

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

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

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Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

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BILL: SB 996

INTRODUCER: Senator Rodriguez

SUBJECT: Dependent Children

DATE: February 2, 2026

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

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Rao	Tuszynski	CF	Pre-meeting
2.		AHS	
3.		FP	

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### **I. Summary:**

SB 996 aims to emphasize the importance of learning from individuals with lived experience and increasing normalcy in foster care through teaching foster children the importance and value of money.

The bill requires the Department of Children and Families (DCF) and each Community-based care (CBC) lead agency to coordinate with organizations that are focused on empowering children with lived experience in the child welfare system. The bill requires the DCF and CBC lead agencies to regularly meet with such organizations and publish the implementation of suggestions received from such regular meetings.

The bill codifies the current requirement for caregivers of children in the child welfare system to provide each child over the age of six in his or her care with a weekly cash allowance, based on the child's age. The allowance must not be tied to the child's behavior, withheld as punishment, or used to purchase necessities the caregiver has a responsibility to purchase. The bill encourages caregivers to earn additional money through chores and support children that wish to obtain employment.

The bill includes the provision of a weekly cash allowance in the application of the reasonable and prudent parenting standard of care. The bill gives rulemaking authority to the DCF.

The DCF estimates a significant, negative, fiscal impact to the state, due to the provision of a weekly allowance to children in out-of-home care that is required in the bill.

The bill provides an effective date of July 1, 2026.

## II. Present Situation:

### Florida's Child Welfare System – Generally

Chapter 39, F.S., creates Florida's dependency system charged with protecting children who have been abused, abandoned, or neglected.<sup>1</sup> Florida's child welfare system identifies children and families in need of services through reports to the central abuse hotline and child protective investigations.<sup>2</sup> The Department of Children and Families (DCF) and community-based care (CBC) lead agencies<sup>3</sup> work with those families to address the problems endangering children, if possible. If the problems cannot be addressed, the child welfare system finds safe out-of-home placements for these children.<sup>4</sup>

Child welfare services are directed toward the prevention of child abuse, abandonment, and neglect.<sup>5</sup> The DCF aims to increase the safety of the child within his or her home, using in-home services, such as parenting coaching and counseling to maintain and strengthen the child's natural supports in the home environment.<sup>6</sup> These services are coordinated by DCF-contracted CBCs. Ultimately, the DCF remains responsible for the operation of the central abuse hotline and investigations of abuse, abandonment, and neglect.<sup>7</sup> Additionally, the department is responsible for all program oversight and the overall performance of the child welfare system.<sup>8</sup>

### Department of Children and Families

The DCF's statutory mission is to work in partnership with local communities to protect the vulnerable, promote strong and economically self-sufficient families, and advance personal and family recovery and resiliency.<sup>9</sup> The DCF implements a practice model for child and family well-being that is safety-focused, trauma-informed, and family-centered. Such practices are intended to ensure:

- Permanency. Florida's children should enjoy long-term, secure relationships within strong families and communities.
- Child Well-Being. Florida's children should be physically and emotionally healthy and socially competent.
- Safety. Florida's children should live free from maltreatment.

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<sup>1</sup> Chapter 39, F.S.

<sup>2</sup> See generally s. 39.101, F.S. (establishing the central abuse hotline and timeframes for initiating investigations).

<sup>3</sup> See s. 409.986(1)(a), F.S. (finding that it is the intent of the Legislature that the Department of Children and Families "provide child protection and child welfare services to children through contracting with CBC lead agencies"). A "community-based care lead agency" or "lead agency" means a single entity with which the DCF has a contract for the provision of care for children in the child protection and child welfare system, in a community that is no smaller than a county and no larger than two contiguous judicial circuits. Section 409.986(3)(d), F.S. The secretary of DCF may authorize more than one eligible lead agency within a single county if doing so will result in more effective delivery of services to children. *Id.*

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

<sup>5</sup> Section 39.001, F.S.

<sup>6</sup> See generally The Department of Children and Families, *Florida's Child Welfare Practice Model*, available at: <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/floridas-child-welfare-practice-model> (last visited 1/16/26).

<sup>7</sup> Section 39.101, F.S.

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

<sup>9</sup> Section 20.19(1)(a), F.S.

- Family Well-Being. Florida's families should nurture, protect, and meet the needs of their children, and should be well integrated into their communities.<sup>10</sup>

The DCF is statutorily required to deliver services by contract through private providers to the extent allowed by law and funding.<sup>11</sup> These private providers include community-based care lead agencies that deliver child welfare services.<sup>12</sup>

### ***Community-Based Care System***

The DCF, through CBCs, administer a system of care to children and families that must focus on the following:<sup>13</sup>

- Prevention of separation of children from their families;
- Intervention to allow children to remain safely in their own homes;
- Reunification of families who have had their children removed from their care;
- Safety for children who are separated from their families;
- Promoting the well-being of children through emphasis on educational stability and timely health care;
- Permanency, including providing adoption and postadoption services; and
- Transition to independence and self-sufficiency.

The CBCs are required to give priority to services that are evidence-based and trauma informed.<sup>14</sup> Further, by outsourcing the provision of child welfare services, local communities have the freedom to implement programs that would best serve the individualized needs of their communities. There are 16 lead agencies statewide that serve the states 20 judicial circuits, as follows:<sup>15</sup>

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<sup>10</sup> See generally Department of Children and Families (DCF), *Florida's Child Welfare Practice Model*, available at: [https://www.myflfamilies.com/sites/default/files/2022-12/FLCSPRACTICEMODEL\\_0.pdf](https://www.myflfamilies.com/sites/default/files/2022-12/FLCSPRACTICEMODEL_0.pdf) (last visited 1/16/26).

