

# FLORIDA HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 395](#)

**TITLE:** Dependent Children

**SPONSOR(S):** Rizo and Woodson

**COMPANION BILL:** [SB 996](#) (Rodriguez)

**LINKED BILLS:** None

**RELATED BILLS:** None

### Committee References

[Human Services](#)

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## SUMMARY

### Effect of the Bill:

CS/ HB 395 requires the Department of Children and Families (DCF) and each community-based care lead agency (CBC) to coordinate with advocacy organizations representing children with lived experience in the child welfare system. To this end, the bill requires DCF and each CBC to hold quarterly meetings to solicit input from such organizations on ways to address challenges and opportunities for children in the child welfare system. The bill requires each quarterly meeting to have a published agenda and minutes to ensure transparency, and a biannual reporting requirement beginning in calendar year 2027, detailing how they have implemented the suggestions of the advocacy organizations.

### Fiscal or Economic Impact:

See Fiscal or Economic Impact

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## ANALYSIS

### EFFECT OF THE BILL:

#### Florida's Child Welfare System

CS/ HB 395 requires the Department of Children and Families (DCF) and each community-based care lead agency (CBC) to coordinate with organizations focused on empowering children with lived experience in the child welfare system by holding quarterly meetings to solicit input from those organizations to address challenges and opportunities for children in the child welfare system. The bill requires each quarterly meeting to have a formal agenda. The bill requires the DCF website and each CBC website to publish the formal agenda and the minutes from each meeting.

Beginning in calendar year 2027, the bill requires DCF and each CBC to publish biannual reports on their respective websites by February 1 and August 1 each year to outline how they have implemented the suggestions of the organizations with advocate for children with lived experience in the child welfare system. (Section 1).

The bill has an effective date of July 1, 2026. (Section 2).

**STORAGE NAME:** h0395.HSS

**DATE:** 2/13/2026

**FISCAL OR ECONOMIC IMPACT:****STATE GOVERNMENT:**

The bill may result in an insignificant negative fiscal impact to DCF for staff time for administrative work involved in the meetings and reporting and website maintenance. Any costs associated with such activity can be absorbed within existing resources.

**PRIVATE SECTOR:**

The bill may result in an insignificant negative fiscal impact to the CBCs for staff time for administrative work involved in the meetings and reporting and website maintenance. Any costs associated with such activity can be absorbed within existing resources.

**RELEVANT INFORMATION****SUBJECT OVERVIEW:****Florida's Child Welfare System**

Administered by the Department of Children and Families (DCF), Florida's child welfare system seeks to:

- Provide for the care, safety, and protection of children in an environment that fosters healthy social, emotional, intellectual, and physical development;
- Ensure secure and safe custody;
- Promote the health and well-being of all children under the state's care; and
- Prevent the occurrence of child abuse, neglect, and abandonment.<sup>1</sup>

**Community-Based Care Lead Agencies (CBCs)**

DCF outsources some child protection and child welfare services to 15 community based-care lead agencies (CBCs).<sup>2</sup> CBCs organize services such as family preservation, mental health services, case management, emergency shelter, foster care, residential group care, postplacement supervision, independent living, and permanency.<sup>3</sup> CBCs may subcontract case management and direct care services to other provider groups under certain conditions.<sup>4</sup>

Meanwhile, DCF retains direct control over a number of child welfare functions, including operating the central abuse hotline, performing child protective investigations, and providing children's legal services.<sup>5</sup> Ultimately, DCF must ensure children receive appropriate, quality care.<sup>6</sup>

<sup>1</sup> S. [39.001\(1\)\(a\), F.S.](#)

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

<sup>3</sup> S. [409.986\(3\), F.S.](#)

<sup>4</sup> S. [409.988\(1\)\(j\), F.S.](#) Current law requires a CBC to recruit other provider groups when the CBC seeks DCF's approval for an exemption to exceed the 35% cap on the direct provision of child welfare services. Current law conditions the exemption upon a showing that the CBC's geographic service area still lacks a qualified provider after the CBC's good faith recruitment efforts. s. 409.988(1)(j). F.S.

