

1                                   A bill to be entitled  
2       An act relating to the welfare of children; amending s.  
3       39.001, F.S.; providing additional purposes of ch. 39,  
4       F.S.; revising legislative intent; creating the Office of  
5       Child Abuse Prevention within the Executive Office of the  
6       Governor; directing the Governor to appoint a director of  
7       the office; providing duties and responsibilities of the  
8       director; providing procedures for evaluation of child  
9       abuse prevention programs; requiring a report to the  
10      Governor, Legislature, secretaries of certain state  
11      agencies, and certain committees of the Legislature;  
12      providing for information to be included in the report;  
13      providing for the development and implementation of a  
14      state plan for the coordination of child abuse prevention  
15      programs and services; establishing a Child Abuse  
16      Prevention Advisory Council; providing for membership,  
17      duties, and responsibilities; requiring requests for  
18      funding to be based on the state plan; providing for  
19      review and revision of the state plan; granting rulemaking  
20      authority to the Executive Office of the Governor;  
21      requiring the Legislature to evaluate the office by a  
22      specified date; amending s. 39.0014, F.S.; providing  
23      responsibilities of the office under ch. 39, F.S.;  
24      amending s. 39.01, F.S.; providing and revising  
25      definitions; amending ss. 39.0015 and 39.302, F.S.;  
26      conforming cross-references; amending s. 402.164, F.S.;  
27      designating statewide and local advocacy councils as  
28      health oversight agencies for certain purposes; amending  
29      s. 409.1451, F.S.; revising duties of the Department of

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30 Children and Family Services regarding independent living  
31 transition services; including additional parties in the  
32 review of a child's academic performance; requiring the  
33 department or a community-based care lead agency under  
34 contract with the department to develop a plan for  
35 delivery of such services; requiring additional aftercare  
36 support services; requiring certain funds awarded as part  
37 of the Road-to-Independence Program to be used in  
38 accordance with specified federal regulations; providing  
39 additional qualifications to receive an award; providing  
40 procedures for the payment of awards; requiring the  
41 department to conduct certain evaluations; requiring  
42 collaboration between certain parties in the development  
43 of an agreement regarding the provision of transitional  
44 services; requiring a community-based care lead agency to  
45 develop a plan for purchase and delivery of such services  
46 and requiring department approval prior to implementation;  
47 requiring a report to the Legislature; providing that  
48 funding for aftercare and transitional support services be  
49 determined based on availability of funds; permitting the  
50 Independent Living Advisory Council to have access to  
51 certain data held by the department and certain agencies;  
52 authorizing the department to enter into certain  
53 contracts; providing limitations on funds awarded;  
54 amending s. 409.175, F.S.; revising the definition of the  
55 term "boarding school" to require such schools to meet  
56 certain standards within a specified timeframe; amending  
57 s. 409.903, F.S.; providing eligibility criteria for young  
58 adults formerly in foster care to receive certain

59 services; requiring the department to provide notice to  
 60 the Agency for Health Care Administration; requiring the  
 61 agency to make certain health care records available in  
 62 electronic format; amending ss. 39.013, 39.701, and  
 63 1009.25, F.S.; conforming references to changes made by  
 64 the act; providing appropriations; providing an effective  
 65 date.

66  
 67 WHEREAS, in 2002, Florida was among only three other states  
 68 and the District of Columbia to have the highest national child  
 69 maltreatment rate, and

70 WHEREAS, during 2002, 142,547 investigations of abuse or  
 71 neglect, involving 254,856 children, were completed,  
 72 approximately one-half of which were substantiated or indicated  
 73 the presence of abuse or neglect, and

74 WHEREAS, a Florida child is abused or neglected every 4  
 75 minutes and 10,000 Florida children are abused or neglected per  
 76 month, and

77 WHEREAS, in 2004, according to the Florida Child Abuse Death  
 78 Review Team, at least 111 Florida children died from abuse or  
 79 neglect at the hands of their parents or caretakers, an average  
 80 rate of two dead children each week, and

81 WHEREAS, according to the Centers for Disease Control and  
 82 Prevention, the cost of failing to prevent child abuse and  
 83 neglect in 2001 equaled \$94 billion a year nationally, and

84 WHEREAS, the direct costs of failing to prevent child abuse  
 85 and neglect include the costs associated with the utilization of  
 86 law enforcement services, the health care system, the mental  
 87 health system, the child welfare system, and the judicial system,

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88 while the indirect costs include the provision of special  
89 education and mental health and health care, a rise in the  
90 incidence of juvenile delinquency, lost productivity to society,  
91 and adult criminality, and

92 WHEREAS, although prevention of child maltreatment will save  
93 lives and conserve resources, and despite the potential long-term  
94 benefit of preventing child abuse and neglect, only a small  
95 percentage of all resources specifically earmarked for child  
96 maltreatment in the state are actually devoted to the prevention  
97 of child maltreatment, and

98 WHEREAS, the 2005-2006 General Appropriations Act provided a  
99 total funding of \$44 million for child abuse prevention and  
100 intervention to the Department of Children and Family Services,  
101 which amount represents less than 2 percent of the department's  
102 budget, and

103 WHEREAS, Healthy Families Florida is a community-based,  
104 voluntary home visiting program that received approximately \$28.4  
105 million for the 2005-2006 fiscal year from the Department of  
106 Children and Family Services and contracts with 37 community-  
107 based organizations to provide services in targeted high-risk  
108 areas in 23 counties and to provide services in 30 total  
109 counties, and

110 WHEREAS, Healthy Families Florida participants had 20  
111 percent less child maltreatment than all families in the Healthy  
112 Families Florida target service areas in spite of the fact that,  
113 in general, participants are at a significantly higher risk for  
114 child maltreatment than the overall population, and

115 WHEREAS, the Department of Children and Family Services, the  
116 Department of Education, the Department of Health, the Department

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117 | of Juvenile Justice, the Department of Law Enforcement, the  
 118 | Agency for Persons with Disabilities, and the Agency for  
 119 | Workforce Innovation all have programs that focus on primary and  
 120 | secondary prevention of child abuse and neglect, but there is no  
 121 | statewide coordination or single state agency responsible for  
 122 | oversight of these programs, and

123 |       WHEREAS, a statewide coordinated effort would result in  
 124 | better communication among agencies and provide for easier access  
 125 | and more efficiency in the delivery of abuse and neglect services  
 126 | in the communities, NOW, THEREFORE,

127 |

128 | Be It Enacted by the Legislature of the State of Florida:

129 |

130 |       Section 1. Subsections (1) and (6) of section 39.001,  
 131 | Florida Statutes, are amended, subsections (7) and (8) are  
 132 | renumbered as subsections (8) and (9) and amended, present  
 133 | subsection (9) is renumbered as subsection (10), and new  
 134 | subsections (7), (11), and (12) are added to that section, to  
 135 | read:

136 |       39.001 Purposes and intent; personnel standards and  
 137 | screening.--

138 |       (1) PURPOSES OF CHAPTER.--The purposes of this chapter are:

139 |       (a) To provide for the care, safety, and protection of  
 140 | children in an environment that fosters healthy social,  
 141 | emotional, intellectual, and physical development; to ensure  
 142 | secure and safe custody; ~~and~~ to promote the health and well-being  
 143 | of all children under the state's care; and to prevent the  
 144 | occurrence of child abuse, neglect, and abandonment.

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145 (b) To recognize that most families desire to be competent  
146 caregivers and providers for their children and that children  
147 achieve their greatest potential when families are able to  
148 support and nurture the growth and development of their children.  
149 Therefore, the Legislature finds that policies and procedures  
150 that provide for prevention and intervention through the  
151 department's child protection system should be based on the  
152 following principles:

153 1. The health and safety of the children served shall be of  
154 paramount concern.

155 2. The prevention and intervention should engage families  
156 in constructive, supportive, and nonadversarial relationships.

157 3. The prevention and intervention should intrude as little  
158 as possible into the life of the family, be focused on clearly  
159 defined objectives, and take the most parsimonious path to remedy  
160 a family's problems.

161 4. The prevention and intervention should be based upon  
162 outcome evaluation results that demonstrate success in protecting  
163 children and supporting families.

164 (c) To provide a child protection system that reflects a  
165 partnership between the department, other agencies, and local  
166 communities.

167 (d) To provide a child protection system that is sensitive  
168 to the social and cultural diversity of the state.

169 (e) To provide procedures which allow the department to  
170 respond to reports of child abuse, abandonment, or neglect in the  
171 most efficient and effective manner that ensures the health and  
172 safety of children and the integrity of families.

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173 (f) To preserve and strengthen the child's family ties  
174 whenever possible, removing the child from parental custody only  
175 when his or her welfare cannot be adequately safeguarded without  
176 such removal.

177 (g) To ensure that the parent or legal custodian from whose  
178 custody the child has been taken assists the department to the  
179 fullest extent possible in locating relatives suitable to serve  
180 as caregivers for the child.

181 (h) To ensure that permanent placement with the biological  
182 or adoptive family is achieved as soon as possible for every  
183 child in foster care and that no child remains in foster care  
184 longer than 1 year.

185 (i) To secure for the child, when removal of the child from  
186 his or her own family is necessary, custody, care, and discipline  
187 as nearly as possible equivalent to that which should have been  
188 given by the parents; and to ensure, in all cases in which a  
189 child must be removed from parental custody, that the child is  
190 placed in an approved relative home, licensed foster home,  
191 adoptive home, or independent living program that provides the  
192 most stable and potentially permanent living arrangement for the  
193 child, as determined by the court. All placements shall be in a  
194 safe environment where drugs and alcohol are not abused.

195 (j) To ensure that, when reunification or adoption is not  
196 possible, the child will be prepared for alternative permanency  
197 goals or placements, to include, but not be limited to, long-term  
198 foster care, independent living, custody to a relative on a  
199 permanent basis with or without legal guardianship, or custody to  
200 a foster parent or legal custodian on a permanent basis with or  
201 without legal guardianship.

202 (k) To make every possible effort, when two or more  
 203 children who are in the care or under the supervision of the  
 204 department are siblings, to place the siblings in the same home;  
 205 and in the event of permanent placement of the siblings, to place  
 206 them in the same adoptive home or, if the siblings are separated,  
 207 to keep them in contact with each other.

208 (l) To provide judicial and other procedures to assure due  
 209 process through which children, parents, and guardians and other  
 210 interested parties are assured fair hearings by a respectful and  
 211 respected court or other tribunal and the recognition,  
 212 protection, and enforcement of their constitutional and other  
 213 legal rights, while ensuring that public safety interests and the  
 214 authority and dignity of the courts are adequately protected.

215 (m) To ensure that children under the jurisdiction of the  
 216 courts are provided equal treatment with respect to goals,  
 217 objectives, services, and case plans, without regard to the  
 218 location of their placement. It is the further intent of the  
 219 Legislature that, when children are removed from their homes,  
 220 disruption to their education be minimized to the extent  
 221 possible.

222 (n) To create and maintain an integrated prevention  
 223 framework that enables local communities, state agencies, and  
 224 organizations to collaborate to implement efficient and properly  
 225 applied evidence-based child abuse prevention practices.

226 (6) LEGISLATIVE INTENT FOR THE PREVENTION OF ABUSE,  
 227 ABANDONMENT, AND NEGLECT OF CHILDREN.--The incidence of known  
 228 child abuse, abandonment, and neglect has increased rapidly over  
 229 the past 5 years. The impact that abuse, abandonment, or neglect  
 230 has on the victimized child, siblings, family structure, and



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231 inevitably on all citizens of the state has caused the  
232 Legislature to determine that the prevention of child abuse,  
233 abandonment, and neglect shall be a priority of this state. To  
234 further this end, it is the intent of the Legislature that an  
235 Office of Child Abuse Prevention be established ~~a comprehensive~~  
236 ~~approach for the prevention of abuse, abandonment, and neglect of~~  
237 ~~children be developed for the state and that this planned,~~  
238 ~~comprehensive approach be used as a basis for funding.~~

239 (7) OFFICE OF CHILD ABUSE PREVENTION.--

240 (a) For purposes of establishing a comprehensive statewide  
241 approach for the prevention of child abuse, abandonment, and  
242 neglect, the Office of Child Abuse Prevention is created within  
243 the Executive Office of the Governor. The Governor shall appoint  
244 a director for the office who shall be subject to confirmation by  
245 the Senate.

246 (b) The director shall:

247 1. Formulate and recommend rules pertaining to  
248 implementation of child abuse prevention efforts.

249 2. Act as the Governor's liaison with state agencies, other  
250 state governments, and the public and private sectors on matters  
251 that relate to child abuse prevention.

252 3. Work to secure funding and other support for the state's  
253 child abuse prevention efforts, including, but not limited to,  
254 establishing cooperative relationships among state and private  
255 agencies.

256 4. Develop a strategic program and funding initiative that  
257 links the separate jurisdictional activities of state agencies  
258 with respect to child abuse prevention. The office may designate  
259 lead and contributing agencies to develop such initiatives.

260 5. Advise the Governor and the Legislature on child abuse  
 261 trends in this state, the status of current child abuse  
 262 prevention programs and services, the funding of those programs  
 263 and services, and the status of the office with regard to the  
 264 development and implementation of the state child abuse  
 265 prevention strategy.

266 6. Develop child abuse prevention public awareness  
 267 campaigns to be implemented throughout the state.

268 (c) The office is authorized and directed to:

269 1. Oversee the preparation and implementation of the state  
 270 plan established under subsection (8) and revise and update the  
 271 state plan as necessary.

272 2. Conduct, otherwise provide for, or make available  
 273 continuing professional education and training in the prevention  
 274 of child abuse and neglect.

275 3. Work to secure funding in the form of appropriations,  
 276 gifts, and grants from the state, the Federal Government, and  
 277 other public and private sources in order to ensure that  
 278 sufficient funds are available for prevention efforts.

279 4. Make recommendations pertaining to agreements or  
 280 contracts for the establishment and development of:

281 a. Programs and services for the prevention of child abuse  
 282 and neglect.

283 b. Training programs for the prevention of child abuse and  
 284 neglect.

285 c. Multidisciplinary and discipline-specific training  
 286 programs for professionals with responsibilities affecting  
 287 children, young adults, and families.

288           5. Monitor, evaluate, and review the development and  
 289 quality of local and statewide services and programs for the  
 290 prevention of child abuse and neglect and shall publish and  
 291 distribute an annual report of its findings on or before January  
 292 1 of each year to the Governor, the Speaker of the House of  
 293 Representatives, the President of the Senate, the secretary of  
 294 each state agency affected by the report, and the appropriate  
 295 substantive committees of the Legislature. The report shall  
 296 include:

- 297           a. A summary of the activities of the office.
- 298           b. A summary detailing the demographic and geographic  
 299 characteristics of families served by the prevention programs.
- 300           c. Recommendations, by state agency, for the further  
 301 development and improvement of services and programs for the  
 302 prevention of child abuse and neglect.
- 303           d. The budget requests and prevention program needs by  
 304 state agency.

305           ~~(8)(7)~~ PLAN FOR COMPREHENSIVE APPROACH.--

306           (a) The office ~~department~~ shall develop a state plan for  
 307 the prevention of abuse, abandonment, and neglect of children and  
 308 shall submit the state plan to the Speaker of the House of  
 309 Representatives, the President of the Senate, and the Governor no  
 310 later than December 31, 2007 ~~January 1, 1983~~. The Department of  
 311 Children and Family Services, the Department of Corrections, the  
 312 Department of Education, the Department of Health, the Department  
 313 of Juvenile Justice, the Department of Law Enforcement, the  
 314 Agency for Persons with Disabilities, and the Agency for  
 315 Workforce Innovation ~~The Department of Education and the Division~~  
 316 ~~of Children's Medical Services Prevention and Intervention of the~~

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317 ~~Department of Health~~ shall participate and fully cooperate in the  
 318 development of the state plan at both the state and local levels.  
 319 Furthermore, appropriate local agencies and organizations shall  
 320 be provided an opportunity to participate in the development of  
 321 the state plan at the local level. Appropriate local groups and  
 322 organizations shall include, but not be limited to, community  
 323 mental health centers; guardian ad litem programs for children  
 324 under the circuit court; the school boards of the local school  
 325 districts; the Florida local advocacy councils; private or public  
 326 organizations or programs with recognized expertise in working  
 327 with children who are sexually abused, physically abused,  
 328 emotionally abused, abandoned, or neglected and with expertise in  
 329 working with the families of such children; private or public  
 330 programs or organizations with expertise in maternal and infant  
 331 health care; multidisciplinary child protection teams; child day  
 332 care centers; law enforcement agencies, and the circuit courts,  
 333 when guardian ad litem programs are not available in the local  
 334 area. The state plan to be provided to the Legislature and the  
 335 Governor shall include, as a minimum, the information required of  
 336 the various groups in paragraph (b).

337 (b) The development of the ~~comprehensive~~ state plan shall  
 338 be accomplished in the following manner:

339 1. The office shall establish a Child Abuse Prevention  
 340 Advisory Council composed of representatives from each state  
 341 agency and appropriate local agencies and organizations specified  
 342 in paragraph (a). The advisory council shall serve as the  
 343 research arm of the office and ~~The department shall establish an~~  
 344 ~~interprogram task force comprised of the Program Director for~~  
 345 ~~Family Safety, or a designee, a representative from the Child~~

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346 ~~Care Services Program Office, a representative from the Family~~  
347 ~~Safety Program Office, a representative from the Mental Health~~  
348 ~~Program Office, a representative from the Substance Abuse Program~~  
349 ~~Office, a representative from the Developmental Disabilities~~  
350 ~~Program Office, and a representative from the Division of~~  
351 ~~Children's Medical Services Prevention and Intervention of the~~  
352 ~~Department of Health. Representatives of the Department of Law~~  
353 ~~Enforcement and of the Department of Education shall serve as ex~~  
354 ~~officio members of the interprogram task force. The interprogram~~  
355 ~~task force shall be responsible for:~~

356       a. Assisting in developing a plan of action for better  
357 coordination and integration of the goals, activities, and  
358 funding pertaining to the prevention of child abuse, abandonment,  
359 and neglect conducted by the office ~~department~~ in order to  
360 maximize staff and resources at the state level. The plan of  
361 action shall be included in the state plan.

362       b. Assisting in providing a basic format to be utilized by  
363 the districts in the preparation of local plans of action in  
364 order to provide for uniformity in the district plans and to  
365 provide for greater ease in compiling information for the state  
366 plan.

367       c. Providing the districts with technical assistance in the  
368 development of local plans of action, if requested.

369       d. Assisting in examining the local plans to determine if  
370 all the requirements of the local plans have been met and, if  
371 they have not, informing the districts of the deficiencies and  
372 requesting the additional information needed.

373       e. Assisting in preparing the state plan for submission to  
374 the Legislature and the Governor. Such preparation shall include

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375 the incorporation into the state plan ~~collapsing~~ of information  
376 obtained from the local plans, the cooperative plans with the  
377 members of the advisory council ~~Department of Education~~, and the  
378 plan of action for coordination and integration of state  
379 departmental activities ~~into one comprehensive plan~~. The state  
380 ~~comprehensive~~ plan shall include a section reflecting general  
381 conditions and needs, an analysis of variations based on  
382 population or geographic areas, identified problems, and  
383 recommendations for change. In essence, the state plan shall  
384 provide an analysis and summary of each element of the local  
385 plans to provide a statewide perspective. The state plan shall  
386 also include each separate local plan of action.

387 f. Conducting a feasibility study on the establishment of a  
388 Children's Cabinet.

389 g. f. Working with the specified state agency in fulfilling  
390 the requirements of subparagraphs 2., 3., 4., and 5.

391 2. The office, the department, the Department of Education,  
392 and the Department of Health shall work together in developing  
393 ways to inform and instruct parents of school children and  
394 appropriate district school personnel in all school districts in  
395 the detection of child abuse, abandonment, and neglect and in the  
396 proper action that should be taken in a suspected case of child  
397 abuse, abandonment, or neglect, and in caring for a child's needs  
398 after a report is made. The plan for accomplishing this end shall  
399 be included in the state plan.

400 3. The office, the department, the Department of Law  
401 Enforcement, and the Department of Health shall work together in  
402 developing ways to inform and instruct appropriate local law  
403 enforcement personnel in the detection of child abuse,

404 abandonment, and neglect and in the proper action that should be  
 405 taken in a suspected case of child abuse, abandonment, or  
 406 neglect.

407 4. Within existing appropriations, the office ~~department~~  
 408 shall work with other appropriate public and private agencies to  
 409 emphasize efforts to educate the general public about the problem  
 410 of and ways to detect child abuse, abandonment, and neglect and  
 411 in the proper action that should be taken in a suspected case of  
 412 child abuse, abandonment, or neglect. The plan for accomplishing  
 413 this end shall be included in the state plan.

414 5. The office, ~~the~~ department, the Department of Education,  
 415 and the Department of Health shall work together on the  
 416 enhancement or adaptation of curriculum materials to assist  
 417 instructional personnel in providing instruction through a  
 418 multidisciplinary approach on the identification, intervention,  
 419 and prevention of child abuse, abandonment, and neglect. The  
 420 curriculum materials shall be geared toward a sequential program  
 421 of instruction at the four progressional levels, K-3, 4-6, 7-9,  
 422 and 10-12. Strategies for encouraging all school districts to  
 423 utilize the curriculum are to be included in the ~~comprehensive~~  
 424 state plan for the prevention of child abuse, abandonment, and  
 425 neglect.

426 6. Each district of the department shall develop a plan for  
 427 its specific geographical area. The plan developed at the  
 428 district level shall be submitted to the advisory council  
 429 ~~interprogram task force~~ for utilization in preparing the state  
 430 plan. The district local plan of action shall be prepared with  
 431 the involvement and assistance of the local agencies and  
 432 organizations listed in this paragraph ~~(a)~~, as well as

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433 representatives from those departmental district offices  
434 participating in the treatment and prevention of child abuse,  
435 abandonment, and neglect. In order to accomplish this, the office  
436 ~~district administrator in each district~~ shall establish a task  
437 force on the prevention of child abuse, abandonment, and neglect.  
438 The office ~~district administrator~~ shall appoint the members of  
439 the task force in accordance with the membership requirements of  
440 this section. The office ~~In addition, the district administrator~~  
441 ~~shall ensure that each subdistrict is represented on the task~~  
442 ~~force, and, if the district does not have subdistricts, the~~  
443 ~~district administrator~~ shall ensure that both urban and rural  
444 areas are represented on the task force. The task force shall  
445 develop a written statement clearly identifying its operating  
446 procedures, purpose, overall responsibilities, and method of  
447 meeting responsibilities. The district plan of action to be  
448 prepared by the task force shall include, but shall not be  
449 limited to:

450 a. Documentation of the magnitude of the problems of child  
451 abuse, including sexual abuse, physical abuse, and emotional  
452 abuse, and child abandonment and neglect in its geographical  
453 area.

454 b. A description of programs currently serving abused,  
455 abandoned, and neglected children and their families and a  
456 description of programs for the prevention of child abuse,  
457 abandonment, and neglect, including information on the impact,  
458 cost-effectiveness, and sources of funding of such programs.

459 c. A continuum of programs and services necessary for a  
460 comprehensive approach to the prevention of all types of child



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461 abuse, abandonment, and neglect as well as a brief description of  
462 such programs and services.

463 d. A description, documentation, and priority ranking of  
464 local needs related to child abuse, abandonment, and neglect  
465 prevention based upon the continuum of programs and services.

466 e. A plan for steps to be taken in meeting identified  
467 needs, including the coordination and integration of services to  
468 avoid unnecessary duplication and cost, and for alternative  
469 funding strategies for meeting needs through the reallocation of  
470 existing resources, utilization of volunteers, contracting with  
471 local universities for services, and local government or private  
472 agency funding.

473 f. A description of barriers to the accomplishment of a  
474 comprehensive approach to the prevention of child abuse,  
475 abandonment, and neglect.

476 g. Recommendations for changes that can be accomplished  
477 only at the state program level or by legislative action.

478 ~~(9)-(8)~~ FUNDING AND SUBSEQUENT PLANS.--

479 (a) All budget requests submitted by the office, the  
480 department, the Department of Health, the Department of  
481 Education, the Department of Juvenile Justice, the Department of  
482 Corrections, the Agency for Persons with Disabilities, the Agency  
483 for Workforce Innovation, or any other agency to the Legislature  
484 for funding of efforts for the prevention of child abuse,  
485 abandonment, and neglect shall be based on the state plan  
486 developed pursuant to this section.

487 (b) The office department at the state and district levels  
488 and the other agencies and organizations listed in paragraph  
489 (8) (a) ~~(7)-(a)~~ shall readdress the state plan and make necessary

490 revisions every 5 years, at a minimum. Such revisions shall be  
 491 submitted to the Speaker of the House of Representatives and the  
 492 President of the Senate no later than June 30 of each year  
 493 divisible by 5. At least biennially, the office shall review the  
 494 state plan and make any necessary revisions based on changing  
 495 needs and program evaluation results. An annual progress report  
 496 shall be submitted to update the state plan in the years between  
 497 the 5-year intervals. In order to avoid duplication of effort,  
 498 these required plans may be made a part of or merged with other  
 499 plans required by either the state or Federal Government, so long  
 500 as the portions of the other state or Federal Government plan  
 501 that constitute the state plan for the prevention of child abuse,  
 502 abandonment, and neglect are clearly identified as such and are  
 503 provided to the Speaker of the House of Representatives and the  
 504 President of the Senate as required above.

505 (11) RULEMAKING.--The Executive Office of the Governor  
 506 shall adopt rules pursuant to ss. 120.536(1) and 120.54 to  
 507 implement the provisions of this section.

508 (12) EVALUATION.--By February 1, 2009, the Legislature  
 509 shall evaluate the office and determine whether it should  
 510 continue to be housed in the Executive Office of the Governor or  
 511 transferred to a state agency.

512 Section 2. Section 39.0014, Florida Statutes, is amended to  
 513 read:

514 39.0014 Responsibilities of public agencies.--All state,  
 515 county, and local agencies shall cooperate, assist, and provide  
 516 information to the Office of Child Abuse Prevention ~~department~~ as  
 517 will enable it to fulfill its responsibilities under this  
 518 chapter.

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519 Section 3. Paragraph (b) of subsection (3) of section  
520 39.0015, Florida Statutes, is amended to read:

521 39.0015 Child abuse prevention training in the district  
522 school system.--

523 (3) DEFINITIONS.--As used in this section:

524 (b) "Child abuse" means those acts as defined in ss.  
525 39.01(1), (2), (30), (43), (45), (53)~~(52)~~, and (64)~~(63)~~, 827.04,  
526 and 984.03(1), (2), and (37).

527 Section 4. Subsections (47) through (72) of section 39.01,  
528 Florida Statutes, are renumbered as subsections (48) through  
529 (73), present subsections (10) and (47) are amended, and a new  
530 subsection (47) is added to that section, to read:

531 39.01 Definitions.--When used in this chapter, unless the  
532 context otherwise requires:

533 (10) "Caregiver" means the parent, legal custodian, adult  
534 household member, or other person responsible for a child's  
535 welfare as defined in subsection (48) ~~(47)~~.

536 (47) "Office" means the Office of Child Abuse Prevention  
537 within the Executive Office of the Governor.

538 ~~(48)~~~~(47)~~ "Other person responsible for a child's welfare"  
539 includes the child's legal guardian, legal custodian, or foster  
540 parent; an employee of any ~~a private~~ school, public or private  
541 child day care center, residential home, institution, facility,  
542 or agency; or any other person legally responsible for the  
543 child's welfare in a residential setting; and also includes an  
544 adult sitter or relative entrusted with a child's care. For the  
545 purpose of departmental investigative jurisdiction, this  
546 definition does not include law enforcement officers, or

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547 employees of municipal or county detention facilities or the  
548 Department of Corrections, while acting in an official capacity.

549 Section 5. Subsection (1) of section 39.302, Florida  
550 Statutes, is amended to read:

551 39.302 Protective investigations of institutional child  
552 abuse, abandonment, or neglect.--

553 (1) The department shall conduct a child protective  
554 investigation of each report of institutional child abuse,  
555 abandonment, or neglect. Upon receipt of a report that alleges  
556 that an employee or agent of the department, or any other entity  
557 or person covered by s. 39.01(31) or (48)~~(47)~~, acting in an  
558 official capacity, has committed an act of child abuse,  
559 abandonment, or neglect, the department shall initiate a child  
560 protective investigation within the timeframe established by the  
561 central abuse hotline pursuant to s. 39.201(5) and orally notify  
562 the appropriate state attorney, law enforcement agency, and  
563 licensing agency. These agencies shall immediately conduct a  
564 joint investigation, unless independent investigations are more  
565 feasible. When conducting investigations onsite or having face-  
566 to-face interviews with the child, such investigation visits  
567 shall be unannounced unless it is determined by the department or  
568 its agent that such unannounced visits would threaten the safety  
569 of the child. When a facility is exempt from licensing, the  
570 department shall inform the owner or operator of the facility of  
571 the report. Each agency conducting a joint investigation shall be  
572 entitled to full access to the information gathered by the  
573 department in the course of the investigation. A protective  
574 investigation must include an onsite visit of the child's place  
575 of residence. In all cases, the department shall make a full

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576 written report to the state attorney within 3 working days after  
577 making the oral report. A criminal investigation shall be  
578 coordinated, whenever possible, with the child protective  
579 investigation of the department. Any interested person who has  
580 information regarding the offenses described in this subsection  
581 may forward a statement to the state attorney as to whether  
582 prosecution is warranted and appropriate. Within 15 days after  
583 the completion of the investigation, the state attorney shall  
584 report the findings to the department and shall include in such  
585 report a determination of whether or not prosecution is justified  
586 and appropriate in view of the circumstances of the specific  
587 case.

588 Section 6. Subsection (3) is added section 402.164, Florida  
589 Statutes, to read:

590 402.164 Legislative intent; definitions.--

591 (3) The statewide and local advocacy councils shall be  
592 designated as health oversight agencies as defined in 45 C.F.R.  
593 s. 164.501 for purposes of meeting the duties and  
594 responsibilities of the councils as described in ss. 402.165(7)  
595 and 402.166(7).

596 Section 7. Section 409.1451, Florida Statutes, is amended  
597 to read:

598 409.1451 Independent living transition services.--

599 (1) SYSTEM OF SERVICES.--

600 (a) The Department of Children and Family Services, its  
601 agents, or community-based providers operating pursuant to s.  
602 409.1671 shall administer a system of independent living  
603 transition services to enable older children in foster care and

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604 young adults who exit foster care at age 18 to make the  
605 transition to self-sufficiency as adults.

606 (b) The goals of independent living transition services are  
607 to assist older children in foster care and young adults who were  
608 formerly in foster care to obtain life skills and education for  
609 independent living and employment, to have a quality of life  
610 appropriate for their age, and to assume personal responsibility  
611 for becoming self-sufficient adults.

612 (c) State funds for foster care or federal funds shall be  
613 used to establish a continuum of services for eligible children  
614 in foster care and eligible young adults who were formerly in  
615 foster care which accomplish the goals for the system of  
616 independent living transition services by providing services for  
617 foster children, pursuant to subsection (4), and services for  
618 young adults who were formerly in foster care, pursuant to  
619 subsection (5).

620 (d) For children in foster care, independent living  
621 transition services are not an alternative to adoption.  
622 Independent living transition services may occur concurrently  
623 with continued efforts to locate and achieve placement in  
624 adoptive families for older children in foster care.

625 (2) ELIGIBILITY.--

626 (a) The department shall serve children who have reached 13  
627 years of age but are not yet 18 years of age and who are in  
628 foster care by providing services pursuant to subsection (4).  
629 Children to be served must meet the eligibility requirements set  
630 forth for specific services as provided in this section.

631 (b) The department shall serve young adults who have  
632 reached 18 years of age or were placed with a court-approved

633 nonrelative or guardian after reaching 16 years of age and have  
 634 spent a minimum of 6 months in foster care ~~but are not yet 23~~  
 635 ~~years of age and who were in foster care when they turned 18~~  
 636 ~~years of age~~ by providing services pursuant to subsection (5).  
 637 Young adults are not entitled to be served but must meet the  
 638 eligibility requirements set forth for specific services in this  
 639 section.

640 (3) PREPARATION FOR INDEPENDENT LIVING.--

641 (a) It is the intent of the Legislature for the Department  
 642 of Children and Family Services to assist older children in  
 643 foster care and young adults who exit foster care at age 18 in  
 644 making the transition to independent living and self-sufficiency  
 645 as adults. The department shall provide such children and young  
 646 adults with opportunities to participate in life skills  
 647 activities in their foster families and communities which are  
 648 reasonable and appropriate for their respective ages or for any  
 649 special needs they may have, and shall provide them with services  
 650 to build life ~~the~~ skills and increase their ability to live  
 651 independently and become self-sufficient. To support the  
 652 provision of opportunities for participation in age-appropriate  
 653 life skills activities, the department shall:

654 1. Develop a list of age-appropriate activities and  
 655 responsibilities to be offered to all children involved in  
 656 independent living transition services and their foster parents.

657 2. Provide training for staff and foster parents to address  
 658 the issues of older children in foster care in transitioning to  
 659 adulthood, which shall include information on high school  
 660 completion, grant applications, vocational school opportunities,

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661 supporting education and employment opportunities, and ~~providing~~  
662 opportunities to participate in appropriate daily activities.

663 3. Develop procedures to maximize the authority of foster  
664 parents or caregivers to approve participation in age-appropriate  
665 activities of children in their care. The age-appropriate  
666 activities and the authority of the foster parent or caregiver  
667 shall be developed into a written plan that the foster parent or  
668 caregiver, the child, and the case manager all develop together,  
669 sign, and follow. This plan must include specific goals and  
670 objectives and be reviewed and updated no less than quarterly.

671 4. Provide opportunities for older children in foster care  
672 to interact with mentors.

673 5. Develop and implement procedures similar to those in  
674 sub-paragraph (5)(b)5.1. for older children to directly access  
675 and manage the personal allowance they receive from the  
676 department in order to learn responsibility and participate in  
677 age-appropriate life skills activities to the extent feasible.

678 6. Make a good faith effort to fully explain, prior to  
679 execution of any signature, if required, any document, report,  
680 form, or other record, whether written or electronic, presented  
681 to a child or young adult pursuant to this chapter and allow for  
682 the recipient to ask any appropriate questions necessary to fully  
683 understand the document. It shall be the responsibility of the  
684 person presenting the document to the child or young adult to  
685 comply with this subparagraph.

686 (b) It is further the intent of the Legislature that each  
687 child in foster care, his or her foster parents, if applicable,  
688 and the department or community-based provider set early  
689 achievement and career goals for the child's postsecondary



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690 educational and work experience. The department and community-  
691 based providers shall implement the model set forth in this  
692 paragraph to help ensure that children in foster care are ready  
693 for postsecondary education and the workplace.

694 1. For children in foster care who have reached 13 years of  
695 age and are entering the 9th grade, their foster parents, and the  
696 department or community-based provider shall be active  
697 participants in planning and executing an educational and career  
698 path choosing a post high school goal based upon both the  
699 abilities and interests of each child. The path shall be reviewed  
700 no less than annually; shall include a review of the child's  
701 academic improvement plan pursuant to s. 1008.25, individual  
702 educational plan, if applicable, and report card or student  
703 portfolio; and goal shall accommodate the needs of children  
704 served in exceptional education programs to the extent  
705 appropriate for each individual. Such children may continue to  
706 follow the courses outlined in the district school board student  
707 progression plan. Children in foster care, with the assistance of  
708 their foster parents, and the department or community-based  
709 provider shall choose one of the following postsecondary goals:  
710 a. Attending a 4-year college or university, a community  
711 college plus university, or a military academy;  
712 b. Receiving a 2-year postsecondary degree;  
713 c. Attaining a postsecondary career and technical  
714 certificate or credential; or  
715 d. Beginning immediate employment, including  
716 apprenticeship, after completion of a high school diploma or its  
717 equivalent, or enlisting in the military.

718           2. In order to assist the child in foster care in achieving  
 719 his or her chosen goal, the department or community-based  
 720 provider shall, with the participation of the child and foster  
 721 parents, identify:

722           a. The core courses in the child's secondary school  
 723 necessary to qualify for a chosen goal.

724           b. Any elective courses which would provide additional help  
 725 in reaching a chosen goal.

726           c. The grade point requirement and any additional  
 727 information necessary to achieve a specific goal.

728           d. A teacher, other school staff member, employee of the  
 729 department or community-based care provider, or community  
 730 volunteer who would be willing to work with the child as an  
 731 academic advocate or mentor if foster parent involvement is  
 732 insufficient or unavailable.

733           3. In order to complement educational goals, the department  
 734 and community-based providers are encouraged to form partnerships  
 735 with the business community to support internships,  
 736 apprenticeships, or other work-related opportunities.

737           4. The department and community-based providers shall  
 738 ensure that children in foster care and their foster parents are  
 739 made aware of the postsecondary goals available and shall assist  
 740 in identifying the coursework necessary to enable the child to  
 741 reach the chosen goal.

742           (c) All children in foster care and young adults formerly  
 743 in foster care are encouraged to take part in learning  
 744 opportunities that result from participation in community service  
 745 activities.

746 (d) Children in foster care and young adults formerly in  
747 foster care shall be provided with the opportunity to change from  
748 one postsecondary goal to another, and each postsecondary goal  
749 shall allow for changes in each individual's needs and  
750 preferences. Any change, particularly a change that will result  
751 in additional time required to achieve a goal, shall be made with  
752 the guidance and assistance of the department or community-based  
753 provider.

754 (4) SERVICES FOR CHILDREN IN FOSTER CARE.--The department  
755 shall provide the following transition to independence services  
756 to children in foster care who meet prescribed conditions and are  
757 determined eligible by the department. The service categories  
758 available to children in foster care which facilitate successful  
759 transition into adulthood are:

760 (a) Preindependent living services.--

761 1. Preindependent living services include, but are not  
762 limited to, life skills training, educational field trips, and  
763 conferences. The specific services to be provided to a child  
764 shall be determined using a preindependent living assessment.

765 2. A child who has reached 13 years of age but is not yet  
766 15 years of age who is in foster care is eligible for such  
767 services.

768 3. The department shall conduct an annual staffing for each  
769 child who has reached 13 years of age but is not yet 15 years of  
770 age to ensure that the preindependent living training and  
771 services to be provided as determined by the preindependent  
772 living assessment are being received and to evaluate the progress  
773 of the child in developing the needed independent living skills.

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774 4. At the first annual staffing that occurs following a  
775 child's 14th birthday, and at each subsequent staffing, the  
776 department, the child, and, to the greatest extent possible, his  
777 or her foster parent or caregiver shall review the child's  
778 academic improvement plan pursuant to s. 1008.25, individual  
779 educational plan, if applicable, and report card or student  
780 portfolio and shall provide to each child detailed personalized  
781 information on services provided by the Road-to-Independence  
782 ~~Scholarship~~ Program, including requirements for eligibility; on  
783 other grants, scholarships, and waivers that are available and  
784 should be sought by the child with assistance from the  
785 department, including, but not limited to, the Bright Futures  
786 Scholarship Program, as provided in ss. 1009.53-1009.538; on  
787 application deadlines; and on grade requirements for such  
788 programs.

789 5. Information related to both the preindependent living  
790 assessment and all staffings, which shall be reduced to writing  
791 and signed by the child participant, shall be included as a part  
792 of the written report required to be provided to the court at  
793 each judicial review held pursuant to s. 39.701.

794 (b) Life skills services.--

795 1. Life skills services may include, but are not limited  
796 to, independent living skills training, including training to  
797 develop banking and budgeting skills, interviewing skills,  
798 parenting skills, and time management or organizational skills,  
799 educational support, employment training, and counseling.  
800 Children receiving these services should also be provided with  
801 information related to social security insurance benefits and  
802 public assistance. The specific services to be provided to a

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803 child shall be determined using an independent life skills  
804 assessment.

805 2. A child who has reached 15 years of age but is not yet  
806 18 years of age who is in foster care is eligible for such  
807 services.

808 3. The department shall conduct a staffing at least once  
809 every 6 months for each child who has reached 15 years of age but  
810 is not yet 18 years of age to ensure that the appropriate  
811 independent living training and services as determined by the  
812 independent life skills assessment are being received and to  
813 evaluate the progress of the child in developing the needed  
814 independent living skills.

815 4. The department shall provide to each child in foster  
816 care during the calendar month following the child's 17th  
817 birthday an independent living assessment to determine the  
818 child's skills and abilities to live independently and become  
819 self-sufficient. Based on the results of the independent living  
820 assessment, services and training shall be provided in order for  
821 the child to develop the necessary skills and abilities prior to  
822 the child's 18th birthday.

823 5. Information related to both the independent life skills  
824 assessment and all staffings, which shall be reduced to writing  
825 and signed by the child participant, shall be included as a part  
826 of the written report required to be provided to the court at  
827 each judicial review held pursuant to s. 39.701.

828 (c) Subsidized independent living services.--

829 1. Subsidized independent living services are living  
830 arrangements that allow the child to live independently of the

831 daily care and supervision of an adult in a setting that is not  
 832 required to be licensed under s. 409.175.

833 2. A child who has reached 16 years of age but is not yet  
 834 18 years of age is eligible for such services if he or she:

835 a. Is adjudicated dependent under chapter 39; has been  
 836 placed in licensed out-of-home care for at least 6 months prior  
 837 to entering subsidized independent living; and has a permanency  
 838 goal of adoption, independent living, or long-term licensed care;  
 839 and

840 b. Is able to demonstrate independent living skills, as  
 841 determined by the department, using established procedures and  
 842 assessments.

843 3. Independent living arrangements established for a child  
 844 must be part of an overall plan leading to the total independence  
 845 of the child from the department's supervision. The plan must  
 846 include, but need not be limited to, a description of the skills  
 847 of the child and a plan for learning additional identified  
 848 skills; the behavior that the child has exhibited which indicates  
 849 an ability to be responsible and a plan for developing additional  
 850 responsibilities, as appropriate; a plan for future educational,  
 851 vocational, and training skills; present financial and budgeting  
 852 capabilities and a plan for improving resources and ability; a  
 853 description of the proposed residence; documentation that the  
 854 child understands the specific consequences of his or her conduct  
 855 in the independent living program; documentation of proposed  
 856 services to be provided by the department and other agencies,  
 857 including the type of service and the nature and frequency of  
 858 contact; and a plan for maintaining or developing relationships

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859 | with the family, other adults, friends, and the community, as  
860 | appropriate.

861 |         4. Subsidy payments in an amount established by the  
862 | department may be made directly to a child under the direct  
863 | supervision of a caseworker or other responsible adult approved  
864 | by the department.

865 |         (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.--It  
866 | is the intent of the Legislature that assistance be provided so  
867 | that every young adult who exits foster care at age 18 has the  
868 | opportunity to obtain housing, finish high school, attend  
869 | postsecondary or vocational training, and obtain the skills  
870 | necessary to find a job or begin a career as he or she makes the  
871 | transition to complete independence. Aftercare support services,  
872 | the Road-to-Independence Program, and transitional support  
873 | services are established to accomplish this intent to the fullest  
874 | degree possible. Based on the availability of funds, the  
875 | department shall provide or arrange for the following services to  
876 | young adults formerly in foster care who meet the prescribed  
877 | conditions and are determined eligible by the department. The  
878 | department, or a community-based care lead agency when the agency  
879 | is under contract with the department to provide the services  
880 | described under this subsection, shall develop a plan to  
881 | implement those services. A plan shall be developed for each  
882 | community-based care service area in the state. An approved plan  
883 | shall be delivered to the Independent Living Services Advisory  
884 | Council within 10 business days after approval. Each plan shall  
885 | include the number of young adults to be served each month of the  
886 | fiscal year and specify the number of young adults who will reach  
887 | 18 years of age who will be eligible for the plan and the number

888 of young adults who will reach 23 years of age and will be  
 889 ineligible for the plan or who are otherwise ineligible during  
 890 each month of the fiscal year; staffing requirements and all  
 891 related costs to administer the services and program;  
 892 expenditures to or on behalf of the eligible recipients; costs of  
 893 services provided to young adults through an approved plan for  
 894 housing, transportation, and employment; reconciliation of these  
 895 expenses and any additional related costs with the funds  
 896 allocated for these services; and an explanation of and a plan to  
 897 resolve any shortages or surpluses in order to end the fiscal  
 898 year with a balanced budget. The categories of services available  
 899 to assist a young adult formerly in foster care to achieve  
 900 independence are:

- 901 (a) Aftercare support services.--
- 902 1. Aftercare support services are available to assist young  
 903 adults who were formerly in foster care in their efforts to  
 904 continue to develop the skills and abilities necessary for  
 905 independent living. The aftercare support services available  
 906 include, but are not limited to, the following:
- 907 a. Mentoring and tutoring.
  - 908 b. Mental health services and substance abuse counseling.
  - 909 c. Life skills classes, including credit management and  
 910 preventive health activities.
  - 911 d. Parenting classes.
  - 912 e. Job and career skills training.
  - 913 f. Counselor consultations.
  - 914 g. Temporary financial assistance.
  - 915 h. Banking and budgeting skills.

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917 The specific services to be provided under this subparagraph  
918 shall be determined by an aftercare services assessment and may  
919 be provided by the department or through referrals in the  
920 community. A young adult who opens a bank account at a financial  
921 institution in this state satisfies the requirements of sub-  
922 subparagraph h. if, when opening that account, he or she received  
923 instructions on how to maintain that account, including the fee  
924 structure of that institution, and he or she has established  
925 direct deposit or a written waiver pursuant to sub-subparagraph  
926 (b) 5.1.

927 2. Temporary assistance provided to prevent homelessness  
928 shall be provided as expeditiously as possible and is limited to  
929 funds available within the limitations defined by the department.

930 3.2- A young adult who has reached 18 years of age but is  
931 not yet 23 years of age who leaves foster care at 18 years of age  
932 but who requests services prior to reaching 23 years of age is  
933 eligible for such services.

934 (b) Road-to-Independence ~~Scholarship~~ Program.--Funds  
935 awarded as part of the Road-to-Independence Program under the  
936 John H. Chaffee Foster Care Independence Program shall be used in  
937 accordance with the federal regulations found in 42 U.S.C. s.  
938 677(i) for young adults formerly in foster care.

939 1. The Road-to-Independence ~~Scholarship~~ Program is intended  
940 to help eligible students who are former foster children in this  
941 state to receive the educational and vocational training needed  
942 to achieve independence. The amount of the award shall be based  
943 on the living and educational needs of the young adult ~~and may be~~  
944 ~~up to, but may not exceed, the amount of earnings that the~~

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945 ~~student would have been eligible to earn working a 40-hour-a-week~~  
946 ~~federal minimum wage job.~~

947 2. A child in foster care or a young adult who has a high  
948 school diploma or its equivalent ~~reached 18 years of age~~ but is  
949 not yet 21 years of age is eligible for the initial award, and a  
950 young adult participating in the program on his or her 21st  
951 birthday may remain eligible for renewal awards until he or she  
952 reaches ~~under 23 years of age is eligible for renewal awards~~, if  
953 he or she:

954 a. Was a dependent child, under chapter 39, and was living  
955 in licensed foster care or in subsidized independent living at  
956 the time of his or her 18th birthday or is currently in licensed  
957 foster care or subsidized independent living, was adopted from  
958 foster care after reaching 16 years of age, or, after spending at  
959 least 6 months in the custody of the department after reaching 16  
960 years of age, was placed in a guardianship by the court;

961 b. Spent at least 6 months living in foster care before  
962 reaching his or her 18th birthday or before obtaining his or her  
963 high school diploma or its equivalent;

964 c. Is a resident of this state as defined in s. 1009.40;  
965 and

966 ~~d. Meets one of the following qualifications:~~

967 d.(I) Has earned a standard high school diploma or its  
968 equivalent as described in s. 1003.43 or s. 1003.435, or has  
969 earned a special diploma or special certificate of completion as  
970 described in s. 1003.438, and has been admitted for part-time or  
971 full-time enrollment in an eligible postsecondary education  
972 institution as defined in s. 1009.533.

973 ~~(II) Is enrolled full time in an accredited high school; or~~

974 ~~(III) Is enrolled full time in an accredited adult~~  
 975 ~~education program designed to provide the student with a high~~  
 976 ~~school diploma or its equivalent.~~

977 3. A young adult applying for the a Road-to-Independence  
 978 Program Scholarship must apply for any other grants and  
 979 scholarships for which he or she may qualify. The department  
 980 shall assist the young adult in the application process ~~and may~~  
 981 ~~use the federal financial aid grant process to determine the~~  
 982 ~~funding needs of the young adult.~~

983 4. An award shall be available to a young adult who is  
 984 considered a full-time student or its equivalent by the  
 985 educational institution in which he or she is enrolled, unless  
 986 that young adult is employed, has a recognized disability  
 987 preventing full-time attendance, or practices a vocation. The  
 988 amount of an award under this subparagraph may be disregarded for  
 989 purposes of determining the young adult's eligibility for, or the  
 990 amount of, any other federal or federally supported assistance  
 991 ~~The amount of the award, whether it is being used by a young~~  
 992 ~~adult working toward completion of a high school diploma or its~~  
 993 ~~equivalent or working toward completion of a postsecondary~~  
 994 ~~education program, shall be determined based on an assessment of~~  
 995 ~~the funding needs of the young adult. This assessment must~~  
 996 ~~consider the young adult's living and educational costs and other~~  
 997 ~~grants, scholarships, waivers, earnings, and other income to be~~  
 998 ~~received by the young adult. An award shall be available only to~~  
 999 ~~the extent that other grants and scholarships are not sufficient~~  
 1000 ~~to meet the living and educational needs of the young adult, but~~  
 1001 ~~an award may not be less than \$25 in order to maintain Medicaid~~  
 1002 ~~eligibility for the young adult as provided in s. 409.903.~~

1003           5.a. The department must advertise the criteria,  
 1004 application procedures, and availability of the program to:  
 1005           (I) Children and young adults in, leaving, or formerly in  
 1006 foster care.  
 1007           (II) Case managers.  
 1008           (III) Guidance and family services counselors.  
 1009           (IV) Principals or other relevant school administrators and  
 1010 ~~must ensure that the children and young adults leaving foster~~  
 1011 ~~care, foster parents, or family services counselors are informed~~  
 1012 ~~of the availability of the program and the application~~  
 1013 ~~procedures.~~  
 1014           ~~b. A young adult must apply for the initial award during~~  
 1015 ~~the 6 months immediately preceding his or her 18th birthday, and~~  
 1016 ~~the department shall provide assistance with the application~~  
 1017 ~~process. A young adult who fails to make an initial application,~~  
 1018 ~~but who otherwise meets the criteria for an initial award, may~~  
 1019 ~~make one application for the initial award if the application is~~  
 1020 ~~made before the young adult's 21st birthday. If the young adult~~  
 1021 ~~does not apply for an initial award before his or her 18th~~  
 1022 ~~birthday, the department shall inform that young adult of the~~  
 1023 ~~opportunity to apply before turning 21 years of age.~~  
 1024           ~~b.e.~~ If funding for the program is available, The  
 1025 department shall issue awards from the ~~scholarship~~ program for  
 1026 each young adult who meets all the requirements of the program to  
 1027 the extent funding is available.  
 1028           ~~c.d.~~ An award shall be issued at the time the eligible  
 1029 student reaches 18 years of age.  
 1030           ~~d.e.~~ A young adult who is eligible for the Road-to-  
 1031 Independence Program, transitional support services, or aftercare

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1032 services and who so desires shall be allowed to reside with the  
1033 licensed foster family or group care provider with whom he or she  
1034 was residing at the time of attaining his or her 18th birthday or  
1035 to reside in another licensed foster home or with a group care  
1036 provider arranged by the department.

1037 ~~e.f.~~ If the award recipient transfers from one eligible  
1038 institution to another and continues to meet eligibility  
1039 requirements, the award must be transferred with the recipient.

1040 ~~f.g.~~ Scholarship Funds awarded to any eligible young adult  
1041 under this program are in addition to any other services or funds  
1042 provided to the young adult by the department through  
1043 transitional support services or aftercare services ~~its~~  
1044 ~~independent living transition services.~~

1045 ~~g.h.~~ The department shall provide information concerning  
1046 young adults receiving funding through the Road-to-Independence  
1047 Program ~~Scholarship~~ to the Department of Education for inclusion  
1048 in the student financial assistance database, as provided in s.  
1049 1009.94.

1050 ~~h.i.~~ Scholarship Funds are intended to help eligible young  
1051 adults ~~students~~ who are former foster children in this state to  
1052 receive the educational and vocational training needed to become  
1053 independent and self-supporting. The funds shall be terminated  
1054 when the young adult has attained one of four postsecondary goals  
1055 under subsection (3) or reaches 23 years of age, whichever occurs  
1056 earlier. In order to initiate postsecondary education, to allow  
1057 for a change in career goal, or to obtain additional skills in  
1058 the same educational or vocational area, a young adult may earn  
1059 no more than two diplomas, certificates, or credentials. A young  
1060 adult attaining an associate of arts or associate of science

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1061 degree shall be permitted to work toward completion of a bachelor  
1062 of arts or a bachelor of science degree or an equivalent  
1063 undergraduate degree. Road-to-Independence Program Scholarship  
1064 funds may not be used for education or training after a young  
1065 adult has attained a bachelor of arts or a bachelor of science  
1066 degree or an equivalent undergraduate degree.

1067 ~~i.j.~~ The department shall evaluate and renew each award  
1068 annually during the 90-day period before the young adult's  
1069 birthday. In order to be eligible for a renewal award for the  
1070 subsequent year, the young adult must:

1071 (I) Complete the number of hours, or the equivalent  
1072 considered part time or full time by the educational institution,  
1073 in the last academic year in which the young adult earned an  
1074 award ~~a scholarship~~, except for a young adult who meets the  
1075 requirements of s. 1009.41.

1076 (II) Maintain appropriate progress as required by the  
1077 educational institution, except that, if the young adult's  
1078 progress is insufficient to renew the award ~~scholarship~~ at any  
1079 time during the eligibility period, the young adult may restore  
1080 eligibility by improving his or her progress to the required  
1081 level.

1082 ~~j.k.~~ ~~Scholarship~~ Funds may be terminated during the interim  
1083 between an award and the evaluation for a renewal award if the  
1084 department determines that the award recipient is no longer  
1085 enrolled in an educational institution as defined in sub-  
1086 subparagraph 2.d., or is no longer a state resident. The  
1087 department shall notify a recipient ~~student~~ who is terminated and  
1088 inform the recipient ~~student~~ of his or her right to appeal.

1089 ~~k.1.~~ An award recipient who does not qualify for a renewal  
 1090 award or who chooses not to renew the award may subsequently  
 1091 apply for reinstatement. An application for reinstatement must be  
 1092 made before the young adult reaches 21 ~~23~~ years of age, and a  
 1093 student may not apply for reinstatement more than once. In order  
 1094 to be eligible for reinstatement, the young adult must meet the  
 1095 eligibility criteria and the criteria for award renewal for the  
 1096 scholarship program.

1097 l. After the completion of aftercare support services that  
 1098 satisfy the requirements of sub-subparagraph (a)1.h., payment of  
 1099 awards under the Road-to-Independence Program shall be made by  
 1100 direct deposit to the recipient, unless the recipient requests in  
 1101 writing to the community-based care lead agency or the department  
 1102 that:

1103 (I) The payments be made directly to the recipient by check  
 1104 or warrant;

1105 (II) The payments or a portion of the payments be made  
 1106 directly on the recipient's behalf to institutions the recipient  
 1107 is attending to maintain eligibility under this section; or

1108 (III) The payments be made on a two-party check to a  
 1109 business or landlord for a legitimate expense, whether reimbursed  
 1110 or not. A legitimate expense for the purposes of this sub-sub-  
 1111 paragraph shall include auto repair or maintenance;  
 1112 educational, job, or training expenses; and costs incurred,  
 1113 except legal costs, fines, or penalties, when applying for or  
 1114 executing a rental agreement for the purposes of securing a home  
 1115 or residence.

1116 m. The department shall evaluate the efficiency and cost-  
 1117 effectiveness of contracting the awards under the Road-to-

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1118 Independence Program to an independent entity with expertise in  
1119 the delivery and management of this service. If the department  
1120 determines that better service can be provided to eligible young  
1121 adults through an independent entity, the department shall  
1122 contract with such an entity. Cost shall not be the sole factor  
1123 in determining better service for the purposes of this sub-  
1124 subparagraph, nor shall it be given extra weight over any other  
1125 factor. This evaluation shall be completed by December 31, 2006.

1126 (c) Transitional support services.--

1127 1. In addition to any services provided through aftercare  
1128 support or the Road-to-Independence Program Scholarship, a young  
1129 adult formerly in foster care may receive other appropriate  
1130 short-term funding and services, which may include financial,  
1131 housing, counseling, employment, education, mental health,  
1132 disability, and other services, if the young adult demonstrates  
1133 that the services are critical to the young adult's own efforts  
1134 to achieve self-sufficiency and to develop a personal support  
1135 system. The department or community-based care provider shall  
1136 work with the young adult in developing a joint transition  
1137 agreement that is consistent with a needs assessment identifying  
1138 the specific need for transitional services to support the young  
1139 adult's own efforts. The young adult must have specific tasks to  
1140 complete or maintain included in the agreement and be accountable  
1141 for the completion of or making progress towards the completion  
1142 of these tasks. However, no task shall be forced upon a young  
1143 adult and if the young adult and department or community-based  
1144 care provider cannot come to agreement regarding any part of the  
1145 plan, the young adult may access a grievance process to its full  
1146 extent in an effort to resolve the disagreement.



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1147 2. A young adult formerly in foster care is eligible to  
1148 apply for transitional support services if he or she has reached  
1149 18 years of age but is not yet 23 years of age, was a dependent  
1150 child pursuant to chapter 39, was living in licensed foster care  
1151 or in subsidized independent living at the time of his or her  
1152 18th birthday, and had spent at least 6 months living in foster  
1153 care before that date.

1154 3. If at any time the services are no longer critical to  
1155 the young adult's own efforts to achieve self-sufficiency and to  
1156 develop a personal support system, they shall be terminated.

1157 (d) Payment of aftercare, Road-to-Independence Program  
1158 ~~scholarship~~, or transitional support funds.--Payment of  
1159 aftercare, Road-to-Independence Program scholarship, or  
1160 transitional support funds shall be made directly to the  
1161 recipient unless the recipient requests in writing to the  
1162 community-based care lead agency, or the department, that the  
1163 payments or a portion of the payments be made directly on the  
1164 recipient's behalf in order to secure services such as housing,  
1165 counseling, education, or employment training as part of the  
1166 young adult's own efforts to achieve self-sufficiency. The  
1167 community-based care lead agency may purchase housing,  
1168 transportation, or employment services to ensure the availability  
1169 and affordability of specific transitional services thereby  
1170 allowing an eligible young adult to utilize these services in  
1171 lieu of receiving a direct payment. Prior to purchasing such  
1172 services, the community-based care lead agency must have a plan  
1173 approved by the department describing the services to be  
1174 purchased, the rationale for purchasing the services, and a  
1175 specific range of expenses for each service that is less than the

1176 cost of purchasing the service by an individual young adult. The  
 1177 plan must include a description of the transition of a young  
 1178 adult using these services into independence and a timeframe for  
 1179 achievement of independence. An eligible young adult who can  
 1180 demonstrate an ability to obtain these services independently and  
 1181 prefers a direct payment shall receive such payment. The plan  
 1182 must be reviewed annually and evaluated for cost-efficiency and  
 1183 for effectiveness in assisting young adults in achieving  
 1184 independence, preventing homelessness among young adults, and  
 1185 enabling young adults to earn a livable wage in a permanent  
 1186 employment situation. The young adult who resides with a foster  
 1187 family may not be included as a child in calculating any  
 1188 licensing restriction on the number of children in the foster  
 1189 home.

1190 (e) Appeals process.--

1191 1. The Department of Children and Family Services shall  
 1192 adopt by rule a procedure by which a young adult may appeal an  
 1193 eligibility determination or the department's failure to provide  
 1194 aftercare, Road-to-Independence Program scholarship, or  
 1195 transitional support services, or the termination of such  
 1196 services, if such funds are available.

1197 2. The procedure developed by the department must be  
 1198 readily available to young adults, must provide timely decisions,  
 1199 and must provide for an appeal to the Secretary of Children and  
 1200 Family Services. The decision of the secretary constitutes final  
 1201 agency action and is reviewable by the court as provided in s.  
 1202 120.68.

1203 (6) ACCOUNTABILITY.--The department shall maintain  
 1204 oversight by developing ~~develop~~ outcome measures ~~for the program~~

1205 and other performance measures and presenting these measures in  
 1206 an annual report to the appropriate substantive committees of the  
 1207 Senate and the House of Representatives. The report must include:

1208 (a) An evaluation of the goals and measures developed under  
 1209 this section as compared to the outcomes achieved by and the  
 1210 performance of the department.

1211 (b) A summary of data gathered pursuant to sub-subparagraph  
 1212 (5)(b)5.m.

1213 (c) Rules adopted or proposed under this section since the  
 1214 last report. For the purposes of the first report, any rules  
 1215 adopted or proposed under this section must be included.

1216 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.--The  
 1217 Secretary of Children and Family Services shall establish the  
 1218 Independent Living Services Advisory Council for the purpose of  
 1219 reviewing and making recommendations concerning the  
 1220 implementation and operation of the independent living transition  
 1221 services. This advisory council shall continue to function as  
 1222 specified in this subsection until the Legislature determines  
 1223 that the advisory council can no longer provide a valuable  
 1224 contribution to the department's efforts to achieve the goals of  
 1225 the independent living transition services.

1226 (a) Specifically, the advisory council shall assess the  
 1227 implementation and operation of the system of independent living  
 1228 transition services and advise the department on actions that  
 1229 would improve the ability of the independent living transition  
 1230 services to meet the established goals. The advisory council  
 1231 shall keep the department informed of problems being experienced  
 1232 with the services, barriers to the effective and efficient  
 1233 integration of services and support across systems, and successes

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1234 that the system of independent living transition services has  
1235 achieved. The department shall consider, but is not required to  
1236 implement, the recommendations of the advisory council.

1237 (b) The advisory council shall report to the appropriate  
1238 substantive committees of the Senate and the House of  
1239 Representatives on the status of the implementation of the system  
1240 of independent living transition services; efforts to publicize  
1241 the availability of aftercare support services, the Road-to-  
1242 Independence ~~Scholarship~~ Program, and transitional support  
1243 services; ~~specific barriers to financial aid created by the~~  
1244 ~~scholarship and possible solutions~~; the success of the services;  
1245 problems identified; recommendations for department or  
1246 legislative action; and the department's implementation of the  
1247 recommendations contained in the Independent Living Services  
1248 Integration Workgroup Report submitted to the Senate and the  
1249 House substantive committees December 31, 2002. This advisory  
1250 council report shall be submitted by December 31 of each year  
1251 that the council is in existence and shall be accompanied by a  
1252 report from the department which identifies the recommendations  
1253 of the advisory council and either describes the department's  
1254 actions to implement these recommendations or provides the  
1255 department's rationale for not implementing the recommendations.

1256 (c) Members of the advisory council shall be appointed by  
1257 the secretary of the department. The membership of the advisory  
1258 council must include, at a minimum, representatives from the  
1259 headquarters and district offices of the Department of Children  
1260 and Family Services, community-based care lead agencies, the  
1261 Agency for Workforce Innovation, the Department of Education, the  
1262 Agency for Health Care Administration, the State Youth Advisory

1263 Board, Workforce Florida, Inc., the Statewide Guardian Ad Litem  
 1264 Office, foster parents, recipients of Road-to-Independence  
 1265 Program funding, and advocates for foster children. The secretary  
 1266 shall determine the length of the term to be served by each  
 1267 member appointed to the advisory council, which may not exceed 4  
 1268 years.

1269 (d) The advisory council shall have access to all  
 1270 appropriate data from the Department of Children and Family  
 1271 Services and the community-based care lead agencies or other  
 1272 relevant agencies to accomplish the tasks set forth in this  
 1273 section. This data shall not include any confidential information  
 1274 that would lead to the identity of a specific child or young  
 1275 adult.

1276 (8) PERSONAL PROPERTY.--Property acquired on behalf of  
 1277 clients of this program shall become the personal property of the  
 1278 clients and is not subject to the requirements of chapter 273  
 1279 relating to state-owned tangible personal property. Such property  
 1280 continues to be subject to applicable federal laws.

1281 (9) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN FOSTER  
 1282 CARE.--The department shall enroll in the Florida KidCare  
 1283 program, outside the open enrollment period, each young adult who  
 1284 is eligible as described in paragraph (2)(b) and who has not yet  
 1285 reached his or her 19th birthday.

1286 (a) A young adult who was formerly in foster care at the  
 1287 time of his or her 18th birthday and who is 18 years of age but  
 1288 not yet 19, shall pay the premium for the Florida KidCare program  
 1289 as required in s. 409.814.

1290 (b) A young adult who has health insurance coverage from a  
 1291 third party through his or her employer or who is eligible for  
 1292 Medicaid is not eligible for enrollment under this subsection.

1293 (10) RULEMAKING.--The department shall adopt by rule  
 1294 procedures to administer this section, including balancing the  
 1295 goals of normalcy and safety for the youth and providing the  
 1296 caregivers with as much flexibility as possible to enable the  
 1297 youth to participate in normal life experiences. The department  
 1298 shall not adopt rules relating to reductions in ~~scholarship~~  
 1299 awards. The department shall engage in appropriate planning to  
 1300 prevent, to the extent possible, a reduction in ~~scholarship~~  
 1301 awards after issuance. The department shall not establish, by  
 1302 rule or practice, a limit on the amount of aftercare or  
 1303 transitional support services funding an eligible young adult may  
 1304 receive. This amount shall be determined based on the specific  
 1305 needs of the young adult and the availability of funds.

1306 (11) CONTRACTS FOR SERVICES.--The department shall contract  
 1307 with a qualified nonprofit entity, legally operating within the  
 1308 state, to coordinate and manage all services described in this  
 1309 section and to manage all funds available to provide those  
 1310 services and related support services, including case management,  
 1311 administrative, and out-of-home care funds for children and young  
 1312 adults eligible for these services when they reach 16 years of  
 1313 age until they reach 23 years of age or are otherwise no longer  
 1314 eligible. The contract shall include funding for the current  
 1315 positions, associated expenses, and other administrative costs  
 1316 within the department's budget. The selected entity shall  
 1317 coordinate and manage the services and may not directly provide  
 1318 services unless the selected entity is currently providing these

1319 services within a community-based care project. The selected  
 1320 entity shall not increase the scope of the service area beyond  
 1321 the scope specified in the contract at the time of selection. The  
 1322 entity shall contract with community-based care lead agencies to  
 1323 provide the services or with local community provider agencies  
 1324 that have specific skills and experience with providing  
 1325 transitional support services to children and young adults and  
 1326 with which the lead agency has collaborated.

1327 (12) AWARD OF FUNDING.--The total amount of the funds  
 1328 awarded directly to an eligible young adult under paragraph  
 1329 (5) (b) shall be based upon the living and educational needs of  
 1330 the young adult and may equal, but not exceed, the amount of  
 1331 earnings that the young adult would have been eligible to earn  
 1332 working a 40-hour-a-week federal minimum wage job, excluding any  
 1333 funds provided for immediate need or emergency services as one-  
 1334 time payments.

1335 Section 8. Paragraph (b) of subsection (2) of section  
 1336 409.175, Florida Statutes, is amended to read:

1337 409.175 Licensure of family foster homes, residential  
 1338 child-caring agencies, and child-placing agencies; public records  
 1339 exemption.--

1340 (2) As used in this section, the term:

1341 (b) "Boarding school" means a school which is accredited by  
 1342 the Florida Council of Independent Schools or the Southern  
 1343 Association of Colleges and Schools and registered with the  
 1344 Department of Education as a school. Its program must follow  
 1345 established school schedules, with holiday breaks and summer  
 1346 recesses in accordance with other public and private school  
 1347 programs. The education programs provided by a boarding school

1348 shall meet the standards prescribed by the State Board of  
 1349 Education and the district school board. The children in  
 1350 residence must customarily return to their family homes or legal  
 1351 guardians during school breaks and must not be in residence year-  
 1352 round, except that this provision does not apply to foreign  
 1353 students. The parents of these children retain custody and  
 1354 planning and financial responsibility. A boarding school  
 1355 currently in existence and a boarding school opening and seeking  
 1356 accreditation has 3 years to comply with the requirements of this  
 1357 paragraph. A boarding school must provide proof of accreditation  
 1358 or documentation of the accreditation process upon request. A  
 1359 boarding school that cannot produce the required documentation or  
 1360 that has not registered with the Department of Education shall be  
 1361 considered to be providing residential group care without a  
 1362 license. The department may impose administrative sanctions or  
 1363 seek civil remedies as provided under paragraph (11) (a).

1364 Section 9. Section 409.903, Florida Statutes, is amended to  
 1365 read:

1366 409.903 Mandatory payments for eligible persons.--The  
 1367 agency shall make payments for medical assistance and related  
 1368 services on behalf of the following persons who the department,  
 1369 or the Social Security Administration by contract with the  
 1370 Department of Children and Family Services, determines to be  
 1371 eligible, subject to the income, assets, and categorical  
 1372 eligibility tests set forth in federal and state law. Payment on  
 1373 behalf of these Medicaid eligible persons is subject to the  
 1374 availability of moneys and any limitations established by the  
 1375 General Appropriations Act or chapter 216.



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1376 (1) Low-income families with children are eligible for  
1377 Medicaid provided they meet the following requirements:  
1378 (a) The family includes a dependent child who is living  
1379 with a caretaker relative.  
1380 (b) The family's income does not exceed the gross income  
1381 test limit.  
1382 (c) The family's countable income and resources do not  
1383 exceed the applicable Aid to Families with Dependent Children  
1384 (AFDC) income and resource standards under the AFDC state plan in  
1385 effect in July 1996, except as amended in the Medicaid state plan  
1386 to conform as closely as possible to the requirements of the  
1387 welfare transition program, to the extent permitted by federal  
1388 law.

1389 (2) A person who receives payments from, who is determined  
1390 eligible for, or who was eligible for but lost cash benefits from  
1391 the federal program known as the Supplemental Security Income  
1392 program (SSI). This category includes a low-income person age 65  
1393 or over and a low-income person under age 65 considered to be  
1394 permanently and totally disabled.

1395 (3) A child under age 21 living in a low-income, two-parent  
1396 family, and a child under age 7 living with a nonrelative, if the  
1397 income and assets of the family or child, as applicable, do not  
1398 exceed the resource limits under the WAGES Program.

1399 (4) A child who is eligible under Title IV-E of the Social  
1400 Security Act for subsidized board payments, foster care, or  
1401 adoption subsidies, and a child for whom the state has assumed  
1402 temporary or permanent responsibility and who does not qualify  
1403 for Title IV-E assistance but is in foster care, shelter or  
1404 emergency shelter care, or subsidized adoption. This category

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1405 includes any young adult who is eligible to receive services  
1406 under s. 409.1451(5) until he or she reaches age 21, without  
1407 regard to any income, assets, or categorical eligibility tests  
1408 set forth in federal and state law. If the young adult has other  
1409 health insurance coverage, he or she shall not be eligible under  
1410 this section ~~a child who was eligible under Title IV E of the~~  
1411 ~~Social Security Act for foster care or the state provided foster~~  
1412 ~~care, who exited foster care due to attaining the age of 18~~  
1413 ~~years, and who has been awarded a Road to Independence~~  
1414 ~~Scholarship.~~

1415 (5) A pregnant woman for the duration of her pregnancy and  
1416 for the postpartum period as defined in federal law and rule, or  
1417 a child under age 1, if either is living in a family that has an  
1418 income which is at or below 150 percent of the most current  
1419 federal poverty level, or, effective January 1, 1992, that has an  
1420 income which is at or below 185 percent of the most current  
1421 federal poverty level. Such a person is not subject to an assets  
1422 test. Further, a pregnant woman who applies for eligibility for  
1423 the Medicaid program through a qualified Medicaid provider must  
1424 be offered the opportunity, subject to federal rules, to be made  
1425 presumptively eligible for the Medicaid program.

1426 (6) A child born after September 30, 1983, living in a  
1427 family that has an income which is at or below 100 percent of the  
1428 current federal poverty level, who has attained the age of 6, but  
1429 has not attained the age of 19. In determining the eligibility of  
1430 such a child, an assets test is not required. A child who is  
1431 eligible for Medicaid under this subsection must be offered the  
1432 opportunity, subject to federal rules, to be made presumptively  
1433 eligible. A child who has been deemed presumptively eligible for

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1434 Medicaid shall not be enrolled in a managed care plan until the  
 1435 child's full eligibility determination for Medicaid has been  
 1436 completed.

1437 (7) A child living in a family that has an income which is  
 1438 at or below 133 percent of the current federal poverty level, who  
 1439 has attained the age of 1, but has not attained the age of 6. In  
 1440 determining the eligibility of such a child, an assets test is  
 1441 not required. A child who is eligible for Medicaid under this  
 1442 subsection must be offered the opportunity, subject to federal  
 1443 rules, to be made presumptively eligible. A child who has been  
 1444 deemed presumptively eligible for Medicaid shall not be enrolled  
 1445 in a managed care plan until the child's full eligibility  
 1446 determination for Medicaid has been completed.

1447 (8) A person who is age 65 or over or is determined by the  
 1448 agency to be disabled, whose income is at or below 100 percent of  
 1449 the most current federal poverty level and whose assets do not  
 1450 exceed limitations established by the agency. However, the agency  
 1451 may only pay for premiums, coinsurance, and deductibles, as  
 1452 required by federal law, unless additional coverage is provided  
 1453 for any or all members of this group by s. 409.904(1).  
 1454

1455 The Department of Children and Family Services shall notify the  
 1456 Agency for Health Care Administration within 10 days after it  
 1457 opens a case for child welfare services in the HomeSafeNet system  
 1458 for a Medicaid recipient. If that Medicaid recipient is a member  
 1459 of a Medicaid prepaid health plan, the agency shall notify the  
 1460 prepaid health plan within 10 days after it opens a case for  
 1461 child welfare services. When a child who is receiving health care  
 1462 benefits under Medicaid is placed in the care and custody or

1463 under the supervision of the department, the agency shall make  
 1464 available all health care records, including behavioral health  
 1465 care records and all prescription drugs prescribed for the child  
 1466 on a continuous and daily basis. The agency shall make these  
 1467 records available in an electronic format to allow the department  
 1468 and the community-based care lead agencies to create an  
 1469 electronic health record or electronic medical passport for each  
 1470 child in the database of his or her choice and have it refreshed  
 1471 at least every 24 hours. The agency is not required to make this  
 1472 information available in multiple formats, but only in a format  
 1473 the department and the community-based care lead agencies can use  
 1474 for the purpose of creating the electronic medical passport.

1475 Section 10. Subsection (2) of section 39.013, Florida  
 1476 Statutes, is amended to read:

1477 39.013 Procedures and jurisdiction; right to counsel.--

1478 (2) The circuit court shall have exclusive original  
 1479 jurisdiction of all proceedings under this chapter, of a child  
 1480 voluntarily placed with a licensed child-caring agency, a  
 1481 licensed child-placing agency, or the department, and of the  
 1482 adoption of children whose parental rights have been terminated  
 1483 under this chapter. Jurisdiction attaches when the initial  
 1484 shelter petition, dependency petition, or termination of parental  
 1485 rights petition is filed or when a child is taken into the  
 1486 custody of the department. The circuit court may assume  
 1487 jurisdiction over any such proceeding regardless of whether the  
 1488 child was in the physical custody of both parents, was in the  
 1489 sole legal or physical custody of only one parent, caregiver, or  
 1490 some other person, or was in the physical or legal custody of no  
 1491 person when the event or condition occurred that brought the

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1492 child to the attention of the court. When the court obtains  
 1493 jurisdiction of any child who has been found to be dependent, the  
 1494 court shall retain jurisdiction, unless relinquished by its  
 1495 order, until the child reaches 18 years of age. However, if a  
 1496 youth petitions the court at any time before his or her 19th  
 1497 birthday requesting the court's continued jurisdiction, the  
 1498 juvenile court may retain jurisdiction under this chapter for a  
 1499 period not to exceed 1 year following the youth's 18th birthday  
 1500 for the purpose of determining whether appropriate aftercare  
 1501 support, Road-to-Independence Program Scholarship, transitional  
 1502 support, mental health, and developmental disability services, to  
 1503 the extent otherwise authorized by law, have been provided to the  
 1504 formerly dependent child who was in the legal custody of the  
 1505 department immediately before his or her 18th birthday. If a  
 1506 petition for special immigrant juvenile status and an application  
 1507 for adjustment of status have been filed on behalf of a foster  
 1508 child and the petition and application have not been granted by  
 1509 the time the child reaches 18 years of age, the court may retain  
 1510 jurisdiction over the dependency case solely for the purpose of  
 1511 allowing the continued consideration of the petition and  
 1512 application by federal authorities. Review hearings for the child  
 1513 shall be set solely for the purpose of determining the status of  
 1514 the petition and application. The court's jurisdiction terminates  
 1515 upon the final decision of the federal authorities. Retention of  
 1516 jurisdiction in this instance does not affect the services  
 1517 available to a young adult under s. 409.1451. The court may not  
 1518 retain jurisdiction of the case after the immigrant child's 22nd  
 1519 birthday.

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1520 Section 11. Paragraph (a) of subsection (6) of section  
1521 39.701, Florida Statutes, is amended to read:

1522 39.701 Judicial review.--

1523 (6)(a) In addition to paragraphs (1)(a) and (2)(a), the  
1524 court shall hold a judicial review hearing within 90 days after a  
1525 youth's 17th birthday and shall continue to hold timely judicial  
1526 review hearings. In addition, the court may review the status of  
1527 the child more frequently during the year prior to the youth's  
1528 18th birthday if necessary. At each review held under this  
1529 subsection, in addition to any information or report provided to  
1530 the court, the foster parent, legal custodian, guardian ad litem,  
1531 and the child shall be given the opportunity to address the court  
1532 with any information relevant to the child's best interests,  
1533 particularly as it relates to independent living transition  
1534 services. In addition to any information or report provided to  
1535 the court, the department shall include in its judicial review  
1536 social study report written verification that the child:

1537 1. Has been provided with a current Medicaid card and has  
1538 been provided all necessary information concerning the Medicaid  
1539 program sufficient to prepare the youth to apply for coverage  
1540 upon reaching age 18, if such application would be appropriate.

1541 2. Has been provided with a certified copy of his or her  
1542 birth certificate and, if the child does not have a valid  
1543 driver's license, a Florida identification card issued under s.  
1544 322.051.

1545 3. Has been provided information relating to Social  
1546 Security Insurance benefits if the child is eligible for these  
1547 benefits. If the child has received these benefits and they are  
1548 being held in trust for the child, a full accounting of those

1549 funds must be provided and the child must be informed about how  
 1550 to access those funds.

1551 4. Has been provided with information and training related  
 1552 to budgeting skills, interviewing skills, and parenting skills.

1553 5. Has been provided with all relevant information related  
 1554 to the Road-to-Independence Program ~~Scholarship~~, including, but  
 1555 not limited to, eligibility requirements, forms necessary to  
 1556 apply, and assistance in completing the forms. The child shall  
 1557 also be informed that, if he or she is eligible for the Road-to-  
 1558 Independence ~~Scholarship~~ Program, he or she may reside with the  
 1559 licensed foster family or group care provider with whom the child  
 1560 was residing at the time of attaining his or her 18th birthday or  
 1561 may reside in another licensed foster home or with a group care  
 1562 provider arranged by the department.

1563 6. Has an open bank account, or has identification  
 1564 necessary to open an account, and has been provided with  
 1565 essential banking skills.

1566 7. Has been provided with information on public assistance  
 1567 and how to apply.

1568 8. Has been provided a clear understanding of where he or  
 1569 she will be living on his or her 18th birthday, how living  
 1570 expenses will be paid, and what educational program or school he  
 1571 or she will be enrolled in.

1572 9. Has been provided with notice of the youth's right to  
 1573 petition for the court's continuing jurisdiction for 1 year after  
 1574 the youth's 18th birthday as specified in s. 39.013(2) and with  
 1575 information on how to obtain access to the court.

1576 10. Has been encouraged to attend all judicial review  
 1577 hearings occurring after his or her 17th birthday.

1578 Section 12. Paragraph (c) of subsection (2) of section  
 1579 1009.25, Florida Statutes, is amended to read:

1580 1009.25 Fee exemptions.--

1581 (2) The following students are exempt from the payment of  
 1582 tuition and fees, including lab fees, at a school district that  
 1583 provides postsecondary career programs, community college, or  
 1584 state university:

1585 (c) A student who ~~the state has determined is eligible for~~  
 1586 ~~the Road to Independence Scholarship, regardless of whether an~~  
 1587 ~~award is issued or not, or a student who~~ is or was at the time he  
 1588 or she reached 18 years of age in the custody of the Department  
 1589 of Children and Family Services or a relative under s. 39.5085,  
 1590 ~~or~~ who is adopted from the Department of Children and Family  
 1591 Services after May 5, 1997, or who, after spending at least 6  
 1592 months in the custody of the department after reaching 16 years  
 1593 of age, was placed in a guardianship by the court. Such exemption  
 1594 includes fees associated with enrollment in career-preparatory  
 1595 instruction and completion of the college-level communication and  
 1596 computation skills testing program. Such an exemption is  
 1597 available to any student who was in the custody of a relative  
 1598 under s. 39.5085 at the time he or she reached 18 years of age or  
 1599 was adopted from the Department of Children and Family Services  
 1600 after May 5, 1997; however, the exemption remains valid for no  
 1601 more than 4 years after the date of graduation from high school.

1602 Section 13. The sum of \$200,000 in recurring revenue is  
 1603 appropriated from the General Revenue Fund to the Department of  
 1604 Children and Family Services for the 2006-2007 fiscal year  
 1605 specifically to contract with an agency selected by the  
 1606 Independent Living Advisory Council to provide the administrative



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1607 support to the advisory council to accomplish the purposes of s.  
1608 409.1451, Florida Statutes.

1609       Section 14. The sum of \$11.4 million in recurring funds is  
1610 appropriated from the General Revenue Fund to the Ounce of  
1611 Prevention Fund of Florida for the 2006-2007 fiscal year to fund  
1612 the expansion and enhancement of the Healthy Families Florida  
1613 program statewide. Of that amount, \$4.3 million shall be used for  
1614 cost-of-living increases to retain home visiting staff, \$3.1  
1615 million shall be used to serve the 14 counties that are not  
1616 presently served, and \$4 million shall be used to add high-risk  
1617 specialists to the core staffing model for each Healthy Families  
1618 Florida project.

1619       Section 15. This act shall take effect July 1, 2006.