<sup>11</sup> Section 20.19(1)(c), F.S.

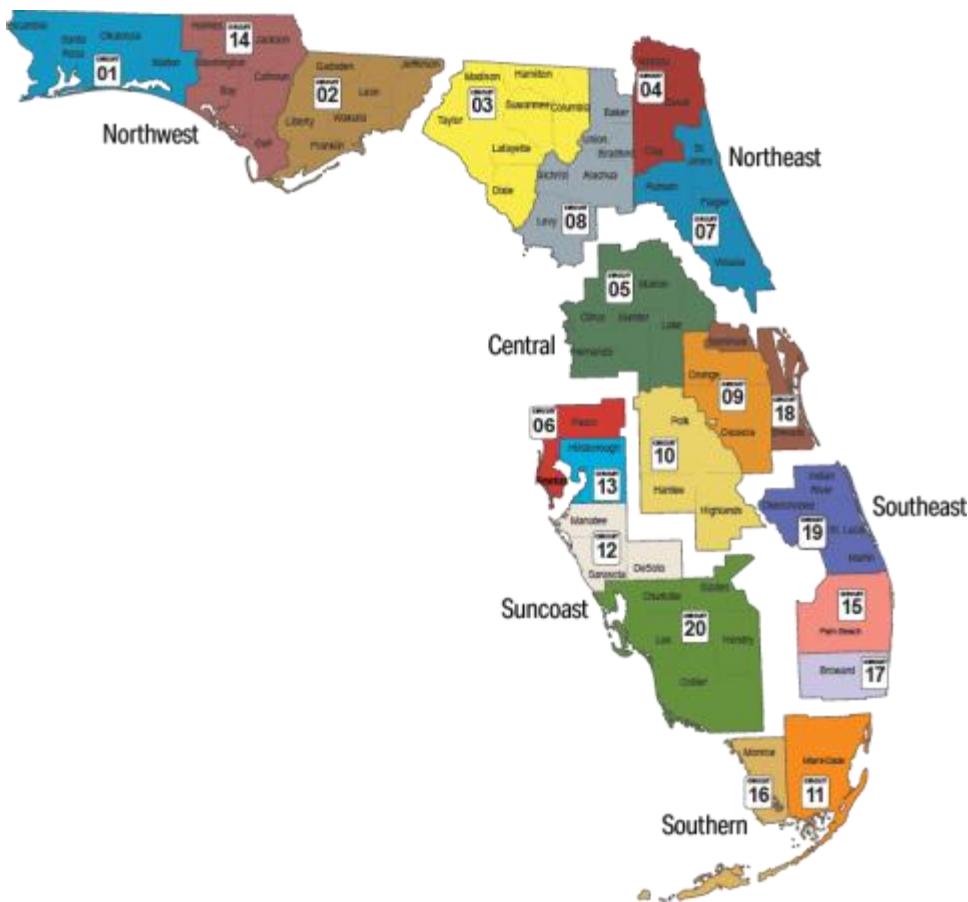
<sup>12</sup> Part V of ch. 409, F.S. and s. 409.986(1)(a), F.S.

<sup>13</sup> Section 409.145 (1), F.S.

<sup>14</sup> Section 409.988(3), F.S.

<sup>15</sup> Department of Children and Families, *Lead Agency Information*, available at:

<https://www.myflfamilies.com/services/child-family/child-and-family-well-being/community-based-care/lead-agency-information> (last visited 1/16/26).



Each lead agency contracts with many subcontractors for case management and direct-care services for children and their families.<sup>16</sup>

## Dependency System Process

In some instances, services may not be enough to maintain a safe environment for a child to live in. When child welfare necessitates that the DCF remove a child from the home to ensure his or her safety, a series of dependency court proceedings must occur to place the child in an out-of-home placement, adjudicate the child dependent, and if necessary, terminate parental rights and free the child for adoption. This process is typically triggered by a report to the central abuse hotline and a child protective investigation that determines the child should not remain in his or her home, notwithstanding services DCF provides. Generally, the dependency process includes, but is not limited to:

- A report to the central abuse hotline.
- A child protective investigation to determine the safety of the child.
- A court finding that the child is dependent.<sup>17</sup>

<sup>16</sup> Department of Children and Families, *About Community-Based Care (CBC)*, available at:

<https://www.myflfamilies.com/services/child-and-family-well-being/community-based-care/about> (last visited 1/16/26).

<sup>17</sup> A “child who is found to be dependent” refers to a child who is found by the court: to have been abandoned, abused, or neglected by the child’s parents or legal custodians; to have been surrendered to the DCF or licensed child-placing agency for the purpose of adoption; to have parents or legal custodians that failed to substantially comply with the requirements of a case plan for the purpose of reunification; to have been voluntarily placed with a licensed child-placing agency for the purposes of

- Case planning to address the problems that resulted in the child's dependency.
- Reunification with the child's parent or another option, such as adoption, to establish permanency.<sup>18</sup>

A child is found to be dependent if he or she is found by the court to be:<sup>19</sup>

- Abandoned, abused, or neglected by a parent or legal custodian;
- Surrendered to the DCF or a licensed child-placing agency for purpose of adoption;
- Voluntarily placed with a licensed child-caring agency, a licensed child-placing agency, an adult relative, the DCF, or the former Department of Health and Rehabilitative Services, after which placement, under the requirements of Ch. 39, F.S., a case plan has expired and the parent or parents or legal custodians have failed to substantially comply with the requirements of the plan;
- Voluntarily placed with a licensed child-placing agency for the purposes of subsequent adoption, and a parent or parents have signed a consent pursuant to the Florida Rules of Juvenile Procedure;
- Have no parent or legal custodian capable of providing supervision and care;
- Are at substantial risk of imminent abuse, abandonment, or neglect by the parent or parents or legal custodians; or
- Have been sexually exploited and have no parent, legal custodian, or responsible adult relative currently known and capable of providing the necessary and appropriate supervision and care.

