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17 required task for the parent whose actions caused the harm that  
18 the parent submit to a substance abuse disorder assessment or  
19 evaluation and participate and comply with treatment and  
20 services identified in the assessment or evaluation as being  
21 necessary.

22 Section 6. Paragraph (f) is added to subsection (1) of  
23 section 39.6221, Florida Statutes, to read:

24 39.6221 Permanent guardianship of a dependent child.—

25 (1) If a court determines that reunification or adoption  
26 is not in the best interest of the child, the court may place  
27 the child in a permanent guardianship with a relative or other  
28 adult approved by the court if all of the following conditions  
29 are met:

30 (f) The child demonstrates a strong attachment to the  
31 prospective permanent guardian and such guardian has a strong  
32 commitment to permanently caring for the child.

33 Section 7. Section 39.6225, Florida Statutes, is created  
34 to read:

35 39.6225 Guardianship Assistance Program.—

36 (1) The department shall establish and operate the  
37 Guardianship Assistance Program to provide guardianship  
38 assistance payments to relatives, next of kin, and fictive kin  
39 who meet the eligibility requirements established in this  
40 section. For purposes of administering the program, the term:

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41 (a) "Child" means an individual who has not attained 21  
42 years of age.

43 (b) "Young adult" means an individual who has attained 18  
44 years of age but who has not attained 21 years of age.

45 (2) To approve an application for the program, the  
46 department shall determine that all of the following  
47 requirements have been met:

48 (a) The child's placement with the guardian has been  
49 approved by the court.

50 (b) The court has granted legal custody to the guardian  
51 pursuant to s. 39.521 or s. 39.522.

52 (c) The guardian has been licensed to care for the child  
53 as provided in s. 409.175.

54 (d) The child was eligible for foster care room and board  
55 payments pursuant to s. 409.145 for at least 6 consecutive  
56 months while the child resided in the home of the guardian and  
57 the guardian was licensed as a foster parent.

58 (3) A guardian who has entered into a guardianship  
59 agreement for a dependent child may also receive guardianship  
60 assistance payments for a dependent sibling of that dependent  
61 child as a result of a court's determination of child abuse,  
62 neglect, or abandonment and subsequent placement of the child  
63 with the relative under this part.

64 (4) The department shall complete an annual  
65 redetermination of eligibility for recipients of guardianship

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66 assistance benefits. If the department determines that a  
67 recipient is no longer eligible for guardianship assistance  
68 benefits, such benefits shall be terminated.

69 (5) A guardian with an approved application pursuant to  
70 subsection (2) who is caring for a child placed with the  
71 guardian by the court pursuant to this part may receive a  
72 guardianship assistance payment based on the following criteria:

73 (a) A child eligible for cash benefits through the program  
74 is not eligible to simultaneously have payments made on the  
75 child's behalf through the relative caregiver program,  
76 postsecondary education services and supports under s. 409.1451,  
77 or child-only cash assistance under chapter 414.

78 (b) Guardianship assistance payments are not contingent  
79 upon continued residency in the state. Guardianship assistance  
80 payments must continue for court-approved permanent guardians  
81 who move out of state and continue to meet the requirements of  
82 this subsection and as specified in department rule. Relicensure  
83 of the out-of-state guardian's home is not required for  
84 continuity of payments.

85 (c) Guardianship assistance payments for a child from  
86 another state who is placed with a guardian in this state are  
87 the responsibility of the other state.

88 (d) The department shall provide guardianship assistance  
89 payments in the amount of \$4,000 annually, paid on a monthly  
90 basis, or in an amount other than \$4,000 annually as determined

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91 by the guardian and the department and memorialized in a written  
92 agreement between the guardian and the department. The agreement  
93 shall take into consideration the circumstances of the guardian  
94 and the needs of the child. Changes shall not be made without  
95 the concurrence of the guardian. However, in no case shall the  
96 amount of the monthly payment exceed the foster care maintenance  
97 payment that would have been paid during the same period if the  
98 child had been in licensed care at his or her designated level  
99 of care at the rate established in s. 409.145(4).

100 (e) Payments made pursuant to this section shall cease  
101 when the child attains 18 years of age except as provided in  
102 subsection (10).

103 (6) Guardianship assistance benefits shall be terminated  
104 if:

105 (a) The child is absent from the home of the guardian for  
106 a period of at least 60 consecutive calendar days, unless the  
107 child:

108 1. Is absent due to medical care, school attendance,  
109 runaway status, or detention in a Department of Juvenile Justice  
110 facility; and

111 2. Continues to be under the care and custody of the  
112 guardian.

113 (b) The court modifies the placement of the child and the  
114 guardian is no longer eligible to receive guardianship  
115 assistance benefits.

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116 (7) The department shall provide guardianship  
117 nonrecurring payments. Eligible expenses include, but are not  
118 limited to, the cost of a home study, court costs, attorney  
119 fees, and physical and psychological examinations. Such payments  
120 are also available for siblings placed in the same home as the  
121 child.

122 (8) A child receiving assistance under this section is  
123 eligible for Medicaid coverage until the age of 18, or until the  
124 age of 21 if the child meets the requirements of subsection (9).

125 (9) Guardianship assistance payments shall only be made  
126 for a young adult whose permanent guardian entered into a  
127 guardianship assistance agreement after the child attained 18  
128 years of age if the child is:

129 (a) Completing secondary education or a program leading to  
130 an equivalent credential;

131 (b) Enrolled in an institution that provides postsecondary  
132 or vocational education;

133 (c) Participating in a program or activity designed to  
134 promote or eliminate barriers to employment;

135 (d) Employed for at least 80 hours per month; or

136 (e) Unable to participate in programs or activities listed  
137 in paragraphs (a)-(d) full time due to a physical, intellectual,  
138 emotional, or psychiatric condition that limits participation.

139 Any such barrier to participation must be supported by  
140 documentation in the child's case file or school or medical

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141 records of a physical, intellectual, emotional, or psychiatric  
142 condition that impairs the child's ability to perform one or  
143 more life activities.

144 (10) The case plan must describe the following for each  
145 child with a permanency goal of permanent guardianship in which  
146 the guardian is in receipt of guardianship assistance payments:

147 (a) The manner in which the child meets program  
148 eligibility requirements.

149 (b) The manner in which the department determined that  
150 reunification or adoption is not appropriate.

151 (c) Efforts to discuss adoption with the child's permanent  
152 guardian.

153 (d) Efforts to discuss guardianship assistance with the  
154 child's parent or the reasons why efforts were not made.

155 (e) The reasons why a permanent placement with the  
156 prospective guardian is in the best interest of the child.

157 (f) The reasons why the child is separated from his or her  
158 siblings during placement, if applicable.

159 (g) Efforts to consult the child, if the child is 14 years  
160 of age or older, regarding the permanent guardianship  
161 arrangement.

162 (11) The department shall adopt rules to administer the  
163 program.

164 (12) The program shall take effect July 1, 2019.  
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