

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 631 Aftercare Services Under Road-To-Independence Program

**SPONSOR(S):** Children, Families & Seniors Subcommittee, Tramont

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 564

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Children, Families & Seniors Subcommittee	14 Y, 0 N	DesRochers	Brazzell
2) Health Care Appropriations Subcommittee	14 Y, 0 N	Fontaine	Clark
3) Health & Human Services Committee	18 Y, 0 N	DesRochers	Calamas

### SUMMARY ANALYSIS

The Florida Department of Children and Families (DCF) contracts with Community-Based Care Lead Agencies (CBCs) to provide child protection and child welfare services to children and families in Florida. While the appropriate care of children is ultimately the responsibility of the state, DCF protects the best interests of children by achieving certain outcomes in conjunction with the CBCs. These outcomes include helping children receive appropriate services to meet their educational needs and to develop the capacity for independent living and competence as an adult.

Young adults who age out of the foster care system more frequently have challenges achieving self-sufficiency compared to young adults who never came to the attention of the foster care system.

Federal and state programs currently offer financial assistance to eligible young adults who desire the acquisition of skills, education, and necessary support to become self-sufficient and exit foster care. Aftercare services are intended to bridge gaps in an eligible young adult's progress towards self-sufficiency; eligibility is focused on individuals who have aged out of foster care at 18 and are younger than age 23. DCF or a CBC determines the specific Aftercare services provided to eligible young adults after an assessment.

HB 631 expands access to Aftercare services for young adults formerly in the child welfare system. Under the bill, any young adult who, having been placed by a court pursuant to dependency statutes, has lived in out-of-home care for at least 6 months after he or she turned 14 years of age will be eligible as long as the young adult is at least 18 years of age but not 23 years of age. Services may not duplicate certain other DCF independent living services the young adult receives.

The bill also authorizes DCF to distribute federal funds to all young adults deemed eligible by the federal funding source in the event of a state of emergency declared by the Governor or the President of the United States.

The bill has a significant, indeterminate, negative fiscal impact on DCF and no fiscal impact on local governments. See Fiscal Analysis.

The bill provides an effective date of July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### **Background**

#### **The Florida Department of Children and Families**

The Florida Department of Children and Families (DCF) contracts with Community-Based Care Lead Agencies (CBCs) to provide child protection and child welfare services to children and families in Florida.<sup>1</sup> There are 18 lead agencies that each cover specific geographic areas within the 20 Judicial Circuits in Florida. Several lead agencies cover more than one geographic area, and areas may include one or more counties. DCF contracts with community-based care lead agencies (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 in turn contract with a number of subcontractors for case management and direct care services to children and their families.

While the appropriate care of children is ultimately the responsibility of the state, DCF protects the best interests of children by achieving certain outcomes in conjunction with the CBCs. These outcomes include helping children receive appropriate services to meet their educational needs and to develop the capacity for independent living and competence as an adult.<sup>2</sup>

#### **Out-of-Home Care**

When children cannot safely remain at home with parents, Florida's child welfare system finds safe out-of-home placements for children. Through December 2023, there were 19,334 children and young adults in out-of-home care in Florida.<sup>3</sup> After a placement assessment to determine the most appropriate out-of-home placement, a child may be placed in licensed care or with a relative or a non-related individual known to the child, termed "fictive kin". Licensed care includes licensed foster parents and group homes or other licensed residential setting.<sup>4</sup>

#### **Transition to Adulthood**

Young adults who age out of the foster care system more frequently have challenges achieving self-sufficiency compared to young adults who never came to the attention of the foster care system. Young adults who age out of the foster care system are less likely to earn a high school diploma or GED and more likely to have lower rates of college attendance.<sup>5</sup> They have more mental health problems, have a higher rate of involvement with the criminal justice system, and are more likely to have difficulty achieving financial independence.<sup>6</sup> These young adults also have a higher need for public assistance and are more likely to experience housing instability and homelessness.<sup>7</sup>

In federal fiscal year 2021, the federal Children's Bureau within the U.S. Department of Health & Human Services reported 46,694 teens and young adults entered foster care in the United States,<sup>8</sup> with

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<sup>1</sup> S. 409.986(1)(a), F.S.