A petition for dependency may be filed by an attorney for the DCF or another person who has knowledge of the facts alleged or is informed of them and believes they are true.<sup>20</sup>

### ***Central Abuse Hotline and Investigations***

The department is statutorily required to operate and maintain a central abuse hotline to receive reports of known or suspected instances of child abuse,<sup>21</sup> abandonment,<sup>22</sup> or neglect,<sup>23</sup> or

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subsequent adoption; to have no parent or legal custodians capable of providing supervision and care; to be at substantial risk of imminent abuse, abandonment, or neglect; or to have been sexually exploited and to have no parent, legal custodian, or responsible adult relative available to provide the necessary and appropriate supervision. Section 39.01(15), F.S.

<sup>18</sup> Office of the State Courts Administrator, The Office of Family Courts, *A Caregiver's Guide to Dependency Court*, available at: <https://flcourts-media.flcourts.gov/content/download/218185/file/Web-Caregivers-Guide-Final-09.pdf> (last visited 1/30/26); *see also* ch. 39, F.S.

<sup>19</sup> Section 39.01(15), F.S.

<sup>20</sup> Section 39.501, F.S.

<sup>21</sup> Section 39.01(2), F.S. defines "abuse" as any willful or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired.

<sup>22</sup> Section 39.01(1), F.S. defines "abandoned" or "abandonment" as a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child's care and maintenance or has made no significant contribution to the child's care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both. "Establish or maintain a substantial and positive relationship" means, in part, frequent and regular contact with the child, and the exercise of parental rights and responsibilities.

<sup>23</sup> Section 39.01(53), F.S. states "neglect" occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly

instances when a child does not have a parent, legal custodian, or adult relative available to provide supervision and care.<sup>24</sup> The hotline must operate 24 hours a day, 7 days a week, and accept reports through a single statewide toll-free telephone number or through electronic reporting.<sup>25</sup>

If the hotline counselor determines a report meets the definition of abuse, abandonment, or neglect, the report is accepted for a protective investigation.<sup>26</sup> Based on the report, the department makes a determination regarding when to initiate a protective investigation:

- An investigation must be immediately initiated if:
  - It appears the child's immediate safety or well-being is endangered;
  - The family may flee or the child will be unavailable for purposes of conducting a child protective investigation; or
  - The facts otherwise warrant; or
- An investigation must be initiated within 24 hours in all other cases of child abuse, abandonment, or neglect.<sup>27</sup>

Once a child protective investigator (CPI) is assigned, the CPI assesses the safety and perceived needs of the child and family; whether in-home services are needed to stabilize the family; and whether the safety of the child necessitates removal and the provision of out-of-home services.<sup>28</sup>

### ***In-Home Services and Out-of-Home Care***

The DCF is required to make all efforts to keep children with their families and provide interventions that allow children to remain safely in their own homes.<sup>29</sup> CPIs and CBC case managers refer families for in-home services to allow children to remain in their own homes.

As of December 31, 2025, there were 8,111 children and young adults receiving in-home services.<sup>30</sup>

When a CPI determines that in-home services are not enough to ensure a child's safety, the CPI removes the child from the home and places him or her in a safe and appropriate temporary out-of-home placement.<sup>31</sup> These placements are aimed to be the least restrictive, most family-like placements available, and are intended to provide short-term housing and support to a child until the child can safely return home, or the child achieves an alternate form of permanency, such as

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impaired, except when such circumstances are caused primarily by financial inability unless services have been offered and rejected by such person.

<sup>24</sup> Section 39.201(1), F.S.

<sup>25</sup> Section 39.101(1), F.S.

<sup>26</sup> Section 39.201(4)(a), F.S.

<sup>27</sup> Section 39.101(2), F.S.

<sup>28</sup> See generally s. 39.301, F.S. and Part IV, Chapter 39, F.S. (regulating taking children into custody and shelter hearings).

<sup>29</sup> Sections 39.402(7), 39.521(1)(f), and 39.701(d), F.S.

<sup>30</sup> Florida Department of Children and Families, *Office of Child and Family Well-Being Dashboard*, available at: <https://www.myflfamilies.com/ocfw-dashboard> (last visited 1/27/26).