<sup>5</sup> S. [409.996, F.S.](#)

<sup>6</sup> Ss. [409.986\(1\)\(b\), F.S.](#), [409.996, F.S.](#), [409.997, F.S.](#)

## DCF Interventions

### In-Home Preventative Services

If a DCF child protective investigator discovers impending danger<sup>7</sup> or present danger<sup>8</sup> to a child, he or she must implement a specific, sufficient, feasible, and sustainable safety plan.<sup>9</sup> DCF may activate in-home prevention services like parental coaching, family therapy, and cognitive-behavioral interventions to mitigate danger. If these services are successful, DCF prevents a home removal, a disrupted family, and a foster care placement.<sup>10</sup>

### Temporary Shelter

At any time during the life of the safety plan, should DCF develop probable cause that a child cannot remain safely at home, current law authorizes DCF to take custody of the child. Within 24 hours of the home removal, DCF must file a petition for a shelter hearing.<sup>11,12</sup> DCF may temporarily shelter the child overnight with a relative or nonrelative or in a licensed home or facility.<sup>13</sup> At the shelter hearing, the court appoints a guardian ad litem for the child.<sup>14</sup>

If the presiding judge agrees with the necessity of home removal and that in-home remedial services will not eliminate the necessity of out-of-home care, the judge will continue the child's shelter placement.<sup>15</sup> At the next scheduled hearing (i.e., disposition), the judge orders an out-of-home care placement for the child and, if necessary, the accompanying array of social and rehabilitative services.<sup>16</sup>

### Out-of-Home Care Placements

Current law prioritizes out-of-home care placements that are the least restrictive, most family-like settings which are available in close proximity to the child's home and meets the child's needs.<sup>17</sup> Licensed foster care consists of a range of placements for children in out-of-home care that vary in service level. The following chart displays the levels of licensed care.<sup>18</sup>

<sup>7</sup> "Impending danger" means a situation in which family behaviors, attitudes, motives, emotions, or situations pose a threat that may not be currently active but that can be anticipated to become active and to have severe effects on a child at any time. S. [39.01\(38\), F.S.](#)

<sup>8</sup> "Present danger" means a significant and clearly observable family condition that is occurring at the current moment and is already endangering or threatening to endanger the child. Present danger threats are conspicuous and require that an immediate protective action be taken to ensure the child's safety. S. [39.01\(69\), F.S.](#)

<sup>9</sup> S. [39.301\(9\)\(a\), F.S.](#)

<sup>10</sup> S. [39.01\(70\), F.S.](#)

<sup>11</sup> "Shelter hearing" means a hearing in which the court determines whether probable cause exists to keep a child in shelter status pending further investigation of the case. S. [39.01\(82\), F.S.](#)

<sup>12</sup> Ss. [39.401\(1\), F.S.](#), [39.401\(3\), F.S.](#) To establish probable cause, DCF must find evidence of:

- Past abuse, neglect or abandonment to the child;
- Present suffering of the child from illness or injury as a result of abuse, neglect, or abandonment;
- Imminent suffering of the child from illness or injury as a result of abuse, neglect, or abandonment;
- A material violation of the court's order of protective supervision (Ss. 39.01(74), F.S., [39.521\(3\), F.S.](#)) or out-of-home placement; or
- The lack of an immediately known or available legal caregiver or kinship caregiver to provide care and supervision for the child.

<sup>13</sup> Ss. [39.01\(81\), F.S.](#), [39.402\(8\)\(a\), F.S.](#) DCF must determine the shelter placement according to the same standard as foster care placements – balance the child's best interests (see [s. 39.01375, F.S.](#)) against the statutory hierarchy of preferred placements (see [s. 39.4021, F.S.](#)).

<sup>14</sup> S. [39.402\(8\)\(c\), F.S.](#)

<sup>15</sup> Ss. [39.402\(2\), F.S.](#), [39.402\(8\)\(h\), F.S.](#)

<sup>16</sup> S. [39.521\(1\)\(a\), F.S.](#)

<sup>17</sup> Ss. [39.4021, F.S.](#), [39.523\(1\), F.S.](#) The statutory hierarchy of preferred placements for a child, in descending order, is with the nonoffending parent, a relative caregiver, an adoptive parent of the child's sibling, fictive kin with a close existing relationship to the child, a nonrelative caregiver who lacks an existing relationship with the child, licensed foster care, and group or congregate care.

