system often face barriers to participating in everyday life experiences common to other young people their age. These normal life experiences are an integral part of how all children learn and prepare for the responsibilities they will assume as adults. With the support of their families, millions of teens learn to drive and earn driver licenses every year. A study by the National Highway Traffic Safety Administration found that there are approximately 12 million young drivers on America’s roadways.<sup>17</sup> However, for a teen in foster care, for whom securing a driver license can be critically important to his or her success, achieving this milestone can be more complicated. Teens with access to a car are reported to perform better in

<sup>15</sup> See generally The DCF, Office of Child and Family Well-Being, Legislatively Mandated Reports, *Independent Living Services Annual Report FY 2020-21*, January 31, 2022, available at [https://www.myflfamilies.com/service-programs/child-welfare/lmr/docs/2022LMRs/Independent\\_Living\\_Services\\_Report\\_2021.pdf](https://www.myflfamilies.com/service-programs/child-welfare/lmr/docs/2022LMRs/Independent_Living_Services_Report_2021.pdf) (last visited February 10, 2023).

<sup>16</sup> Section 409.1451(2), F.S.

<sup>17</sup> US Department of Transportation, NHTSA, *Traffic Safety Facts 2020 Data*, p. 2, June 2022, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813313> (last visited February 10, 2023).

school, obtain better jobs, have more college options, and eventually, more successful careers.<sup>18</sup> Without a driver license, a teen has difficulty traveling, securing an apartment, and achieving gainful employment.<sup>19</sup> Florida law supports the efforts of teens in foster care to engage in age-appropriate activities<sup>20</sup> and requires the DCF, or its contracted vendors, to provide “independent life skills and normalcy supports” for children 13 through 17 years of age.<sup>21</sup>

The Keys to Independence (Keys) program is a state-funded support program designed to remove barriers to obtaining a driver license for foster and former foster youth.<sup>22</sup>

The program removes barriers to driving by paying, subject to available funding, the cost of driver education, licensure, other costs incidental to licensure, and motor vehicle insurance for certain populations.<sup>23</sup> The DCF contracts with the community-based care lead agency in the 9<sup>th</sup> and 18<sup>th</sup> Circuits, Embrace Families, to operate the Keys program statewide.<sup>24</sup>

In 2021, the Legislature expanded the Keys program to include children who are receiving Postsecondary Education Services and Support under s. 409.1451(2), F.S., and who were also in licensed care when reaching 18 years of age.<sup>25</sup>

Since December 2017, the Keys program has had over 8,213 enrolled and helped young adults obtain 2,231 learner permits and 1,199 driver licenses.<sup>26</sup> The Keys program has stated that the additional requirement that the young adult have been in licensed care when turning 18 years of age is preventing approximately 450 otherwise eligible young adults from entering the program.<sup>27</sup>

### **Nancy C. Detert**

Nancy C. Detert was a longtime public servant in both local and statewide government. She served in the Florida House of Representatives from 1998 to 2006 and the Florida Senate from 2008 to 2016. She was a champion for children and young adults while in the Legislature, sponsoring and passing many bills during her 16-year tenure, many of them in support of children in the child welfare system. Some of the legislation she was instrumental in includes:

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<sup>18</sup> Embrace Families, Report to Congress, *Impact Report: Keys to Independence*, May 2022, available at <https://embracefamilies.org/wp-content/uploads/2022/07/KEYS-TO-INDEPENDENCE-Report-to-Congress-FINAL-May-2022.pdf> (last visited February 10, 2023). The Annie E. Casey Foundation’s Jim Casey Initiative Youth Opportunities Initiative funded Child Trends, a non-profit research organization with a focus on children and families, to conduct analysis of Embrace Families’ data.

<sup>19</sup> *Id.*

<sup>20</sup> Section 409.145(2)(b), F.S.

<sup>21</sup> Section 409.145(3)(d), F.S.

<sup>22</sup> Section 409.1454, F.S.

<sup>23</sup> Section 409.1454(2), F.S.

<sup>24</sup> Keys to Independence, *About*, available at <https://keystoindependencefl.com/about/> (last visited February 7, 2023).