<sup>2</sup> S. 409.986(2), F.S.

<sup>3</sup> Office of Child and Family Well-Being, *Monthly Trends*, Florida Department of Children and Families, (last updated Jan. 10, 2024) <https://www.myflfamilies.com/ocfw-dashboard> (last visited Jan. 27, 2024).

<sup>4</sup> Ss. 39.4022(6), 39.523(2), F.S.

<sup>5</sup> Gypen, L., Vanderfaeillie, J., et al., "Outcomes of Children Who Grew Up in Foster Care: Systematic-Review", *Children and Youth Services Review*, vol. 76, pp. 74-83, <http://dx.doi.org/10.1016/j.childyouth.2017.02.035> (last visited November 30, 2023).

<sup>6</sup> *Id.*

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

<sup>8</sup> Children's Bureau, *The Adoption and Foster Care Analysis and Reporting System (AFCARS) FY 2021 data*, U.S. Department of Health and Human Services, p. 2, June 28, 2022, <https://www.acf.hhs.gov/sites/default/files/documents/cb/afcars-report-29.pdf> (last accessed Dec. 3, 2023).

2,167 teens and young adults entering Florida’s foster care system.<sup>9</sup> The Children’s Bureau also collects information and outcomes on youth and young adults currently or formerly in foster care who received independent living services supported by federal funds.<sup>10</sup> To this end, the Children’s Bureau’s National Youth in Transition Database (NYTD) representation tracks the independent living services each state provides to foster youth in care and assesses each state’s performance in providing independent living and transition services.

DCF will establish its fifth NYTD report (Oct. 2022 – Sept. 2023) that surveys youth in Florida’s foster care system beginning on their 17<sup>th</sup> birthday.<sup>11</sup> In the interim, the most recent Florida NYTD available on DCF’s website is the 2018 report.<sup>12</sup> In the chart below, the 2018 Florida NYTD documented outcomes related to education, employment, housing, finances and transportation, health and well-being, and connections:<sup>13</sup>

Outcomes of Young Adults who Aged Out of Care	
Area	Outcome
<b>Education</b>	<ul style="list-style-type: none"> <li>74% were enrolled in and attending high school, GED classes, post-high school vocational training, or college.</li> <li>12% experienced barriers that prevented them from continuing education. The top three reported barriers included the need to work full-time, not having transportation, and having academic difficulties.</li> </ul>
<b>Employment</b>	<ul style="list-style-type: none"> <li>15% were employed full-time (35 hours per week or more).</li> <li>26% were employed part-time.</li> <li>78% had a paid job over the last year.</li> <li>22% completed an apprenticeship, internship, or other on-the-job training, either paid or unpaid.</li> </ul>
<b>Housing</b>	<ul style="list-style-type: none"> <li>The top three current living situations included living in their own apartment, house, or trailer; living with friends or a roommate; and living in a group care setting (including a group home or residential care facility).</li> <li>41% had to couch surf or move from house to house because they did not have a permanent place to stay.</li> <li>27% experienced some type of homelessness in the past year.<sup>14</sup></li> </ul>
<b>Financial &amp; Transportation</b>	<ul style="list-style-type: none"> <li>46% received public food assistance.</li> <li>10% received social security payments (Supplemental Security Income, Social Security Disability Insurance, or dependents’ payments).</li> <li>83% had a reliable means of transportation to school/work.</li> <li>76% had an open bank account.</li> </ul>

<sup>9</sup> Children’s Bureau, *The Adoption and Foster Care Analysis and Reporting System (AFCARS) FY 2021 data: Florida*, U.S. Department of Health and Human Services, p. 1, June 28, 2022, <https://www.acf.hhs.gov/sites/default/files/documents/cb/afcars-tar-fl-2021.pdf> (last accessed Dec. 3, 2023).