<sup>18</sup> S. [409.175, F.S.](#); The Department of Children and Families, *Foster Home Licensing*,

<https://www.myflfamilies.com/services/licensing/foster-care-licensing> (last visited Jan. 6, 2026).

Licensed Care Placements	
Placement Type	Description
<b>Level I: Child-Specific Foster Home</b>	Places a child with relatives or non-relatives who have an existing relationship with the child and are willing and able to provide care for the child.
<b>Level II: Non-Child Specific Foster Home</b>	Places a child with a foster parent without having a prior relationship between the child and foster parent.
<b>Level III: Safe Foster Home for Victims of Human Trafficking</b>	Places a victim of human trafficking in a safe and stable environment.
<b>Level IV: Therapeutic Foster Home</b>	Places a child with a foster parent that has received specialized training to care for children and adolescents that have significant emotional, behavioral, or social needs.
<b>Level V: Medical Foster Home</b>	Places a child with a foster parent with specialized training to care for children and adolescents with chronic medical conditions.
<b>Group Homes</b>	Places a child in a single family or multi-family community with no greater than 14 children to meet the physical, emotional, and social needs of the child.

Across all placement categories, DCF served an average of 14,634 children and young adults in out-of-home care per month in calendar year 2025. In calendar year 2024, the monthly average was 16,979, which means DCF served on average 13% less children and young adults per month in out-of-home care year-over-year.<sup>19</sup>

As of June 2025, DCF records a total bed capacity of license Levels I through V at 14,078. This is a decrease in total bed capacity of 19.4% from 2023 levels, where DCF recorded total bed capacity at 17,470 in January 2023.<sup>20</sup>

## Transitions into Adulthood

### Transition Plans

Current law requires DCF and the CBCs to assist an older foster youth in developing a transition plan during the year after his or her 16<sup>th</sup> birthday. A transition plan targets the state's independent living programs to help older foster youth access housing, health insurance, financial literacy, a driver's license, workforce support, and employment services.<sup>21</sup> DCF must regularly review the transition plan, and the court must approve it before the older youth's 18<sup>th</sup> birthday.<sup>22</sup>

<sup>19</sup> Office of Child and Family Well-Being, "Office of Child and Family Well-Being Dashboard: Monthly Trend," *Department of Children and Families*, (last updated Jan. 12, 2026) <https://www.myflfamilies.com/ocfw-dashboard> (last visited Jan. 14, 2026). Select the box for "Children and Young Adults in Out-of-Home Care". On the next page, click the grid symbol in the upper right-hand corner. On the next page, add up data entries for January 2025 through December 2025 yields 175,614. Divide that figure by 12 to yield monthly average. Repeat for calendar year 2024.

<sup>20</sup> Department of Children and Families, "Placement in Out-of-Home Care Data: Percent and Count of Foster Home Bed Capacity by License Type and CBC Lead Agency," (last updated Jun. 2025) <https://www.myflfamilies.com/services/child-family/placement-data> (last visited Jan. 13, 2025). Scroll down to "Percent and Count of Foster Home Bed Capacity by License Type and CBC Lead Agency" interactive graph chart. Note that bed capacity is highly concentrated in License Levels I and II.

<sup>21</sup> Ss. 39.6035, [409.14515, F.S.](#)

<sup>22</sup> S. 39.6035(3)-(4), F.S.

The DCF Office of Continuing Care (OCC) helps individuals who have exited the child welfare system until they reach the age of 26. OCC provides ongoing support and care coordination needed for young adults to achieve self-sufficiency through food assistance, behavioral health services, housing, Medicaid, educational services, and workforce development.<sup>23</sup>

### Independent Living Programs

#### *Road-to-Independence Program*

The Florida Legislature established the Road-to-Independence Program, s. 409.1454, F.S., which includes the Postsecondary Education Services and Support (PESS) and Aftercare Services programs, to help eligible young adults who were in the child welfare system transition into independent living.