<sup>25</sup> Chapter 2021-169, L.O.F. In 2022, the Legislature again expanded the Keys program to include certain certified unaccompanied homeless youth under s. 743.067, F.S. Chapter 2022-65, L.O.F.

<sup>26</sup> Keys to Independence Program Monthly Report, *All Youth Life of Program Tab*, December 2022 (on file with the Senate Committee on Children, Families, and Elder Affairs).

<sup>27</sup> Embrace Families, Electronic mail from Gerry Glynn, Chief Legal Officer, *Re: Keys to Independence Glitch Bill*, November 29, 2022 (on file with the Senate Committee on Children, Families, and Elder Affairs).



- In 2002, Representative Detert sponsored the bill that would eventually become the “Road to Independence” program that provides assistance and scholarships to youth and young adults in the child welfare system and helps prepare them for transition to adulthood.<sup>28</sup>
- In 2005, she filed the first bill that would create a pilot program for foster youth to obtain driver licenses.<sup>29</sup> In 2014, this idea would eventually become the Keys to Independence Program, codified as s. 409.1454, F.S.<sup>30</sup>
- In 2013, Senate President Don Gaetz honored Senator Detert by naming her bill, SB 1036, as the “Nancy C. Detert Common Sense and Compassion Independent Living Act.”<sup>31</sup> This bill created the extended foster care (EFC) program in Florida allowing young adults to remain with supportive foster families and receive other supports and services until they reach the age of 21. EFC provides the care and compassion that many foster youth need beyond their 18<sup>th</sup> birthday.<sup>32</sup>

Nancy C. Detert passed away on April 5, 2023.<sup>33</sup>

### III. Effect of Proposed Changes:

The bill is cited as the “Nancy C. Detert Champion for Children Act.”

The bill requires case managers and child welfare professionals to provide certain information to children in the child welfare system and also establishes an Office of the Children’s Ombudsman within the DCF.

Specifically, the bill amends s. 39.4085, F.S., to require case managers or other staff to provide information to children in the child welfare system related to:

- Normalcy and what that means for a child in out-of-home care;
- Education;
- Participation in court proceedings;
- Participation in permanency planning, transition planning and other case planning;
- Placement, visitation, and contact with siblings, family, and other individuals important to the child; and
- Access to food, clothing, shelter, and health care.<sup>34</sup>

The section is further amended to remove the requirement that instructions provided to children in out-of-home care be “verbal and written”, and requires that the instructions provided must be accompanied with information as well. The bill allows the requirement that case managers or other staff offer children the opportunity to ask questions to remain, but removes the specific

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<sup>28</sup> Chapter 2002-19, L.O.F.; codified as 409.1451, F.S.

<sup>29</sup> HB 143 (2005)

<sup>30</sup> Chapter 2014-166, L.O.F.; codified as 409.1454, F.S.

<sup>31</sup> Tampa Bay Times, *Senator Means What She Says, and Gets Results*, May 24, 2013, available at <https://www.tampabay.com/news/politics/stateroundup/senator-means-what-she-says-and-gets-results/2122673/> (last visited April 17, 2023).

<sup>32</sup> SB 1036 (2013); Chapter 2013-178, L.O.F.

<sup>33</sup> The Sarasota Herald-Tribune, Nancy Detert Obituary, April 17, 2023, available at <https://www.heraldtribune.com/obituaries/psar0470439> (last visited April 17, 2023).

<sup>34</sup> The DCF Analysis at p. 4.

language referencing questions about their “rights and how to identify and report abuse, abandonment, and neglect.” The bill requires case managers to document, in court reports and case notes, the date that instructions were provided to the child.<sup>35</sup>

The bill establishes the Office of the Children’s Ombudsman within the DCF. To the extent permitted by available resources, the office will:

- Receive complaints from children and young adults about placement, care, and services and assist in mediating such concerns.
- Be a resource to identify and explain relevant policies or procedure to children, young adults, and their caregivers.
- Provide recommendations to the DCF to address systemic problems that are leading to complaints from children and young adults.