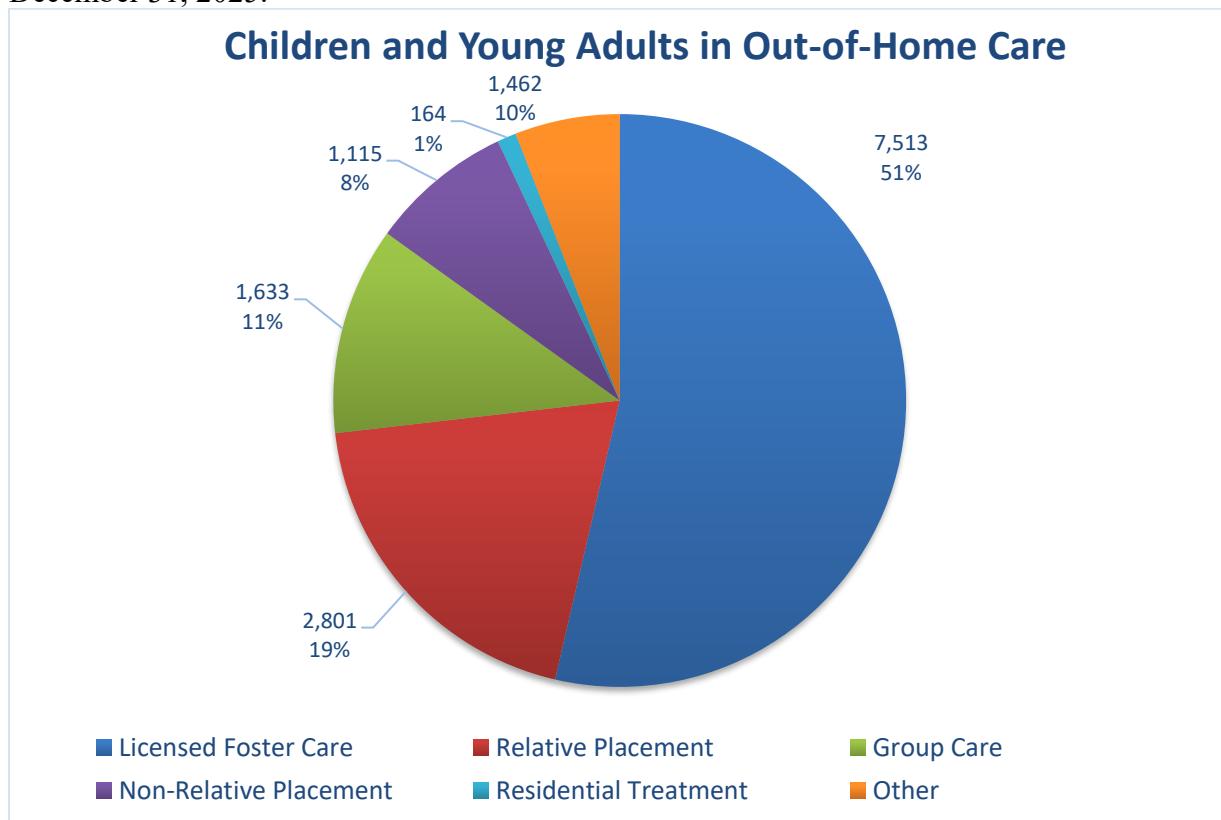
<sup>31</sup> Section 39.4021, F.S.

adoption, if reunification is not attainable.<sup>32</sup> The DCF is required to consider a child's placement in out-of-home care in the following priority order:

- Non-offending parent.
- Relative caregiver.
- Adoptive parent of the child's sibling.
- Fictive kin who has a close existing relationship to the child.
- Nonrelative caregiver that does not have an existing relationship to the child.
- Licensed foster care.
- Group or congregate care.<sup>33</sup>

### Out-of-Home Care for Children

The following chart demonstrates the number of children in out-of-home placement types as of December 31, 2025.<sup>34</sup>



<sup>32</sup> Florida Department of Children and Families, *Florida's Child Welfare Practice Model*, available at: <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/floridas-child-welfare-practice-model> (last visited 1/30/26).

<sup>33</sup> Section 39.4021, F.S.

<sup>34</sup> Florida Department of Children and Families, *Office of Child and Family Well-Being Dashboard*, available at: <https://www.myflfamilies.com/ocfw-dashboard> (last visited 1/27/26).

### ***Licensed Foster Care***

Licensed care provides a range of placements for children in out-of-home care that vary in service level. The following chart displays each level of licensed care.<sup>35</sup>

<b>Licensed Care Placements</b>	
<b>Placement Type</b>	<b>Description</b>
Level I: Child-Specific Foster Home	Places a child with relatives or non-relatives who have an existing relationship with the child and is willing and able to provide care for the child.
Level II: Non-Child Specific Foster Home	Places a child with a foster parent without having a prior relationship between the child and foster parent.
Level III: Safe Foster Home for Victims of Human Trafficking	Places a victim of human trafficking in a safe and stable environment.
Level IV: Therapeutic Foster Home	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.
Level V: Medical Foster Home	Places a child with a caregiver who has received specialized training to provide care for children and adolescents with chronic medical conditions.

### ***Relative and Nonrelative Caregivers***

When determining a suitable out-of-home placement for a child, the department identifies that placing a child within his or her own family reduces the trauma of removal, reduces the risk of placement disruption, and enhances prospects for finding a permanent family if the child cannot return home.<sup>36</sup> Placing a child in the home of a relative or fictive kin<sup>37</sup> is referred to as “kinship care” and is generally praised for improving the outcomes of children in out-of-home care.<sup>38</sup>

The DCF is required to engage in family finding to identify family and other close adults that may care for the child in his or her home, or provide a long-term emotional support network if the adult is not able to care for the child in his or her home.<sup>39</sup> Such family finding efforts must begin as soon as the child is taken into the custody of the department.<sup>40</sup>

As of December 31, 2025, there were 2,801 children and young adults placed with relatives, and 1,115 children and young adults placed with an approved nonrelative.<sup>41</sup>

<sup>35</sup> Florida Department of Children and Families, *Foster Home Licensing*, available at: <https://www.myflfamilies.com/services/licensing/foster-care-licensing> (last visited 1/27/26).

<sup>36</sup> Section 39.4015, F.S.

<sup>37</sup> “Fictive kin” refers to a person unrelated by birth, marriage, or adoption who has an emotionally significant relationship, which possesses the characteristics of a family relationship, to a child. See Section 39.01(29), F.S.

<sup>38</sup> See Section 39.5086, F.S.; American Bar Association, *Kinship Care is Better for Children and Families*, available at: [https://www.americanbar.org/groups/public\\_interest/child\\_law/resources/child\\_law\\_practiceonline/child\\_law\\_practice/vol-36/july-aug-2017/kinship-care-is-better-for-children-and-families/](https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practiceonline/child_law_practice/vol-36/july-aug-2017/kinship-care-is-better-for-children-and-families/) (last visited 1/27/26).