<sup>10</sup> Children’s Bureau, *Data and Statistics: National Youth in Transition Database*, U.S. Department of Health & Human Services, [https://www.acf.hhs.gov/cb/data-research/data-and-statistics-nytd#FL\\_26606](https://www.acf.hhs.gov/cb/data-research/data-and-statistics-nytd#FL_26606) (last visited Dec. 3, 2023).

<sup>11</sup> Florida Department of Children and Families, *Independent Living Services Annual Report*, Office of Child Welfare, Feb. 2023, p. 15 [https://www.myflfamilies.com/sites/default/files/2023-07/Independent\\_Living\\_Services\\_Report\\_2022.pdf](https://www.myflfamilies.com/sites/default/files/2023-07/Independent_Living_Services_Report_2022.pdf) (last visited Dec. 4, 2023).

<sup>12</sup> Florida Department of Children and Families, *Annual Reports for Independent Living*, Child and Family Services, <https://www.myflfamilies.com/services/child-family/independent-living/annual-reports-for-independent-living> (last visited Dec. 4, 2023).

<sup>13</sup> Florida Department of Children and Families, *Florida National Youth in Transition Database, 2018 Survey Data Report*, <https://www.myflfamilies.com/sites/default/files/2023-06/2018%20Florida%20NYTD%20Statewide%20Report%20Final.pdf> (last visited Dec. 4, 2023).

<sup>14</sup> *Id.*

<b>Health &amp; Well-Being</b>	<ul style="list-style-type: none"> <li>• 85% were on Medicaid.</li> <li>• 18% had children.</li> <li>• 34% had not received medical care for a physical health problem, treatment for a mental health problem, or dental care in the past two years for some health problem needing to be addressed.</li> <li>• 24% were confined in a jail, prison, correctional facility, or juvenile detention facility within the past two years.</li> </ul>
<b>Connections</b>	<ul style="list-style-type: none"> <li>• 85% had at least one adult in their life, other than their case manager, to go to for advice or emotional support.</li> <li>• 67% had a close relationship with biological family members.</li> </ul>

### The Federal John H. Chafee Foster Care Program for Successful Transition to Adulthood

The John H. Chafee Foster Care Program for Successful Transition to Adulthood (the Chafee program) provides funding to support young adults in or formerly in foster care in their transition to adulthood. The program is funded through formula grants awarded to child welfare agencies in States (including the District of Columbia, Puerto Rico and the U.S. Virgin Islands) and participating Tribes. The program is funded at \$143 million a year.<sup>15</sup>

Chafee funds are used to assist young adults in a wide variety of areas designed to support a successful transition to adulthood. Activities and programs include, but are not limited to, help with education, employment, financial management, housing, emotional support and assured connections to caring adults. Specific services and supports are determined by the child welfare agency, vary by State, locality and agency, and are often based on the individual needs of the young person. Many State or local agencies contract with private organizations to deliver services to young people.<sup>16</sup>

Eligibility for the program, as outlined in federal law, includes:

- Youth in foster care, ages 14 and older
- Young people in or formerly in foster care, ages 18 to 21, or 23 in some jurisdiction
- Youth who left foster care through adoption or guardianship at age 16 or older
- Youth “likely to age out of foster care” to receive assistance to participate in age appropriate and normative activities

States and Tribes may have additional requirements for eligibility.<sup>17</sup>

In 2022, the federal government allotted \$7,175,951 in federal Chafee dollars to Florida for the purpose of independent living services.<sup>18</sup>

<sup>15</sup> Administration for Children and Families, *John H. Chafee Foster Care Program for Successful Transition to Adulthood*, U.S. Department of Health and Human Services, (last updated July 3, 2024) <https://www.acf.hhs.gov/cb/grant-funding/john-h-chafee-foster-care-independence-program> (last visited Jan. 26, 2024).