The bill requires the DCF to consult with children and young adults who are currently or have formerly been in out-of-home care when creating or revising any print or digital written information and use their feedback to ensure that information is understandable by and useful for the children and young adults.

The bill also expands the Keys program by removing language in statute that restricted one of the eligibility paths. Currently, youth and young adults who achieve eligibility for the Keys program via enrollment in PESS must also have been in licensed care when he or she reached 18 years of age. The bill removes the requirement for young adults who are eligible for enrollment in PESS to have also been in licensed care when he or she reached 18 years of age. This change will include the group of young adults in the “PESS Eligibility” chart (above) identified as “Group 2,” and expand eligibility for the Keys program by approximately 450 additional young adults.<sup>36</sup>

The number of young adults that will enroll in the Keys program out of the newly eligible 450 is unknown. However, lead agency enrollment of eligible young adults in the Keys program range from 99 percent (Heartland for Children) to 43 percent (Citrus Family Care Network) for an average of 68 percent of eligible young adults.<sup>37</sup> Applying this average percent to the newly eligible youth results in an estimated increase of 300 young adults in the Keys program.

The bill is effective July 1, 2023.

#### **IV. Constitutional Issues:**

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

None.

##### **B. Public Records/Open Meetings Issues:**

None.

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<sup>35</sup> *Id.*

<sup>36</sup> *Id.*

<sup>37</sup> Department of Children and Families, *Keys to Independence Annual Report*, p. 2-3, July 2022 (on file with the Senate Committee on Children, Families, and Elder Affairs).

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:

The DCF has contracted with Embrace Families, a community-based care lead agency, to administer the program since the 2017-2018 fiscal year. The contract was expanded statewide in the 2018-2019 fiscal year.<sup>38</sup> As specific populations of young adults have been added to the Keys program, additional funding was appropriated to the DCF. The contract amount for the 2022-2023 fiscal year is \$1,688,318. As the chart below indicates, the DCF appears to have sufficient funding to increase the contract with Embrace Families to serve additional program participants identified in this bill.<sup>39</sup> Embrace Families has also reported that the projected cost of expansion can likely be covered within the available DCF program funding.<sup>40</sup>

Fiscal Year	DCF Funding for Keys Program	Keys Program Contract Amount
2018-2019	\$800,000	\$800,000
2019-2020	\$800,000	\$800,000
2020-2021	\$800,000	\$800,000
2021-2022	\$2,483,938	\$1,017,688
2022-2023	\$2,483,938	\$1,688,318

<sup>38</sup> The DCF, *Embrace Families Contract #LJ973, Amendment #0007*, available at <https://facts.fldfs.com/Search/ContractDetail.aspx?AgencyId=600000&ContractId=LJ973> (last visited February 8, 2023).

<sup>39</sup> The DCF, Electronic mail from Chad Barrett, *RE: Keys to Independence Program (K2i)*, February 8, 2023 (on file with the Senate Committee on Children, Families, and Elder Affairs).

<sup>40</sup> Embrace Families, Electronic mail from Gerry Glynn, Chief Legal Officer, *Re: Keys to Independence Glitch Bill*, November 29, 2022 (on file with the Senate Committee on Children, Families, and Elder Affairs).

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 39.4085 and 409.1454.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS/CS by Appropriations Committee on Health and Human Services on April 18, 2023:**

The committee substitute:

- Titles the bill the “Nancy C. Detert Champion of Children Act.”
- Expands the Keys program eligibility criteria to allow certain youth in PESS to participate regardless of whether the youth was in licensed care when he or she 18 years old.

**CS by Children, Families, and Elder Affairs on April 4, 2023:**

The committee substitute:

- Places the requirement for specific information to be provided to children in the child welfare system in an existing section of law that is already related to the education of dependent youth.
- Establishes the Office of the Children’s Ombudsman and details the responsibilities of that office.
- Requires the DCF to consult with children and young adults in the creation of print and digital materials used to educate and inform children.
- Removes the requirement for an annual report.

- B. **Amendments:**

None.