<sup>39</sup> Section 39.4015, F.S.

<sup>40</sup> *Id.*

<sup>41</sup> Florida Department of Children and Families, *Office of Child and Family Well-Being Dashboard*, available at: <https://www.myflfamilies.com/ocfw-dashboard> (last visited 1/27/26).

## Financial Support for Caregivers

To support caregivers as they care for children in out-of-home care, the state operates several programs to provide caregivers with financial assistance; the amount of financial assistance a caregiver receives is based on the type of caregiver, licensure, and the dependency status of the child.

### ***Relative Caregiver Program***

The Relative Caregiver Program (RCP) was established in 1998 and has been expanded<sup>42</sup> in recent years to recognize the importance of family relationships and provide additional placement options and incentives to help achieve permanency and stability for children who are otherwise at risk for foster care placement.<sup>43</sup>

Generally, the program provides RCP payments to relatives<sup>44</sup> who care full-time for a dependent child (and, in some circumstances, the dependent half brother or half sister of the dependent child) in the role of substitute parent as the result of a court's determination of child abuse, neglect, or abandonment, and the subsequent placement with the relative. Additionally, the program provides payments to nonrelatives who are willing to assume custody and care of a dependent child in the role of substitute parent as a result of the court's determination of child abuse, neglect, or abandonment and subsequent placement with the nonrelative caregiver.<sup>45</sup>

Relatives or nonrelatives who care for a child found to be dependent receive a monthly payment equal to the monthly room and board rate pursuant to s. 409.145(3), F.S. from the date the child is found to be dependent or from the date the child is placed with them in out-of-home care, whichever is later, for a period of no more than 6 months or until the child achieves permanency, whichever occurs first.<sup>46</sup>

Those participating in the RCP are not required to meet foster care licensing requirements.<sup>47</sup> However, if a relative or nonrelative *has* obtained licensure as a Level I foster parent, they receive the monthly room and board rates foster parents receive, *even if the child has not been adjudicated dependent*.<sup>48</sup> This payment extends from the date the child is placed in out-of-home care with his or her relative or nonrelative until the child achieves permanency.<sup>49</sup>

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<sup>42</sup> Ch. 2024-68, L.O.F.

<sup>43</sup> Ch. 98-78, L.O.F.

<sup>44</sup> Referred to as within the fifth degree by blood or marriage to the parent or stepparent of the child. See Section 39.5085, F.S.

<sup>45</sup> Section 39.5085(2)(a), F.S.

<sup>46</sup> Section 39.5085(2)(d)2., F.S.

<sup>47</sup> Section 39.5085(2)(c), F.S.

<sup>48</sup> Section 39.5085(2)(d)1., F.S.

<sup>49</sup> *Id.*

### ***Monthly Room and Board Rate***

Level II through Level V licensed foster parents are eligible for the monthly room and board rate. Additionally, the room and board rate extends to the following individuals:<sup>50</sup>

- Relative and nonrelative caregivers licensed as a Level I Child-Specific Foster Placement; and
- Relative and nonrelative caregivers receiving RCP payments who:
  - Have a child placed with them in out-of-home care and have obtained licensure as a Child-specific level I foster placement, regardless of whether a court has found the child to be dependent; or
  - Relatives or nonrelatives who have a child found to be dependent placed with them in out-of-home care, regardless of whether the relatives or nonrelatives have obtained a child-specific level I foster license.

The monthly room and board rate is different based upon the age of the child in out-of-home care. All recipients of the room and board rates receive an annual cost of living increase each January, equal to the percentage change in the Consumer Price Index.<sup>51</sup> The following chart displays the room and board rate adjustments since 2022:

<b>Room and Board Rate Increases 2022-2025</b>				
<b>Age Range</b>	<b>2022 Room and Board Rate<sup>52</sup></b>	<b>2023 Room and Board Rate<sup>53</sup></b>	<b>2024 Room and Board Rate<sup>54</sup></b>	<b>2025 Room and Board Rate<sup>55</sup></b>
Ages 0-5 Years	\$517.94	\$551.61	\$570.36	\$586.90
Ages 6-12	\$531.21	\$565.74	\$584.98	\$601.94
Ages 13-21	\$621.77	\$662.19	\$684.70	\$704.56

The 2026 room and board rate increase has not been published as of January 30, 2026.

Additionally, CBC lead agencies are required to pay a supplemental room and board payment to foster parents and eligible RCP recipients for providing independent life skills and normalcy supports to children ages 13-17 years.<sup>56</sup> This monthly supplemental payment is determined on a per-child basis and is in addition to the base monthly room and board rate. The supplemental payment is ten percent of the monthly room and board rate for children aged 13-21, adjusted

<sup>50</sup> Section 409.145(3), F.S.

<sup>51</sup> Section 409.145(3), F.S.

<sup>52</sup> Florida Department of Children and Families, *2023 Foster Parent Cost of Living Allowance Increase Memo*, available at: [https://www.myflfamilies.com/sites/default/files/2023-06/20230206-Memo\\_2023\\_FP\\_COLA.pdf](https://www.myflfamilies.com/sites/default/files/2023-06/20230206-Memo_2023_FP_COLA.pdf) (last visited 1/27/26).

<sup>53</sup> Florida Department of Children and Families, *2023 Foster Parent Cost of Living Allowance Increase Memo*, available at: [https://www.myflfamilies.com/sites/default/files/2023-06/20230206-Memo\\_2023\\_FP\\_COLA.pdf](https://www.myflfamilies.com/sites/default/files/2023-06/20230206-Memo_2023_FP_COLA.pdf) (last visited 1/27/26).