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> Administration for Children and Families, *FY 2022 Allotment for Chafee Foster Care Program for Successful Transition to Adulthood Grants*, U.S. Department of Health and Human Services, Attachment A, p. 8 (Feb. 9, 2023) <https://www.acf.hhs.gov/sites/default/files/documents/cb/pi2301.pdf> (last visited Jan. 26, 2024).

## Florida Programs for Older Youth and Young Adults

Florida uses the federal Chafee funding, along with other funding such as Title IV-E and state General Revenue, for programs and services for older youth in foster care and young adults formerly in foster care. Such programs include:

- Extended foster care.
- Road-to-Independence programs:
  - Postsecondary Supports and Services, and
  - Aftercare.
- DCF's Office of Continuing Care.

Extended foster care and the Road-to-Independence programs have different eligibility requirements and benefits.

### *Extended Foster Care*

A young adult who is living in licensed care on his or her 18th birthday and who has not achieved permanency may choose to remain under court supervision and the care of DCF through extended foster care.<sup>19</sup> If the young adult chooses to remain in care beyond his or her 18th birthday, then the young adult's permanency goal becomes transitioning to independence.<sup>20</sup> To this end, a young adult who chooses extended foster care must participate in one of four self-sufficiency activities. These four self-sufficiency activities include:

1. Completing secondary education or a program leading to an equivalent credential;
2. Being enrolled in an institution that provides postsecondary or vocational education;
3. Participating in a program or activity designed to promote or eliminate barriers to employment; or
4. Being employed for at least 80 hours per month.

However, the child may be excused from the self-sufficiency activities if the child has a documented physical, intellectual, emotional, or a psychiatric condition that limits the child's full-time participation.<sup>21</sup>

In addition to one or more self-sufficiency activities, the young adult in extended foster care must independently reside in a supervised living environment that DCF or a CBC approved. In other words, the young adult must continue to receive supervision, case management, and supportive services from DCF or a CBC but live independently in an environment that offers developmentally appropriate freedom and responsibility to prepare the young adult for adulthood.<sup>22</sup> Meanwhile, the court maintains jurisdiction to ensure that DCF and CBCs provide services and coordinate with, and maintain oversight of, other agencies involved in implementing the young adult's case plan, individual education plan, and transition plan.<sup>23</sup>

A supervised living arrangement may include a licensed foster home, licensed group home, college dormitory, shared housing, apartment, or another housing arrangement approved by CBC that is acceptable to the young adult. A young adult may continue to reside with the same licensed foster family or group care provider with whom he or she was residing at the time he or she reached the age of 18 years.<sup>24</sup> Through December 2023, 785 young adults (18-22) were in out-of-home care in Florida.<sup>25</sup>

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<sup>19</sup> S. 39.6251(1), F.S.

<sup>20</sup> S. 39.6251(3), F.S.

<sup>21</sup> S. 39.6251(2), F.S.

<sup>22</sup> S. 39.6251(4)(a), F.S.

<sup>23</sup> S. 39.6251(8), F.S.

<sup>24</sup> S. 39.6251(4)(a), F.S.

<sup>25</sup> *Supra*, FN 3.

A young adult ages out of extended foster care when he or she turns 21 (or 22 if the young adult has a disability), achieves permanency, or knowingly and voluntarily withdraws consent to participate in extended foster care – whichever comes first.<sup>26</sup>

### Florida's Road-to-Independence Program

Current law offers financial assistance to eligible young adults who desire the acquisition of skills, education, and necessary support to become self-sufficient and exit foster care. Eligible young adults access financial assistance through postsecondary education services and support (PESS) or aftercare services.<sup>27</sup>

### *PESS*

The PESS stipend helps eligible young adults seek higher education and self-sufficiency. A young adult becomes PESS eligible once eight criteria are met:

1. A former foster youth who is in one of three situations:
  - a. Turned 18 years of age while in the legal custody of DCF,
  - b. Adopted from foster care after the age of 16 after spending at least 6 months in licensed care within the 12 months immediately preceding the adoption, or
  - c. Placed with a court-approved permanent guardian after the age of 16 after spending at least 6 months in licensed care within the 12 months immediately preceding the permanent guardianship.
2. Spent at least 6 months in licensed care before reaching their 18<sup>th</sup> birthday.
3. Earned a standard high school diploma or its equivalent.
4. Admitted for enrollment as a full-time student<sup>28</sup> at an eligible Florida Bright Futures postsecondary educational institution.
5. Reached the age of 18 but is not yet 23 years of age.
6. Applied for other grants and scholarships that the eligible young adult qualifies for.
7. Submitted a complete and error-proof Free Application for Federal Student Aid.
8. Signed an agreement to allow DCF and the CBC lead agency access to school records.<sup>29</sup>

After establishing eligibility, DCF determines the PESS stipend amount. Generally, the PESS stipend amount is \$1,720/month. However, if the young adult remains in foster care while attending a postsecondary school and resides in a licensed foster home, the monthly PESS stipend amount is the established room and board rate for foster parents. If the young adult remains in foster care while attending a postsecondary school and resides in a licensed group home, the monthly PESS stipend amount is negotiated between the CBC lead agency and the licensed group home provider.<sup>30</sup>

Before an eligible young adult receives the PESS stipend, DCF or its contracted agency must assess the young adult's financial literacy and existing competencies necessary for successful independent living and the completion of postsecondary education.<sup>31</sup> Eligible young adults receive financial assistance during the months when they are enrolled in a postsecondary education institution.<sup>32</sup>

### *Aftercare Services*

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<sup>26</sup> S. 39.6251(5), F.S.

<sup>27</sup> S. 409.1451(1)(c), F.S.

<sup>28</sup> Students may enroll part-time if they have a recognized disability or if they secure approval from their academic advisor relating to a challenge or circumstance preventing full-time enrollment. Otherwise, full-time enrollment requires 9 credit hours or the vocational school equivalent.

<sup>29</sup> S. 409.1451(2)(a), F.S.

<sup>30</sup> S. 409.1451(2)(b), F.S.

<sup>31</sup> S. 409.1451(2)(d), F.S.

<sup>32</sup> S. 409.1451(2)(b), F.S.

Aftercare services are intended to bridge gaps in an eligible young adult's progress towards self-sufficiency. A young adult establishes eligibility for aftercare services if the young adult meets three four criteria:

1. Reached the age of 18 while in licensed foster care
2. Is currently at least 18 years old, but is not yet 23 years of age.
3. Is not in Extended Foster Care pursuant to s. 39.6251, F.S.
4. Temporarily not receiving a PESS stipend.<sup>33</sup>

Aftercare funding is also available to current PESS recipients under some emergency situations.<sup>34</sup>

The requirement that a young adult have reached the age of 18 in licensed care is in DCF rule.<sup>35</sup> This rule is consistent with the 2012 statutes, which required Aftercare recipients to have aged out of foster care. A 2013 revision to the Road-to-Independence program statute was included in a bill focusing on services for young adults who aged out of foster care or were adopted in their later teens; this revision removed the requirement that a young adult must have aged out of foster care to receive Aftercare services, though the intent language of the section refers to both individuals who have spent time in foster care and those who have aged out of care.<sup>36</sup>

Thus under DCF rule, an individual must have been living in a licensed foster home or other licensed residential setting at age 18 to receive Aftercare funding, or receive PESS and have a qualifying emergency situation. This excludes individuals who had spent time in the dependency system but reached permanency such that they did not age out of care (meaning they were not in a licensed foster home or other licensed residential setting when they turned age 18). For example, young adults who were adopted as older teens but no longer are being supported by their adoptive parents are ineligible for Aftercare services; neither are young adults who achieve reunification with a parent as an older teen.