PESS is a room-and-board stipend (typically \$1,720/month) available to certain former foster youth aged 18-22 who are enrolled in postsecondary education. Aftercare services include mentoring and tutoring, mental health services, substance abuse counseling, life skills classes, parenting classes, job and career skills training, counselor consultations, financial literacy skills training, emergency financial assistance for auto repairs or large medical expenses, and temporary financial assistance for basic living necessities (e.g., education supplies, transportation expenses, security deposits, furnishings, household goods).<sup>24</sup>

During SFY 2024-25, 909 young adults received PESS stipends and 493 young adults received aftercare services.<sup>25</sup>

#### *Extended Foster Care*

The permanency goal for a young adult who chooses to remain in care past his or her 18th birthday is to transition to independence. To this end, current law gives these young adults the option to remain in DCF care under judicial supervision as long as they participate in a qualifying self-sufficiency activity (e.g., pursuing a high school diploma, GED, postsecondary education, vocational education, workforce development programs, or maintaining employment for at least 80 hours a month).<sup>26</sup>

Extended foster care ends on the young adult's 21<sup>st</sup> birthday (or 22<sup>nd</sup> for those with disabilities), when the young adult achieves a statutorily preferred permanency outcome, or when the young adult knowingly and voluntarily withdraws consent to participate in extended foster care.<sup>27</sup>

During SFY 2024-25, 1,382 young adults participated in extended foster care.<sup>28</sup>

<sup>23</sup> [S. 414.56, F.S.](#)

<sup>24</sup> [S. 409.1451, F.S.](#)

<sup>25</sup> Department of Children and Families, "Independent Living Services - Annual Report", <https://www.myflfamilies.com/services/child-family/lmr> (last visited Oct. 13, 2025). Instructions: On DCF's webpage for Legislatively Mandated Reports, find the bubble for Independent Living Services for individual annual reports. Table 1 in each report records total PESS recipients (The FY 2016-2017 and 2017-2018 report records data in Appendix D). For 2024-2025, refer to the following document: Department of Children and Families, *Independent Living Services Advisory Council (ILSAC) Annual Report 2025*, p. 22-23 (Jan. 7, 2026) <https://www.myflfamilies.com/sites/default/files/2026-01/2025%20Annual%20Independent%20Living%20Services%20Advisory%20Council%20Report%20and%202025%20Annual%20Response%20to%20the%20Independent%20Living%20Services%20Advisory%20Council%20Report.pdf> (last visited Jan. 25, 2026).

<sup>26</sup> However, the young adult may be excused from the self-sufficiency activities if the young adult documents a physical, intellectual, emotional, or a psychiatric condition that limits the young adult's full-time participation. [S. 39.6251\(2\)\(e\), F.S.](#)

<sup>27</sup> [S. 39.6251\(5\), F.S.](#)

<sup>28</sup> Department of Children and Families, *Independent Living Services Advisory Council (ILSAC) Annual Report 2025*, p. 22-23 (Jan. 7, 2026) <https://www.myflfamilies.com/sites/default/files/2026-01/2025%20Annual%20Independent%20Living%20Services%20Advisory%20Council%20Report%20and%202025%20Annual%20Response%20to%20the%20Independent%20Living%20Services%20Advisory%20Council%20Report.pdf> (last visited Jan. 25, 2026).

### *Keys-to-Independence Program*

The Keys-to-Independence program is a state-funded program designed to remove barriers for foster youth and former foster youth in obtaining a driver's license. To the extent funding permits, the program pays the cost of driver education, licensure and other costs incidental to licensure and motor vehicle insurance for current and former foster youth who have successfully completed a driver education program.<sup>29</sup> The Keys-to-Independence Program is run by a DCF-contracted nonprofit entity by the same name.<sup>30</sup>

### *Step into Success Workforce Education and Internship Pilot Program*

DCF OCC is in the final year of administering a three-year pilot program created by statute, the Step into Success Workforce Education and Internship Pilot Program, to help eligible current and former foster youth<sup>31</sup> develop professional skills and prepare for an independent and successful future.<sup>32</sup> This program has a workforce education component and an internship component to help eligible current and former foster youth ascertain career fields of interest. The workforce education component consists of workshops, mock interviews, experiential training, and assistance with securing an internship or employment.<sup>33</sup>

The internship component pairs each participant with a mentor who has worked for the participating organization for at least one year and has completed a minimum of one hour of trauma-informed training to gain critical skills for successfully engaging former foster youth. Mentors lead monthly performance reviews of the intern, to review his or her work product, professionalism, time management, communication style, and stress-management strategies. Interns must work at least 80 hours per month to be eligible to receive the monthly stipend payment of \$1,517.<sup>34</sup> Interns may participate in the internship for no more than one year and receive 12 monthly stipends. A former foster youth may intern with multiple participating organizations, but not at the same time.<sup>35</sup>

### *Foster Youth to Independence Federal Housing Voucher Program*

For young adults aged 18 through 24 who left foster care or will leave foster care within 90 days in accordance with the young adult's transition plan, and are homeless or are at risk of becoming homeless, the United States Department of Housing and Urban Development (HUD) provides housing vouchers through the HUD Foster Youth to Independence (FYI) Housing Choice Voucher program. HUD FYI vouchers are portable across residential addresses within the state, valid for 36 months (with a maximum extension of 24 months in certain cases), and valued at the county's average per unit cost.<sup>36</sup>

Current law requires DCF and the CBCs to refer eligible former foster youth to a public housing authority pursuant to a partnership agreement.<sup>37</sup> In turn, the public housing authority submits a request to HUD for an FYI voucher and signs a housing assistance payment contract with the landlord after the property passes a HUD FYI housing quality standard inspection. As long as the landlord receives the tenant's housing assistance payments, the

<sup>29</sup> S. 409.1454, F.S. Youth who DCF certifies as an unaccompanied homeless youth under s. 743.067, F.S. and who are citizens of the United States or legal resident of Florida are eligible for the Keys-to-Independence Program as well.

<sup>30</sup> Keys-to-Independence, "Home Page," <https://keysto independencefl.com/> (last visited Feb. 6, 2026).

<sup>31</sup> Current foster youth who are older than 16 years of age but younger than 18 years of age are currently in licensed care, excluding Level I licensed placements, are eligible for the Step into Success program. s. 409.1455(3)(c), F.S. Former foster youth who are 18 years of age but younger than 26 years of age who are currently in or were in licensed care, excluding Level I licensed placements, for at least 60 days, are eligible for the program. s. 409.1455(3)(b), F.S.

<sup>32</sup> Florida Department of Children and Families, *Step into Success Pilot Program*, available at: <https://www.myflfamilies.com/youth-young-adults> (last visited 11/10/25).

<sup>33</sup> S. 409.1455(5), F.S. Educational topics must cover interview skills, professionalism, teamwork, leadership, problem solving, and conflict resolution in the workplace.

<sup>34</sup> S. 409.1455(6), F.S.

<sup>35</sup> S. 409.1455(8), F.S.

<sup>36</sup> 42 U.S.C. § 1437(f)(x). 42 U.S.C. § 1437u.

<sup>37</sup> S. 409.14525, F.S.

landlord must provide the tenant with decent, safe, and sanitary housing at a reasonable rent.<sup>38</sup> Between HUD FYI implementation in 2019 and May 2025, 17 public housing authorities in Florida secured a total of 475 HUD FYI vouchers.<sup>39</sup>

## Self-Advocates with Lived Experience

Lived experience refers to the knowledge an individual has of a particular system, due to their personal involvement.<sup>40</sup> Listening to the lived experiences of an individual helps to better understand the conditions affecting a certain population, (such as those in the child welfare system) solutions to address challenges that vulnerable populations face, and any unintended consequences from policies that were intended to support the population.<sup>41</sup> In recent years, there has been an increased focus on engaging with individuals with lived experience in the child welfare system nationwide.<sup>42</sup>

### Statewide Youth Advisory Board

In October 2025, DCF launched the Statewide Youth Advisory Board (Board) exclusively for youth and young adults with lived experience in Florida's child welfare system, including out-of-home care, adoption, and independent living programs. The Board serves as a direct platform for youth and young adults to share feedback, ideas, and recommendations with DCF about improving the child welfare system. The Board sits up to 21 voting members ages 18–23 with Florida residency, and some voting members are also officers. The Board makes additional non-voting seats available for youth and young adults ages 14–26 who also wish to engage in statewide advocacy and leadership opportunities.<sup>43</sup>

The DCF Office of Child and Family Well-Being's Youth and Young Adult Services teams provides administrative support to the Board and vets prospective board member applications.<sup>44</sup> Applicants must be sponsored by a CBC or a youth advocacy organization, which will support their participation in Statewide Youth Advisory Board activities. The Statewide Youth Advisory Board will meet regularly throughout the year—both virtually and in person—to discuss DCF initiatives, identify areas for improvement, and collaborate on recommendations that strengthen support for youth and young adults in areas such as the transition to adulthood. Members will receive training in leadership, public speaking, and policy development while working alongside DCF leadership and community partners to improve outcomes for their peers statewide.<sup>45</sup>

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<sup>38</sup> See "FYI Vouchers for the Foster Youth to Independence," *U.S. Department of Housing and Urban Development*, <https://www.hud.gov/hud-partners/public-indian-housing-fyi> (last visited Feb. 6, 2026).

<sup>39</sup> *Id.* Scroll to bottom of webpage and look for "PHA Administering FYI Vouchers (Effective Date on or before 05/31/2025)." Click through for the excel spreadsheet file that records voucher awards by public housing authority.

<sup>40</sup> Children's Bureau, "Child Welfare Information Gateway: Lived Experience," *U.S. Department of Health & Human Services*, <https://www.childwelfare.gov/topics/casework-practice/lived-experience/?top=275> (last visited Feb. 6, 2026).

<sup>41</sup> Office of the Assistant Secretary for Planning and Evaluation, "Methods and Emerging Strategies to Engage People with Lived Experience: Improving Federal Research, Policy, and Practice," *U.S. Department of Health & Human Services*, (Dec. 20, 2021) <https://aspe.hhs.gov/sites/default/files/documents/62e7a64c60e10c47484b763aa9868f99/lived-experience-brief.pdf> (last visited Feb. 6, 2026).

<sup>42</sup> Children's Bureau, "Incorporating Lived Experience into Child Welfare Capacity Building," *U.S. Department of Health & Human Services*, (Oct. 2, 2023) <https://acf.gov/cb/report/incorporating-lived-experience-child-welfare-capacity-building> (last visited Feb. 6, 2026).

<sup>43</sup> Florida Department of Children and Families, "The Florida DCF Announces the Launch of the Statewide Youth Advisory Board," (Oct. 31, 2025) <https://www.myflfamilies.com/news-events/newsroom/press-release/florida-department-children-and-families-announces-launch> (last visited Feb. 4, 2026). Florida Department of Children and Families, "Statewide Youth Advisory Board," <https://www.myflfamilies.com/statewide-youth-advisory-board> (last visited Feb. 3, 2026).

<sup>44</sup> Florida Department of Children and Families, "Statewide Youth Advisory Board," <https://www.myflfamilies.com/statewide-youth-advisory-board> (last visited Feb. 3, 2026). Scroll to bottom of page to find and select the "Membership Interest Form."

<sup>45</sup> Florida Department of Children and Families, "The Florida DCF Announces the Launch of the Statewide Youth Advisory Board," (Oct. 31, 2025) <https://www.myflfamilies.com/news-events/newsroom/press-release/florida-department-children-and-families-announces-launch> (last visited Feb. 4, 2026).

The Board meets regularly throughout the year, both virtually and in person, to discuss emerging topics, review DCF initiatives, and collaborate on solutions. Meeting dates and participation opportunities are shared in advance with members and partners.<sup>46</sup>

## BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Human Services Subcommittee</a>	13 Y, 0 N, As CS	2/12/2026	Mitz	DesRochers
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> <li>Removed provision requiring a weekly cash allowance for each child in out-of-home care, as part of the application of the “reasonable and prudent parent” standard of care.</li> <li>Removed provisions establishing an age-based schedule of minimum weekly cash allowance amounts for children in out-of-home care.</li> <li>Removed DCF rulemaking authority for the allowance program.</li> <li>Retained provisions requiring DCF and the CBCs to hold quarterly meetings with organizations empowering children with lived experience in the child welfare system.</li> </ul>			

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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<sup>46</sup> *Supra*, FN 11.