<sup>54</sup> Florida Department of Children and Families, *2025 Foster Parent Cost of Living Allowance Increase Memo*, available at: <https://www.myflfamilies.com/sites/default/files/2025-04/2025%20Foster%20Parent%20Cost%20of%20Living%20Allowance%20Increase%20Memo%20-20February%20%202025.pdf> (last visited 1/27/26).

<sup>55</sup> Florida Department of Children and Families, *2025 Foster Parent Cost of Living Allowance Increase Memo*, available at: <https://www.myflfamilies.com/sites/default/files/2025-04/2025%20Foster%20Parent%20Cost%20of%20Living%20Allowance%20Increase%20Memo%20-20February%20%202025.pdf> (last visited 1/27/26).

<sup>56</sup> Section 409.145(3)(d), F.S.

annually.<sup>57</sup> Thus, in 2025, CBC lead agencies were required to pay foster parents and eligible RCP recipients a monthly supplemental payment of \$70.46 if they provided independent life skills and normalcy supports to the children in their care.

### **Reasonable and Prudent Parenting Standard**

A growing body of research suggests that the removal of a child from his or her home, while ultimately in the best interest of the child's safety, is a traumatic and abrupt process that can leave a child feeling emotionally vulnerable and can create feelings of confusion.<sup>58</sup> During this traumatic period, children are also expected to process the trauma related to the maltreatment that necessitated their placement in foster care while in a new and unfamiliar environment.<sup>59</sup>

Once in the foster care system, experiencing multiple placement disruptions has been associated with negative effects on a child's emotional and social health.<sup>60</sup> In addition to placement instability, in the past many foster youth lacked the freedom to experience childhood "normals" such as getting a driver's license or participating in sports.<sup>61</sup> This was often due to a reluctance to allow foster children to engage in age-appropriate activities, due to the liability of a foster care agency should an accident occur.<sup>62</sup> In 2013, Florida passed legislation that established the reasonable and prudent parent standard for foster parents, to allow caregivers to approve a child's participation in activities based on the foster parents' own assessment without departmental or court approval.<sup>63</sup> This legislation was intended to provide children in the foster care system with a degree of normalcy while in out-of-home care.

The passage of the federal Preventing Sex Trafficking and Strengthening Families Act of 2014 codified the reasonable and prudent parenting standard on a national level, establishing the states as the entities responsible for developing the reasonable and prudent standards for foster parents.<sup>64</sup> Many state legislatures chose to adopt Foster Children's Bill of Rights to inform children in the system the rights that are afforded to them, including participation in activities that caregivers determine are appropriate based on the reasonable and prudent standards.<sup>65</sup>

In Florida, the "reasonable and prudent parent" standard refers to the standard of care used by a caregiver in determining whether to allow a child in his or her care to participate in extracurricular, enrichment, and social activities. The standard is characterized by careful and thoughtful parental decisionmaking that is intended to maintain a child's health, safety, and best

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

<sup>58</sup> Bruskas, D., & Tessin, D. H. (2013). *Adverse childhood experiences and psychosocial well-being of women who were in foster care as children*. The Permanente journal, 17(3), e131–e141. <https://doi.org/10.7812/TPP/12-121>

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

<sup>60</sup> Carolien Konijn, Sabine Admiraal, Josefine Baart, Floor van Rooij, Geert-Jan Stams, Cristina Colonesi, Ramón Lindauer, Mark Assink, *Foster care placement instability: A meta-analytic review*, Children and Youth Services Review, Volume 96, 2019, Pages 483-499, ISSN 0190-7409, <https://doi.org/10.1016/j.chillyouth.2018.12.002>.

<sup>61</sup> Juvenile Law Center, *Promoting Normalcy for Children and Youth in Foster Care*, available at:

[https://jlc.org/sites/default/files/publication\\_pdfs/JLC-NormalcyGuide-2015FINAL.pdf](https://jlc.org/sites/default/files/publication_pdfs/JLC-NormalcyGuide-2015FINAL.pdf) (last visited 1/16/26).

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

<sup>63</sup> Ch. 2013-21, L.O.F.

<sup>64</sup> Juvenile Law Center, *Promoting Normalcy for Children and Youth in Foster Care*, available at:

[https://jlc.org/sites/default/files/publication\\_pdfs/JLC-NormalcyGuide-2015FINAL.pdf](https://jlc.org/sites/default/files/publication_pdfs/JLC-NormalcyGuide-2015FINAL.pdf) (last visited 1/16/26).

<sup>65</sup> National Council of State Legislatures, *Foster Care Bill of Rights*, available at: <https://www.ncsl.org/human-services-/foster-care-bill-of-rights> (last visited 1/16/26).

interest while encouraging the child's emotional and developmental growth.<sup>66</sup> When determining if a child may participate in extracurricular, enrichment, or social activities, the caregiver must consider the following factors of the reasonable and prudent parent standard:<sup>67</sup>

- The child's age, maturity, and developmental level to maintain the overall health and safety of the child.
- The potential risk factors and the appropriateness of the extracurricular, enrichment, or social activity.
- The best interest of the child, based on information known by the caregiver.
- The importance of encouraging the child's emotional and developmental growth.
- The importance of providing the child with the most family-like living experience possible.
- The behavioral history of the child and the child's ability to safely participate in the proposed activity.