Aftercare services include, but are not limited to, the following:

1. Mentoring and tutoring.
2. Mental health services and substance abuse counseling.
3. Life skills classes, including credit management and preventive health activities.
4. Parenting classes.
5. Job and career skills training.
6. Counselor consultations.
7. Temporary financial assistance for necessities.
8. Temporary financial assistance for emergencies like automobile repairs or large medical expenses.
9. Financial literary skills training.<sup>37</sup>

DCF or a CBC lead agency determines the specific Aftercare services provided to eligible young adults after an assessment.<sup>38</sup> The resulting aftercare services plan is reassessed every 90 days.<sup>39</sup> Subject to available funding, Aftercare services are available to PESS stipend grantees who experience an emergency situation and whose resources are insufficient to meet the emergency situation.<sup>40</sup>

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<sup>33</sup> S. 409.1451(3)(a), F.S.; R. 65C-42.003(1), F.A.C.

<sup>34</sup> S. 409.1451(3)(a)2., F.S.

<sup>35</sup> R. 65C-42.003(1), F.A.C.

<sup>36</sup> Ch. 13-178, L.O.F.

<sup>37</sup> S. 409.1451(3)(b), F.S.

<sup>38</sup> S. 409.1451(3)(b), F.S.; R. 65C-42.003(6), F.A.C.

<sup>39</sup> R. 65C-42.003(8), F.A.C.

<sup>40</sup> S. 409.1451(3)(a), F.S.

In total, DCF reports in the table below that Florida spent the following amounts on Aftercare services for the past three fiscal years.<sup>41</sup>

Fiscal Year	Eligible Population	Actual Participants	Participation Rate	Per Youth Expenditure	Total Expenditures
2020-2021	3,119	316	10%	\$2,625	\$829,726
2021-2022	3,045	371	12%	\$3,841	\$1,425,261
2022- 2023	3,034	421	14%	\$4,385	\$1,846,401

DCF reports that Florida experienced a 13% increase in the total number of young adults receiving independent living services for state fiscal year (SFY) 2022-2023 compared to SFY 2021-2022.

The table below itemizes the number of young adults served in each Independent Living program by each CBC Lead Agency during the past two state fiscal years (SFYs):<sup>42</sup>

Lead Agency	2021-2022			2022-2023		
	Aftercare	EFC	PESS	Aftercare	EFC	PESS
Brevard Family Partnership	28	33	14	27	104	11
ChildNet Inc	22	166	112	24	166	112
ChildNet Palm Beach	14	126	68	11	118	62
Children's Network of SW Florida	8	41	58	8	65	34
Citrus Health Network	39	229	198	48	269	186
Communities Connected for Kids	16	28	25	11	28	26
Community Partnership for Children	8	49	37	16	76	47
Family Support Services Suncoast	42	104	62	49	105	55
Children's Network Hillsborough	57	87	40	57	146	60
Embrace Families	32	117	58	38	145	57
Families First Network	12	98	28	11	100	19
St Johns County Commission	5	12	8	0	12	8
Family Support Services	36	97	33	23	107	31
Heartland for Children	32	79	23	37	91	29
Kids Central Inc	39	28	27	54	54	39
Kids First of Florida Inc	0	16	10	0	27	13
NWF Health Network-East	16	55	35	19	67	27
Partnership for Strong Families	10	16	12	6	16	5
Safe Children Coalition	17	37	16	29	37	16
<b>Statewide</b>	<b>433</b>	<b>1,418</b>	<b>864</b>	<b>467</b>	<b>1,733</b>	<b>857</b>

### Office of Continuing Care

The Office of Continuing Care at DCF helps individuals who have aged out of the child welfare system, until age 26. The office provides ongoing support and care coordination needed for young adults to achieve self-sufficiency. Duties of the office include, but are not limited to:

- Informing young adults who age out of the foster care system of the purpose of the office, the types of support the office provides, and how to contact the office.
- Serving as a direct contact to the young adult in order to provide information on how to access services to support the young adult's self-sufficiency, including but not limited to, food assistance, behavioral health services, housing, Medicaid, and educational services.

<sup>41</sup> Florida Department of Children and Families, *Agency Analysis for 2024 House Bill 631*, p. 2 (2024).