### ***Financial Allowances***

Learning the value and use of money is an important aspect of normalcy in foster care. Current administrative rule requires the provision of an allowance to youth in out-of-home licensed care.<sup>68</sup> Such allowance should be provided at least monthly, should not be tied to behavior or the completion of chores or withheld as punishment.<sup>69</sup> Additionally, children should not be expected to use such an allowance to purchase personal hygiene items, school supplies, clothing, or other necessities.<sup>70</sup>

Current administrative rule does not dictate the amount of allowance each youth should receive.<sup>71</sup> However, the details of a child's allowance must be included in the child's transition plan, if they are of sufficient age and intellectual ability to manage their allowance.<sup>72</sup>

### **Federal Funding for Child Welfare**

#### ***Title IV-E***

Title IV-E of the Social Security Act, entitled "Grants to States for Aid and Services to Needy Families with Children and for Child-Welfare Services," allows states to claim partial federal reimbursement for the cost of providing foster care, adoption assistance, and kinship guardianship assistance.<sup>73</sup> To receive such reimbursement, states must follow a Title IV-E State Plan that is approved by the federal government.<sup>74</sup> For Fiscal Year 2026, Florida received \$70,173,155 for the Title IV-E Foster Care Program.<sup>75</sup>

<sup>66</sup> Section 409.145(2)(a)3., F.S.

<sup>67</sup> Section 409.145(2)(b), F.S.

<sup>68</sup> 65C-28.009(9), F.A.C.

<sup>69</sup> 65C-28.009(9)(d), F.A.C.

<sup>70</sup> *Id.*

<sup>71</sup> See generally, 65C-28.009, F.A.C.

<sup>72</sup> 65C-28.009(9)(b), F.A.C.

<sup>73</sup> Congress.gov, *Child Welfare: State Plan Requirements under the Title IV-E Foster Care, Adoption Assistance, and Kinship Guardianship Assistance Program*, available at: <https://www.congress.gov/crs-product/R42794> (last visited 1/16/26).

<sup>74</sup> Congress.gov, *Child Welfare: State Plan Requirements under the Title IV-E Foster Care, Adoption Assistance, and Kinship Guardianship Assistance Program*, available at: <https://www.congress.gov/crs-product/R42794> (last visited 1/16/26).

<sup>75</sup> Tracking Accountability in Government Grants System, *Awards Search – Title IV-E Foster Care*, available at: <https://taggs.hhs.gov/SearchAward> (last visited 1/28/26).

### Foster Care Maintenance Payments

Foster Care Maintenance Payments are payments that cover the cost of food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance, and reasonable travel to the child's home for visitation, and reasonable travel for the child to remain in the school in which the child was enrolled at the time of placement in out-of-home care.<sup>76</sup> The monthly room and board rate foster parents receive under s. 409.145, F.S. is funded through Title IV-E Foster Care Maintenance Payments.<sup>77</sup>

### Chafee Foster Care Program for Successful Transition to Adulthood

In addition to federal funds for children currently in foster care, states may receive federal reimbursement to provide services to young adults as they age out of the foster care system through the John H. Chafee Foster Care Program for Successful Transition to Adulthood (Chafee program). The Chafee funds may be used to help a child aging out of the foster care system with education, employment, financial management, housing, emotional support, and assured connections to caring adults.<sup>78</sup> Each state varies in the services funded by the Chafee program, and are often based on the individual needs of a young adult.<sup>79</sup> In Fiscal Year 2025, Florida received \$7,142,900 from the John H. Chafee Foster Care Program funds.<sup>80</sup>

### **Lived Experience in Child Welfare**

Lived experience refers to the knowledge an individual has of a particular system, due to their personal involvement.<sup>81</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>82</sup> In recent years, there has been an increased focus on engaging with individuals with lived experience in the child welfare system nationwide.<sup>83</sup>

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<sup>76</sup> 42 U.S.C. 675(4)(A)

<sup>77</sup> Department of Children and Families, *FY 2024-2025 CBC Cost Allocation Plan Template*, available at: <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.myflfamilies.com%2Fsites%2Fdefault%2Ffiles%2F2025-05%2FFY%25202024-2025%2520CBC%2520Cost%2520Allocation%2520Plan%2520Template.doc&wdOrigin=BROWSELINK> (last visited 1/28/26).

<sup>78</sup> Administration for Children and Families, *John H. Chafee Foster Care Program for Successful Transition into Adulthood*, available at: <https://acf.gov/cb/grant-funding/john-h-chafee-foster-care-independence-program> (last visited 1/28/26).

<sup>79</sup> *Id.*

<sup>80</sup> Tracking Accountability in Government Grants System, *John H. Chafee Foster Care Program for Successful Transition to Adulthood*, available at: [https://taggs.hhs.gov/Detail/CFDADetail?arg\\_CFDA\\_NUM=93674&utm\\_source=chatgpt.com](https://taggs.hhs.gov/Detail/CFDADetail?arg_CFDA_NUM=93674&utm_source=chatgpt.com) (last visited 1/28/26).

<sup>81</sup> Child Welfare Information Gateway, *Lived Experience*, available at: <https://www.childwelfare.gov/topics/casework-practice/lived-experience/?top=275> (last visited 1/21/26).

<sup>82</sup> Office of the Assistant Secretary for Planning and Evaluation U.S. Department of Health and Human Services, *Methods and Emerging Strategies to Engage People with Lived Experience*, available at: <https://aspe.hhs.gov/sites/default/files/documents/62e7a64c60e10c47484b763aa9868f99/lived-experience-brief.pdf> (last visited 1/21/26).

<sup>83</sup> Administration for Children and Families, *Incorporating Lived Experience into Child Welfare Capacity Building*, available at: <https://acf.gov/cb/report/incorporating-lived-experience-child-welfare-capacity-building> (last visited 1/21/26).

### ***Statewide Youth Advisory Board***

In 2025, the DCF launched the Statewide Youth Advisory Board (Board), which engages young adults with previous experience in the child welfare system.<sup>84</sup> Through the Board, young adults may share their insights and ideas about improving the child welfare system with the DCF, while also developing their advocacy skills.<sup>85</sup> The Board is youth-led and self-standing, and applicants must be endorsed by a CBC lead agency or a state-recognized Youth Advocacy Organization.<sup>86</sup> Individuals may be a voting member, non-voting member, of an officer, based on their age, as described below.<sup>87</sup>

- Voting Members: 18-23 years of age.
- Non-Voting Members: 14-26 years of age.
- Officer Positions: 18-23 years of age.

The Board aims to conduct the following:<sup>88</sup>

- **Promote participation** of youth and young adults in DCF decision-making processes, ensuring consistent and constructive feedback from individuals with lived experience.
- **Establish a structured partnership** between youth members and the DCF, guided by the Youth Advisor.
- **Equip young adults** with the necessary skills and knowledge to lead impactful discussions with key stakeholders, including DCF leadership.
- **Develop leadership skills** for youth members through training in advocacy, public speaking, and policy development.
- **Improve communication** between DCF staff and youth communities.
- **Maintain independence** as a youth-led group while collaborating closely with the DCF to improve services and policies affecting youth.
- **Incorporate youth perspectives** into DCF initiatives, policies, and programs impacting their lives.

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

**Section 1** amends s. 39.4085, F.S., to modify the goals for dependent children and require the DCF and each CBC lead agency to coordinate with organizations that are focused on empowering children with lived experience to address challenges and opportunities for children in the child welfare system. The bill establishes the requirements for such coordination, requiring the DCF or CBC lead agency and organizations to meet quarterly in person or via electronic means, publish a formal agenda and, after the meeting, minutes on the DCF's or CBC lead agency's website.

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<sup>84</sup> Florida Department of Children and Families, *The Florida DCF Announces the Launch of the Statewide Youth Advisory Board*, available at: <https://www.myflfamilies.com/news-events/newsroom/press-release/florida-department-children-and-families-announces-launch> (last visited 1/21/26).

<sup>85</sup> *Id.*

<sup>86</sup> Florida Department of Children and Families, *Statewide Youth Advisory Board*, available at: <https://www.myflfamilies.com/statewide-youth-advisory-board> (last visited 1/21/26).

<sup>87</sup> *Id.*

<sup>88</sup> Florida Department of Children and Families, *Statewide Youth Advisory Board*, available at: <https://www.myflfamilies.com/statewide-youth-advisory-board> (last visited 1/21/26).

The bill requires the DCF and each CBC lead agency to publish on their respective websites a report that outlines how the DCF and CBC lead agencies have implemented the suggestions received from organizations in the quarterly meetings. Such reports must be published by February 1 and August 1 annually, beginning in 2027.

**Section 2** amends s. 409.145, F.S. to require caregivers of children in the child welfare system to provide each child in his or her care a weekly cash allowance, beginning when the child attains six years of age.

The bill establishes the minimum weekly allowance a child must receive, as follows:

- For children ages 6-12 years: \$1 for each year of age per week. Equal to \$24 to \$48 per month, per child.
- For children ages 13-17 years: \$20 per week. Equal to \$80 per month, per child.

The bill prohibits the weekly cash allowance from being tied to the child's behavior or the completion of the child's chores. Further, caregivers are prohibited from withholding the child's allowance as a form of punishment or requiring the child to use his or her allowance to purchase person hygiene items, school supplies, clothing, or other necessities that are the caregiver's responsibility to purchase.

The bill encourages caregivers to offer the child opportunities to earn additional money through chores and help a child obtain employment, if the child desires.

The bill includes the provision of a weekly cash allowance in the application of the reasonable and prudent parenting standard of care.

This change is intended to emphasize normalcy in foster care, and promote independence, responsibility, and decision making as the child learns the value and use of money.

The bill gives rulemaking authority to the DCF.

**Section 3** provides an effective date of July 1, 2026.

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

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

None.

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

None.

##### **C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None identified.

**V. Fiscal Impact Statement:**

**A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bill requires the provision of a weekly allowance for children in out-of-home care based on their age. This requirement is:

- For children ages 6-12 years: \$1 for each year of age per week. Equal to \$24 to \$48 per month, per child.
- For children ages 13-17 years: \$20 per week. Equal to \$80 per month, per child.

The Department of Children and Families estimates an annual fiscal impact to the state of approximately **\$6,047,444** based on the current number of children in out-of-home care eligible for the allowance, the weekly allowance amount based on the child's age, and the number of weeks per year.<sup>89</sup>

To estimate the fiscal impact, the department multiplied the number of children in out-of-home care in each age group by the weekly allowance amount they would receive based on their age. To estimate this cost for one year, the department multiplied that number by the number of weeks per year, as follows:<sup>90</sup>

Cost of Allowance = Number of Children \* Weekly Allowance Amount \* Number of Weeks Per Year

Allowance Fiscal Projections				
Age	Number of Children	Proposed Weekly Allowance Amount	Weeks Per Year	Total Per Year
6	772	\$6 per week	52	\$240,864
7	692	\$7 per week	52	\$251,888
8	684	\$8 per week	52	\$284,544
9	634	\$9 per week	52	\$296,712

<sup>89</sup> E-mail with Chancer Teel, Legislative Affairs Director (on file with the Senate Committee on Children, Families, and Elder Affairs).

<sup>90</sup> E-mail with Chancer Teel, Legislative Affairs Director (on file with the Senate Committee on Children, Families, and Elder Affairs).

Allowance Fiscal Projections				
Age	Number of Children	Proposed Weekly Allowance Amount	Weeks Per Year	Total Per Year
10	626	\$10 per week	52	\$325,520
11	625	\$11 per week	52	\$357,500
12	634	\$12 per week	52	\$395,616
13-17	3,745	\$20 per week	52	\$3,894,800
<b>Total</b>				<b>\$6,047,444</b>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 39.4085, 409.145

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

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

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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