<sup>42</sup> Department of Children and Families, *Department of Children and Families Response to the Independent Living Services Advisory Council 2023 Annual Report*, p. 6 (Dec. 31, 2023) <https://www.myflfamilies.com/services/child-family/lmr> (last visited Jan. 4, 2024).

- Assisting in accessing services and supports for the young adult to attain self-sufficiency, including, but not limited to, completing documentation required to apply for services.
- Collaborating with CBC's to identify local resources that can provide support to young adults served by the office.
- Developing and administering the Step into Success Workforce Education and Internship Pilot Program for foster youth and former foster youth as required under s. 409.1455.<sup>43</sup>

## **Effect of the Bill**

### **Aftercare**

HB 631 expands access to Aftercare services to a broader population of young adults who were involved in Florida's child welfare system. Under the bill, the following individuals are eligible:

- were placed by a court under Florida's dependency statutes,
- lived in out-of-home care (including licensed placements and placements with family members or fictive kin) for at least 6 months after turning 14 years of age, and
- are at least 18 years of age but not 23 years of age.

Therefore, the bill allows more young adults who were formerly in care, regardless of the out-of-home placement type they were in or whether they achieved permanency before age 18, to receive Aftercare services.

While the bill allows a young adult to receive Aftercare services even if the young adult simultaneously benefits from PESS or is in EFC, the bill prohibits duplicative services and supports.

### **Distribution of Funding in Emergencies**

In the event of a state of emergency declared by the Governor or the President of the United States, the bill allows DCF to distribute federal funds to all young adults deemed eligible by the funding source, even if these eligibility standards are different than those of the PESS program or Aftercare. This means that young adults who would not meet the eligibility criteria of those programs could receive federal funding if DCF distributes funding to those who are not otherwise eligible.

The bill provides an effective date of July 1, 2024.

## **B. SECTION DIRECTORY:**

**Section 1:** Amending s. 409.1451, F.S., relating to the road-to-independence program.

**Section 2:** Providing an effective date.

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

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

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

None.

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

The bill expands the eligibility for Aftercare services to former foster youth, resulting in an anticipated cost increase to the Independent Living Program. Based upon data from the Florida Safe Families Network and various assumptions regarding participation rates, the department

estimates a cost of up to \$6,446,995 to serve the additional population.<sup>44</sup> An alternative assumption based upon a differing participation rate in the department's Legislative Budget Request (LBR) for an increase to the Independent Living Program suggests a lower cost estimate of \$3,428,700 to cover the expanded, eligible Aftercare services population.<sup>45</sup>

The House proposed General Appropriations Act for FY 2024-25 includes \$8,110,140 to fund the expanded eligibility of Independent Living programs contemplated in HB 1083, which is contingent upon the passage of that bill. This includes the anticipated cost of \$3,428,700 for Aftercare services. HB 1083 has been reported favorably by the Children, Families, and Seniors Subcommittee and will next be considered by the Appropriations Committee.<sup>46</sup>

Aftercare services are subject to available funding. Certain services can be curtailed should the appropriation in HB 1083 be insufficient to cover the entire eligible population. Furthermore, to the extent that the initial assumptions of eligible populations and participation rates do not comport with the actual, observed number of participants and rates during FY 2024-25, the department can submit an LBR for FY 2025-26 for the additional need.

It is unknown whether DCF will spend federal funds during an official state of emergency.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

Some individuals who do not currently receive Aftercare services may be able to receive them in the future.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

DCF has sufficient rulemaking authority to carry out the provisions of the bill.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

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<sup>44</sup> *Supra*, FN 41.

<sup>45</sup> Florida Department of Children and Families, *Agency Legislative Budget Request for Fiscal Year 2024-2025, Exhibit D-3A: Expenditures by Issue and Appropriation Category*, (Sept. 14, 2023)

<http://floridafiscalportal.state.fl.us/Document.aspx?ID=26122&DocType=PDF> (last visited Feb. 12, 2024).

<sup>46</sup> HB 5001, House General Appropriations Act, Specific Appropriation 330.

None.

#### IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES