Future of Florida's Families Committee

Wednesday, March 22, 2006
9:00 AM – NOON
12 House Office Building

ACTION PACKET

REVISED

Bill Galvano
Chair

Aaron Bean
Vice Chair

COMMITTEE MEETING REPORT

Future of Florida's Families Committee

3/22/2006 9:00:00AM

Location: 12 HOB

AMENDED

Attendance:

	Present	*Absent*	*Excused*
Bill Galvano (Chair)	X		
Rafael Arza		X	
Aaron Bean	X		
Susan Bucher	X		
Mike Davis	X		
Richard Glorioso	X		
Susan Goldstein	X		
Will Kendrick	X		
Totals:	**7**	**1**	**0**

Committee meeting was reported out: Wednesday, March 22, 2006 11:31:20AM

COMMITTEE MEETING REPORT

Future of Florida's Families Committee

3/22/2006 9:00:00AM

Location: 12 HOB

AMENDED

HB 761 : Trespass on the Property of a Certified Domestic Violence Center

[X] *Favorable*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Rafael Arza			X		
Aaron Bean	X				
Susan Bucher	X				
Mike Davis	X				
Richard Glorioso	X				
Susan Goldstein	X				
Will Kendrick	X				
Bill Galvano (Chair)	X				
	Total Yeas: 7	**Total Nays: 0**			

Committee meeting was reported out: Wednesday, March 22, 2006 11:31:20AM

COMMITTEE MEETING REPORT

Future of Florida's Families Committee

3/22/2006 9:00:00AM

Location: 12 HOB **AMENDED**

PCB FFF 06-01 : Welfare of Children

[X] *Favorable With Amendments*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Rafael Arza			X		
Aaron Bean	X				
Susan Bucher	X				
Mike Davis	X				
Richard Glorioso	X				
Susan Goldstein	X				
Will Kendrick	X				
Bill Galvano (Chair)	X				
	Total Yeas: 7	**Total Nays: 0**			

Appearances:

Welfare of Children
Ron Meyer (Lobbyist) - Opponent
Florida Education Association
PO Box 1547
Tallahassee FL 32302
Phone: 850.878.5212

Welfare of Children
Candra Moore (State Employee) - Proponent
Assistant State Attorney - Ninth Circuit
415 N. Orange Avenue
Orlando FL 32801
Phone: 407/836-2416

Welfare of Children
Randy Means (State Employee) - Proponent
420 N. Orange Avenue
Orlando FL 32802

Committee meeting was reported out: Wednesday, March 22, 2006 11:31:20AM

COMMITTEE MEETING REPORT

Future of Florida's Families Committee

3/22/2006 9:00:00AM

Location: 12 HOB

AMENDED

PCB FFF 06-02 : Child Support

[X] *Temporarily Deferred*

Appearances:

Child Support
Mark Sessums - Information Only
AAML
395 South Central Avenue
Bartow FL 33830
Phone: 863.533.0314

Child Support
Rob McNeely, Esq. - Information Only
Family Law Section Florida Bar
2898-6 Mahan Drive
Tallahassee FL
Phone: 850.656.7780

Committee meeting was reported out: Wednesday, March 22, 2006 11:31:20AM

COMMITTEE MEETING REPORT

Future of Florida's Families Committee

3/22/2006 9:00:00AM

Location: 12 HOB

AMENDED

Summary:

Future of Florida's Families Committee

Wednesday March 22, 2006 09:00 am

HB 761	Favorable	Yeas: 7	Nays: 0
PCB FFF 06-01	Favorable With Amendments	Yeas: 7	Nays: 0
PCB FFF 06-02	Temporarily Deferred		

Committee meeting was reported out: Wednesday, March 22, 2006 11:31:20AM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. **PCB FFF 06-01**

COUNCIL/COMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	__	(Y/N)
OTHER	____	

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1 Council/Committee hearing bill: Future of Florida's Families
2 Representative(s) Galvano offered the following:
3
4 **Amendment**
5 Delete line 325 and insert:
6
7 districts; the Florida local advocacy councils; community-
8 based care lead agencies; private or public programs or
9 organizations with recognized expertise in working with
10 child abuse prevention programs for children and families;
11 private or public community

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

Bill No. **PCB FFF 06-01**

COUNCIL/COMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	__	(Y/N)
OTHER	____	

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1 Council/Committee hearing bill: Future of Florida's Families
2 Representative(s) Galvano offered the following:
3
4 **Amendment (with title amendment)**
5 Between lines 548 - 549, insert:
6 Section 5. Paragraph (a) of subsection (2) of section
7 39.202, Florida Statutes, is amended to read:
8 39.202 Confidentiality of reports and records in
9 cases of child abuse or neglect.—
10 (2) Except as provided in subsection (4), access to
11 such records, excluding the name of the reporter which
12 shall be released only as provided in subsection (5), shall
13 be granted only to the following persons, officials, and
14 agencies:
15 (a) Employees, authorized agents, or contract
16 providers of the department, the Department of Health, or
17 county agencies responsible for carrying out:
18 1. Child or adult protective investigations;
19 2. Ongoing child or adult protective services;
20 3. Early intervention and prevention services;
21 4.~~3.~~ Healthy Start services; or

22 5.~~4.~~ Licensure or approval of adoptive homes, foster
23 homes, or child care facilities, or family day care homes
24 or informal child care providers who receive subsidized
25 child care funding, or other homes used to provide for the
26 care and welfare of children.
27 6.~~5.~~ Services for victims of domestic violence when
28 provided by certified domestic violence centers working at
29 the department's request as case consultants or with shared
30 clients.
31
32 Also, employees or agents of the Department of Juvenile
33 Justice responsible for the provision of services to
34 children, pursuant to chapters 984 and 985.
35
36 **TITLE AMENDMENT**
37 Delete line 25 and insert:
38 definitions; amending s. 39.202, F.S., providing access to
39 records for agencies that provide early intervention and
40 prevention services;

Bill No. **PCB FFF 06-01**

COUNCIL/COMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	__	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	✓	(Y/N)
OTHER	____	

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1 Council/Committee hearing bill: Future of Florida's Families
2 Committee and Representative(s) Glorioso offered the following:
3
4 **Amendment (with title amendment)**
5 Remove lines 596-1334, and insert:
6 Section 7. Section 409.1451, Florida Statutes, is amended
7 to read:
8 409.1451 Independent living transition services.--
9 (3) PREPARATION FOR INDEPENDENT LIVING.--
10 (a) It is the intent of the Legislature for the Department
11 of Children and Family Services to assist older children in
12 foster care and young adults who exit foster care at age 18 in
13 making the transition to independent living and self-sufficiency
14 as adults. The department shall provide such children and young
15 adults with opportunities to participate in life skills
16 activities in their foster families and communities which are
17 reasonable and appropriate for their respective ages <u>or for any</u>
18 <u>special needs they may have</u>~~,~~ and shall provide them with
19 services to build <u>life</u> ~~the~~ skills and increase their ability to
20 live independently and become self-sufficient. To support the
21 provision of opportunities for participation in age-appropriate
22 life skills activities, the department shall:

23 1. Develop a list of age-appropriate activities and
24 responsibilities to be offered to all children involved in
25 independent living transition services and their foster parents.
26 2. Provide training for staff and foster parents to
27 address the issues of older children in foster care in
28 transitioning to adulthood, which shall include information on
29 high school completion, grant applications, vocational school
30 opportunities, supporting education and employment
31 opportunities, and ~~providing~~ opportunities to participate in
32 appropriate daily activities.
33 3. Develop procedures to maximize the authority of foster
34 parents to approve participation in age-appropriate activities
35 of children in their care.
36 4. Provide opportunities for older children in foster care
37 to interact with mentors.
38 5. Develop and implement procedures for older children to
39 directly access and manage the personal allowance they receive
40 from the department in order to learn responsibility and
41 participate in age-appropriate life skills activities to the
42 extent feasible.
43 6. Make a good faith effort to fully explain, prior to
44 execution of any signature, if required, any document, report,
45 form, or other record, whether written or electronic, presented
46 to a child or young adult and allow for the recipient to ask any
47 appropriate questions necessary to fully understand the
48 document. It shall be the responsibility of the person
49 presenting the document to the child or young adult to comply
50 with this subparagraph.
51 (b) It is further the intent of the Legislature that each
52 child in foster care, his or her foster parents, if applicable,
53 and the department or community-based provider set early

54 achievement and career goals for the child's postsecondary
55 educational and work experience. The department and community-
56 based providers shall implement the model set forth in this
57 paragraph to help ensure that children in foster care are ready
58 for postsecondary education and the workplace.
59 1. For children in foster care who have reached 13 years
60 of age, ~~entering the 9th grade, their foster parents, and~~ the
61 department or community-based provider shall ~~be active~~
62 ~~participants in~~ ensure that the child's case plan includes an
63 educational and career path ~~choosing a post-high school goal~~
64 based upon both the abilities and interests of each child. The
65 child, foster parents, and a teacher or other school staff
66 member shall be included to the fullest extent possible in
67 developing the path ~~goal~~. The path shall be reviewed at each
68 judicial hearing as part of the case plan and shall accommodate
69 the needs of children served in exceptional education programs
70 to the extent appropriate for each individual. Such children may
71 continue to follow the courses outlined in the district school
72 board student progression plan. Children in foster care, with
73 the assistance of their foster parents, and the department or
74 community-based provider shall choose one of the following
75 postsecondary goals:
76 a. Attending a 4-year college or university, a community
77 college plus university, or a military academy;
78 b. Receiving a 2-year postsecondary degree;
79 c. Attaining a postsecondary career and technical
80 certificate or credential; or
81 d. Beginning immediate employment, including
82 apprenticeship, after completion of a high school diploma or its
83 equivalent, or enlisting in the military.

84 2. In order to assist the child in foster care in
85 achieving his or her chosen goal, the department or community-
86 based provider shall, with the participation of the child and
87 foster parents, identify:
88 a. The core courses in the child's secondary school
89 necessary to qualify for a chosen goal.
90 b. Any elective courses which would provide additional
91 help in reaching a chosen goal.
92 c. The grade point requirement and any additional
93 information necessary to achieve a specific goal.
94 d. A teacher, other school staff member, employee of the
95 department or community-based care provider, or community
96 volunteer who would be willing to work with the child as an
97 academic advocate or mentor if foster parent involvement is
98 insufficient or unavailable.
99 3. In order to complement educational goals, the
100 department and community-based providers are encouraged to form
101 partnerships with the business community to support internships,
102 apprenticeships, or other work-related opportunities.
103 4. The department and community-based providers shall
104 ensure that children in foster care and their foster parents are
105 made aware of the postsecondary goals available and shall assist
106 in identifying the coursework necessary to enable the child to
107 reach the chosen goal.
108 (c) All children in foster care and young adults formerly
109 in foster care are encouraged to take part in learning
110 opportunities that result from participation in community
111 service activities.
112 (d) Children in foster care and young adults formerly in
113 foster care shall be provided with the opportunity to change
114 from one postsecondary goal to another, and each postsecondary

115 goal shall allow for changes in each individual's needs and
116 preferences. Any change, particularly a change that will result
117 in additional time required to achieve a goal, shall be made
118 with the guidance and assistance of the department or community-
119 based provider.
120 (4) SERVICES FOR CHILDREN IN FOSTER CARE.--The department
121 shall provide the following transition to independence services
122 to children in foster care who meet prescribed conditions and
123 are determined eligible by the department. The service
124 categories available to children in foster care which facilitate
125 successful transition into adulthood are:
126 (a) Preindependent living services.--
127 1. Preindependent living services include, but are not
128 limited to, life skills training, educational field trips, and
129 conferences. The specific services to be provided to a child
130 shall be determined using a preindependent living assessment.
131 2. A child who has reached 13 years of age but is not yet
132 15 years of age who is in foster care is eligible for such
133 services.
134 3. The department shall conduct an annual staffing for
135 each child who has reached 13 years of age but is not yet 15
136 years of age to ensure that the preindependent living training
137 and services to be provided as determined by the preindependent
138 living assessment are being received and to evaluate the
139 progress of the child in developing the needed independent
140 living skills.
141 4. At the first annual staffing that occurs following a
142 child's 14th birthday, and at each subsequent staffing, the
143 department <u>or community-based provider</u> shall <u>ensure that the</u>
144 <u>child's case plan includes an educational and career path based</u>
145 <u>upon both the abilities and interests of each child and</u> shall

146 provide to each child detailed personalized information on
147 services provided by the Road-to-Independence Scholarship
148 Program, including requirements for eligibility; on other
149 grants, scholarships, and waivers that are available and should
150 be sought by the child with assistance from the department,
151 including, but not limited to, the Bright Futures Scholarship
152 Program, as provided in ss. 1009.53-1009.538; on application
153 deadlines; and on grade requirements for such programs.
154 5. Information related to both the preindependent living
155 assessment and all staffings, which shall be reduced to writing
156 and signed by the child participant, shall be included as a part
157 of the written report required to be provided to the court at
158 each judicial review held pursuant to s. 39.701.
159 (b) Life skills services.--
160 1. Life skills services may include, but are not limited
161 to, independent living skills training, including training to
162 develop banking and budgeting skills, interviewing skills,
163 parenting skills, and time management or organizational skills,
164 educational support, employment training, and counseling.
165 Children receiving these services should also be provided with
166 information related to social security insurance benefits and
167 public assistance. The specific services to be provided to a
168 child shall be determined using an independent life skills
169 assessment.
170 2. A child who has reached 15 years of age but is not yet
171 18 years of age who is in foster care is eligible for such
172 services.
173 3. The department shall conduct a staffing at least once
174 every 6 months for each child who has reached 15 years of age
175 but is not yet 18 years of age to ensure that the appropriate
176 independent living training and services as determined by the

177 independent life skills assessment are being received and to
178 evaluate the progress of the child in developing the needed
179 independent living skills.
180 4. The department shall provide to each child in foster
181 care during the calendar month following the child's 17th
182 birthday an independent living assessment to determine the
183 child's skills and abilities to live independently and become
184 self-sufficient. Based on the results of the independent living
185 assessment, services and training shall be provided in order for
186 the child to develop the necessary skills and abilities prior to
187 the child's 18th birthday.
188 5. Information related to both the independent life skills
189 assessment and all staffings, which shall be reduced to writing
190 and signed by the child participant, shall be included as a part
191 of the written report required to be provided to the court at
192 each judicial review held pursuant to s. 39.701.
193 (c) Subsidized independent living services.--
194 1. Subsidized independent living services are living
195 arrangements that allow the child to live independently of the
196 daily care and supervision of an adult in a setting that is not
197 required to be licensed under s. 409.175.
198 2. A child who has reached 16 years of age but is not yet
199 18 years of age is eligible for such services if he or she:
200 a. Is adjudicated dependent under chapter 39; has been
201 placed in licensed out-of-home care for at least 6 months prior
202 to entering subsidized independent living; and has a permanency
203 goal of adoption, independent living, or long-term licensed
204 care; and
205 b. Is able to demonstrate independent living skills, as
206 determined by the department, using established procedures and
207 assessments.

208 3. Independent living arrangements established for a child
209 must be part of an overall plan leading to the total
210 independence of the child from the department's supervision. The
211 plan must include, but need not be limited to, a description of
212 the skills of the child and a plan for learning additional
213 identified skills; the behavior that the child has exhibited
214 which indicates an ability to be responsible and a plan for
215 developing additional responsibilities, as appropriate; a plan
216 for future educational, vocational, and training skills; present
217 financial and budgeting capabilities and a plan for improving
218 resources and ability; a description of the proposed residence;
219 documentation that the child understands the specific
220 consequences of his or her conduct in the independent living
221 program; documentation of proposed services to be provided by
222 the department and other agencies, including the type of service
223 and the nature and frequency of contact; and a plan for
224 maintaining or developing relationships with the family, other
225 adults, friends, and the community, as appropriate.
226 4. Subsidy payments in an amount established by the
227 department may be made directly to a child under the direct
228 supervision of a caseworker or other responsible adult approved
229 by the department.
230 (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.--
231 Based on the availability of funds, the department shall provide
232 or arrange for the following services to young adults formerly
233 in foster care who meet the prescribed conditions and are
234 determined eligible by the department. The categories of
235 services available to assist a young adult formerly in foster
236 care to achieve independence are:
237 (a) Aftercare support services.--

238 1. Aftercare support services are available to assist
239 young adults who were formerly in foster care in their efforts
240 to continue to develop the skills and abilities necessary for
241 independent living. The aftercare support services available
242 include, but are not limited to, the following:
243 a. Mentoring and tutoring.
244 b. Mental health services and substance abuse counseling.
245 c. Life skills classes, including credit management and
246 preventive health activities.
247 d. Parenting classes.
248 e. Job and career skills training.
249 f. Counselor consultations.
250 g. Temporary financial assistance.
251 h. Financial literacy skills.
252
253 The specific services to be provided under this subparagraph
254 shall be determined by an aftercare services assessment and may
255 be provided by the department or through referrals in the
256 community.
257 2. Temporary assistance provided to prevent homelessness
258 shall be provided as expeditiously as possible and within the
259 limitations defined by the department.
260 3.~~2.~~ A young adult who has reached 18 years of age but is
261 not yet 23 years of age who leaves foster care at 18 years of
262 age but who requests services prior to reaching 23 years of age
263 is eligible for such services.
264 (d) 1. Payment of aftercare, scholarship, or transitional
265 support funds.--Payment of aftercare, scholarship, or
266 transitional support funds shall be made directly to the
267 recipient unless the recipient requests in writing to the
268 community-based care lead agency, or the department, that the

269 payments or a portion of the payments be made directly on the
270 recipient's behalf in order to secure services such as housing,
271 counseling, education, or employment training as part of the
272 young adult's own efforts to achieve self-sufficiency.
273 2. After the completion of aftercare support services that
274 satisfy the requirements of sub-subparagraph (a)1.h., payment of
275 awards under the Road-to-Independence Program shall be made by
276 direct deposit to the recipient, unless the recipient requests
277 in writing to the community-based care lead agency or the
278 department that:
279 (I) The payments be made directly to the recipient by
280 check or warrant;
281 (II) The payments or a portion of the payments be made
282 directly on the recipient's behalf to institutions the recipient
283 is attending to maintain eligibility under this section; or
284 (III) The payments be made on a two-party check to a
285 business or landlord for a legitimate expense, whether
286 reimbursed or not. A legitimate expense for the purposes of this
287 sub-sub-subparagraph shall include auto repair or maintenance;
288 educational, job, or training expenses; and costs incurred,
289 except legal costs, fines, or penalties, when applying for or
290 executing a rental agreement for the purposes of securing a home
291 or residence.
292 3. The community-based care lead agency may purchase
293 housing, transportation, or employment services to ensure the
294 availability and affordability of specific transitional services
295 thereby allowing an eligible young adult to utilize these
296 services in lieu of receiving a direct payment. Prior to
297 purchasing such services, the community-based care lead agency
298 must have a plan approved by the department describing the
299 services to be purchased, the rationale for purchasing the

300 services, and a specific range of expenses for each service that
301 is less than the cost of purchasing the service by an individual
302 young adult. The plan must include a description of the
303 transition of a young adult using these services into
304 independence and a timeframe for achievement of independence. An
305 eligible young adult who can demonstrate an ability to obtain
306 these services independently and prefers a direct payment shall
307 receive such payment. The plan must be reviewed annually and
308 evaluated for cost-efficiency and for effectiveness in assisting
309 young adults in achieving independence, preventing homelessness
310 among young adults, and enabling young adults to earn a livable
311 wage in a permanent employment situation.
312 4. The young adult who resides with a foster family may not
313 be included as a child in calculating any licensing restriction
314 on the number of children in the foster home.
315 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.--The
316 Secretary of Children and Family Services shall establish the
317 Independent Living Services Advisory Council for the purpose of
318 reviewing and making recommendations concerning the
319 implementation and operation of the independent living
320 transition services. This advisory council shall continue to
321 function as specified in this subsection until the Legislature
322 determines that the advisory council can no longer provide a
323 valuable contribution to the department's efforts to achieve the
324 goals of the independent living transition services.
325 (a) Specifically, the advisory council shall assess the
326 implementation and operation of the system of independent living
327 transition services and advise the department on actions that
328 would improve the ability of the independent living transition
329 services to meet the established goals. The advisory council
330 shall keep the department informed of problems being experienced

331 with the services, barriers to the effective and efficient
332 integration of services and support across systems, and
333 successes that the system of independent living transition
334 services has achieved. The department shall consider, but is not
335 required to implement, the recommendations of the advisory
336 council.
337 (b) The advisory council shall report to the appropriate
338 substantive committees of the Senate and the House of
339 Representatives on the status of the implementation of the
340 system of independent living transition services; efforts to
341 publicize the availability of aftercare support services, the
342 Road-to-Independence Scholarship Program, and transitional
343 support services; specific barriers to financial aid created by
344 the scholarship and possible solutions~~;~~ the success of the
345 services; problems identified; recommendations for department or
346 legislative action; and the department's implementation of the
347 recommendations contained in the Independent Living Services
348 Integration Workgroup Report submitted to the Senate and the
349 House substantive committees December 31, 2002. This advisory
350 council report shall be submitted by December 31 of each year
351 that the council is in existence and shall be accompanied by a
352 report from the department which identifies the recommendations
353 of the advisory council and either describes the department's
354 actions to implement these recommendations or provides the
355 department's rationale for not implementing the recommendations.
356 (c) Members of the advisory council shall be appointed by
357 the secretary of the department. The membership of the advisory
358 council must include, at a minimum, representatives from the
359 headquarters and district offices of the Department of Children
360 and Family Services, community-based care lead agencies, the
361 Agency for Workforce Innovation, the Department of Education,

362 the Agency for Health Care Administration, the State Youth
363 Advisory Board, Workforce Florida, Inc., the Statewide Guardian
364 Ad Litem Office, foster parents, recipients of Road-to-
365 Independence Program funding, and advocates for foster children.
366 The secretary shall determine the length of the term to be
367 served by each member appointed to the advisory council, which
368 may not exceed 4 years.
369 (d) The Department of Children and Family Services shall
370 provide administrative support to the Independent Living
371 Advisory Council to accomplish its assigned tasks. The advisory
372 council shall be afforded access to all appropriate data from
373 the department, each community-based care lead agency, and other
374 relevant agencies in order to accomplish the tasks set forth in
375 this section. The data collected may not include any information
376 that would identify a specific child or young adult.
377 (9) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN FOSTER
378 CARE.--The department shall enroll in the Florida KidCare
379 program, outside the open enrollment period, each young adult
380 who is eligible as described in paragraph (2)(b) and who has not
381 yet reached his or her 20th ~~19th~~ birthday.
382 (a) A young adult who was formerly in foster care at the
383 time of his or her 18th birthday and who is 18 years of age but
384 not yet 20 ~~19~~, shall pay the premium for the Florida KidCare
385 program as required in s. 409.814.
386 (b) A young adult who has health insurance coverage from a
387 third party through his or her employer or who is eligible for
388 Medicaid is not eligible for enrollment under this subsection.
389 **TITLE AMENDMENT**
390
391 Remove lines 28-53, and insert:
392

393 health oversight agencies for certain purposes; amending s.
394 409.1451, F.S.; revising duties of the Department of Children
395 and Family Services regarding independent living transition
396 services; including additional parties in the review of a
397 child's academic performance; requiring additional aftercare
398 support services; providing procedures for the payment of
399 awards; requiring a community-based care lead agency to develop
400 a plan for purchase and delivery of such services and requiring
401 department approval prior to implementation; permitting the
402 Independent Living Advisory Council to have access to certain
403 data held by the department and certain agencies;

PCB FFF 06-01

COUNCIL/COMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	__	(Y/N)
OTHER	____	

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1 Council/Committee hearing bill: Future of Florida's Families
2 Committee and Representative Glorioso offered the following:
3
4 **Amendment (with title amendment)**
5 Remove line(s) 596-1334 and insert:
6 Section 7. Section 409.1451, Florida Statutes, is amended
7 to read:
8 409.1451 Independent living transition services.--
9 (2) ELIGIBILITY.--
10 (a) The department shall serve children who have reached
11 13 years of age but are not yet 18 years of age and who are in
12 foster care by providing services pursuant to subsection (4).
13 Children to be served must meet the eligibility requirements set
14 forth for specific services as provided in this section.
15 (b) The department shall serve young adults who have
16 reached 18 years of age <u>or were placed with a court-approved</u>
17 <u>nonrelative or guardian after reaching 16 years of age and have</u>
18 <u>spent a minimum of 6 months in foster care</u> ~~but are not yet 23~~
19 ~~years of age and who were in foster care when they turned 18~~
20 ~~years of age~~ by providing services pursuant to subsection (5).
21 Young adults <u>are not entitled</u> to be served <u>but</u> must meet the

22 eligibility requirements set forth for specific services in this
23 section.
24 (3) PREPARATION FOR INDEPENDENT LIVING.--
25 (a) It is the intent of the Legislature for the Department
26 of Children and Family Services to assist older children in
27 foster care and young adults who exit foster care at age 18 in
28 making the transition to independent living and self-sufficiency
29 as adults. The department shall provide such children and young
30 adults with opportunities to participate in life skills
31 activities in their foster families and communities which are
32 reasonable and appropriate for their respective ages or for any
33 special needs they may have~~,~~ and shall provide them with
34 services to build life ~~the~~ skills and increase their ability to
35 live independently and become self-sufficient. To support the
36 provision of opportunities for participation in age-appropriate
37 life skills activities, the department shall:
38 1. Develop a list of age-appropriate activities and
39 responsibilities to be offered to all children involved in
40 independent living transition services and their foster parents.
41 2. Provide training for staff and foster parents to
42 address the issues of older children in foster care in
43 transitioning to adulthood, which shall include information on
44 high school completion, grant applications, vocational school
45 opportunities, supporting education and employment
46 opportunities, and ~~providing~~ opportunities to participate in
47 appropriate daily activities.
48 3. Develop procedures to maximize the authority of foster
49 parents or caregivers to approve participation in age-
50 appropriate activities of children in their care. The age-
51 appropriate activities and the authority of the foster parent or

52 caregiver shall be developed into a written plan that the foster
53 parent or caregiver, the child, and the case manager all develop
54 together, sign, and follow. This plan must include specific
55 goals and objectives and be reviewed and updated no less than
56 quarterly.
57 4. Provide opportunities for older children in foster care
58 to interact with mentors.
59 5. Develop and implement procedures for older children to
60 directly access and manage the personal allowance they receive
61 from the department in order to learn responsibility and
62 participate in age-appropriate life skills activities to the
63 extent feasible.
64 6. Make a good faith effort to fully explain, prior to
65 execution of any signature, if required, any document, report,
66 form, or other record, whether written or electronic, presented
67 to a child or young adult pursuant to this chapter and allow for
68 the recipient to ask any appropriate questions necessary to
69 fully understand the document. It shall be the responsibility of
70 the person presenting the document to the child or young adult
71 to comply with this subparagraph.
72 (b) It is further the intent of the Legislature that each
73 child in foster care, his or her foster parents, if applicable,
74 and the department or community-based provider set early
75 achievement and career goals for the child's postsecondary
76 educational and work experience. The department and community-
77 based providers shall implement the model set forth in this
78 paragraph to help ensure that children in foster care are ready
79 for postsecondary education and the workplace.
80 1. For children in foster care who have reached 13 years
81 of age, ~~entering the 9th grade, their foster parents, and~~ the

82 department or community-based provider shall ~~be active~~
83 ~~participants in~~ ensure that the child's case plan includes an
84 educational and career path ~~choosing a post-high school goal~~
85 based upon both the abilities and interests of each child. The
86 child, foster parents, and a teacher or other school staff
87 member shall be included to the fullest extent possible in
88 developing the path. ~~goal~~ The path shall be reviewed at each
89 judicial hearing as part of the case plan and shall accommodate
90 the needs of children served in exceptional education programs
91 to the extent appropriate for each individual. Such children may
92 continue to follow the courses outlined in the district school
93 board student progression plan. Children in foster care, with
94 the assistance of their foster parents, and the department or
95 community-based provider shall choose one of the following
96 postsecondary goals:
97 a. Attending a 4-year college or university, a community
98 college plus university, or a military academy;
99 b. Receiving a 2-year postsecondary degree;
100 c. Attaining a postsecondary career and technical
101 certificate or credential; or
102 d. Beginning immediate employment, including
103 apprenticeship, after completion of a high school diploma or its
104 equivalent, or enlisting in the military.
105 2. In order to assist the child in foster care in
106 achieving his or her chosen goal, the department or community-
107 based provider shall, with the participation of the child and
108 foster parents, identify:
109 a. The core courses necessary to qualify for a chosen
110 goal.

111 b. Any elective courses which would provide additional
112 help in reaching a chosen goal.
113 c. The grade point requirement and any additional
114 information necessary to achieve a specific goal.
115 d. A teacher, other school staff member, employee of the
116 department or community-based care provider, or community
117 volunteer who would be willing to work with the child as an
118 academic advocate or mentor if foster parent involvement is
119 insufficient or unavailable.
120 3. In order to complement educational goals, the
121 department and community-based providers are encouraged to form
122 partnerships with the business community to support internships,
123 apprenticeships, or other work-related opportunities.
124 4. The department and community-based providers shall
125 ensure that children in foster care and their foster parents are
126 made aware of the postsecondary goals available and shall assist
127 in identifying the coursework necessary to enable the child to
128 reach the chosen goal.
129 (c) All children in foster care and young adults formerly
130 in foster care are encouraged to take part in learning
131 opportunities that result from participation in community
132 service activities.
133 (d) Children in foster care and young adults formerly in
134 foster care shall be provided with the opportunity to change
135 from one postsecondary goal to another, and each postsecondary
136 goal shall allow for changes in each individual's needs and
137 preferences. Any change, particularly a change that will result
138 in additional time required to achieve a goal, shall be made
139 with the guidance and assistance of the department or community-
140 based provider.

141 (4) SERVICES FOR CHILDREN IN FOSTER CARE.--The department
142 shall provide the following transition to independence services
143 to children in foster care who meet prescribed conditions and
144 are determined eligible by the department. The service
145 categories available to children in foster care which facilitate
146 successful transition into adulthood are:
147 (a) Preindependent living services.--
148 1. Preindependent living services include, but are not
149 limited to, life skills training, educational field trips, and
150 conferences. The specific services to be provided to a child
151 shall be determined using a preindependent living assessment.
152 2. A child who has reached 13 years of age but is not yet
153 15 years of age who is in foster care is eligible for such
154 services.
155 3. The department shall conduct an annual staffing for
156 each child who has reached 13 years of age but is not yet 15
157 years of age to ensure that the preindependent living training
158 and services to be provided as determined by the preindependent
159 living assessment are being received and to evaluate the
160 progress of the child in developing the needed independent
161 living skills.
162 4. At the first annual staffing that occurs following a
163 child's 14th birthday, and at each subsequent staffing, the
164 department <u>or community-based provider</u> shall <u>ensure that the</u>
165 <u>child's case plan includes an educational and career path based</u>
166 <u>upon both the abilities and interests of each child and</u> shall
167 provide to each child detailed <u>personalized</u> information on
168 services provided by the Road-to-Independence ~~Scholarship~~
169 Program, including requirements for eligibility; on other
170 grants, scholarships, and waivers that are available and should

171 be sought by the child with assistance from the department,
172 including, but not limited to, the Bright Futures Scholarship
173 Program, as provided in ss. 1009.53-1009.538; on application
174 deadlines; and on grade requirements for such programs.
175 5. Information related to both the preindependent living
176 assessment and all staffings, which shall be reduced to writing
177 and signed by the child participant, shall be included as a part
178 of the written report required to be provided to the court at
179 each judicial review held pursuant to s. 39.701.
180 (b) Life skills services.--
181 1. Life skills services may include, but are not limited
182 to, independent living skills training, including training to
183 develop banking and budgeting skills, interviewing skills,
184 parenting skills, <u>and time management or organizational skills,</u>
185 educational support, employment training, and counseling.
186 Children receiving these services should also be provided with
187 information related to social security insurance benefits and
188 public assistance. The specific services to be provided to a
189 child shall be determined using an independent life skills
190 assessment.
191 2. A child who has reached 15 years of age but is not yet
192 18 years of age who is in foster care is eligible for such
193 services.
194 3. The department shall conduct a staffing at least once
195 every 6 months for each child who has reached 15 years of age
196 but is not yet 18 years of age to ensure that the appropriate
197 independent living training and services as determined by the
198 independent life skills assessment are being received and to
199 evaluate the progress of the child in developing the needed
200 independent living skills.

201 4. The department shall provide to each child in foster
202 care during the calendar month following the child's 17th
203 birthday an independent living assessment to determine the
204 child's skills and abilities to live independently and become
205 self-sufficient. Based on the results of the independent living
206 assessment, services and training shall be provided in order for
207 the child to develop the necessary skills and abilities prior to
208 the child's 18th birthday.
209 5. Information related to both the independent life skills
210 assessment and all staffings, which shall be reduced to writing
211 and signed by the child participant, shall be included as a part
212 of the written report required to be provided to the court at
213 each judicial review held pursuant to s. 39.701.
214 (c) Subsidized independent living services.--
215 1. Subsidized independent living services are living
216 arrangements that allow the child to live independently of the
217 daily care and supervision of an adult in a setting that is not
218 required to be licensed under s. 409.175.
219 2. A child who has reached 16 years of age but is not yet
220 18 years of age is eligible for such services if he or she:
221 a. Is adjudicated dependent under chapter 39; has been
222 placed in licensed out-of-home care for at least 6 months prior
223 to entering subsidized independent living; and has a permanency
224 goal of adoption, independent living, or long-term licensed
225 care; and
226 b. Is able to demonstrate independent living skills, as
227 determined by the department, using established procedures and
228 assessments.
229 3. Independent living arrangements established for a child
230 must be part of an overall plan leading to the total

231 independence of the child from the department's supervision. The
232 plan must include, but need not be limited to, a description of
233 the skills of the child and a plan for learning additional
234 identified skills; the behavior that the child has exhibited
235 which indicates an ability to be responsible and a plan for
236 developing additional responsibilities, as appropriate; a plan
237 for future educational, vocational, and training skills; present
238 financial and budgeting capabilities and a plan for improving
239 resources and ability; a description of the proposed residence;
240 documentation that the child understands the specific
241 consequences of his or her conduct in the independent living
242 program; documentation of proposed services to be provided by
243 the department and other agencies, including the type of service
244 and the nature and frequency of contact; and a plan for
245 maintaining or developing relationships with the family, other
246 adults, friends, and the community, as appropriate.
247 4. Subsidy payments in an amount established by the
248 department may be made directly to a child under the direct
249 supervision of a caseworker or other responsible adult approved
250 by the department.
251 (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.--
252 Based on the availability of funds, the department shall provide
253 or arrange for the following services to young adults formerly
254 in foster care who meet the prescribed conditions and are
255 determined eligible by the department. <u>The department, or a</u>
256 <u>community-based care lead agency when the agency is under</u>
257 <u>contract with the department to provide the services described</u>
258 <u>under this subsection, shall develop an annual plan to implement</u>
259 <u>those services. A plan shall be developed for each community-</u>
260 <u>based care service area in the state. Each plan that is</u>

261 developed by a community-based care lead agency shall be
262 submitted to the department. Each plan shall include the number
263 of young adults to be served each month of the fiscal year and
264 specify the number of young adults who will reach 18 years of
265 age who will be eligible for the plan and the number of young
266 adults who will reach 23 years of age and will be ineligible for
267 the plan or who are otherwise ineligible during each month of
268 the fiscal year; staffing requirements and all related costs to
269 administer the services and program; expenditures to or on
270 behalf of the eligible recipients; costs of services provided to
271 young adults through an approved plan for housing,
272 transportation, and employment; reconciliation of these expenses
273 and any additional related costs with the funds allocated for
274 these services; and an explanation of and a plan to resolve any
275 shortages or surpluses in order to end the fiscal year with a
276 balanced budget. The categories of services available to assist
277 a young adult formerly in foster care to achieve independence
278 are:
279 (a) Aftercare support services.--
280 1. Aftercare support services are available to assist
281 young adults who were formerly in foster care in their efforts
282 to continue to develop the skills and abilities necessary for
283 independent living. The aftercare support services available
284 include, but are not limited to, the following:
285 a. Mentoring and tutoring.
286 b. Mental health services and substance abuse counseling.
287 c. Life skills classes, including credit management and
288 preventive health activities.
289 d. Parenting classes.
290 e. Job and career skills training.

291 f. Counselor consultations.
292 g. Temporary financial assistance.
293 h. Financial literacy skills.
294
295 The specific services to be provided under this subparagraph
296 shall be determined by an aftercare services assessment and may
297 be provided by the department or through referrals in the
298 community.
299 2. Temporary assistance provided to prevent homelessness
300 shall be provided as expeditiously as possible and within the
301 limitations defined by the department.
302 3.~~2.~~ A young adult who has reached 18 years of age but is
303 not yet 23 years of age who leaves foster care at 18 years of
304 age but who requests services prior to reaching 23 years of age
305 is eligible for such services.
306 (b) Road-to-Independence ~~Scholarship~~ Program.—
307 1. The Road-to-Independence ~~Scholarship~~ Program is
308 intended to help eligible students who are former foster
309 children in this state to receive the educational and vocational
310 training needed to achieve independence. The amount of the award
311 shall be based on the living and educational needs of the young
312 adult and may be up to, but may not exceed, the amount of
313 earnings that the student would have been eligible to earn
314 working a 40-hour-a-week federal minimum wage job.
315 2. A young adult who has reached 18 years of age but is
316 not yet 21 years of age is eligible for the initial award, and a
317 young adult under 23 years of age is eligible for renewal
318 awards, if he or she:
319 a. Was a dependent child, under chapter 39, and was living
320 in licensed foster care or in subsidized independent living at

321 the time of his or her 18th birthday or is currently in licensed
322 foster care or subsidized independent living, was adopted from
323 foster care after reaching 16 years of age, or, after spending
324 at least 6 months in the custody of the department after
325 reaching 16 years of age, was placed in a guardianship by the
326 court;
327 b. Spent at least 6 months living in foster care before
328 reaching his or her 18th birthday;
329 c. Is a resident of this state as defined in s. 1009.40;
330 and
331 d. Meets one of the following qualifications:
332 (I) Has earned a standard high school diploma or its
333 equivalent as described in s. 1003.43 or s. 1003.435, or has
334 earned a special diploma or special certificate of completion as
335 described in s. 1003.438, and has been admitted for full-time
336 enrollment in an eligible postsecondary education institution as
337 defined in s. 1009.533;
338 (II) Is enrolled full time in an accredited high school;
339 or
340 (III) Is enrolled full time in an accredited adult
341 education program designed to provide the student with a high
342 school diploma or its equivalent.
343 3. A young adult applying for the ~~a~~ Road-to-Independence
344 Program ~~Scholarship~~ must apply for any other grants and
345 scholarships for which he or she may qualify. The department
346 shall assist the young adult in the application process and may
347 use the federal financial aid grant process to determine the
348 funding needs of the young adult.
349 4. An award shall be available to a young adult who is
350 considered a full-time student or its equivalent by the

351 educational institution in which he or she is enrolled, unless
352 that young adult has a recognized disability preventing full-
353 time attendance. The amount of the award, whether it is being
354 used by a young adult working toward completion of a high school
355 diploma or its equivalent or working toward completion of a
356 postsecondary education program, shall be determined based on an
357 assessment of the funding needs of the young adult. This
358 assessment must consider the young adult's living and
359 educational costs and other grants, scholarships, waivers,
360 earnings, and other income to be received by the young adult. An
361 award shall be available only to the extent that other grants
362 and scholarships are not sufficient to meet the living and
363 educational needs of the young adult, but an award may not be
364 less than $25 in order to maintain Medicaid eligibility for the
365 young adult as provided in s. 409.903.
366 5.a. The department must advertise the criteria,
367 application procedures, and availability of the program to:
368 (I) Children and young adults in, leaving, or formerly in
369 foster care.
370 (II) Case managers.
371 (III) Guidance and family services counselors.
372 (IV) Principals or other relevant school administrators
373 ~~and must ensure that the children and young adults leaving~~
374 ~~foster care, foster parents, or family services counselors are~~
375 ~~informed of the availability of the program and the application~~
376 ~~procedures~~.
377 b. A young adult must apply for the initial award during
378 the 6 months immediately preceding his or her 18th birthday, and
379 the department shall provide assistance with the application
380 process. A young adult who fails to make an initial application,

381 but who otherwise meets the criteria for an initial award, may
382 make one application for the initial award if the application is
383 made before the young adult's 21st birthday. If the young adult
384 does not apply for an initial award before his or her 18th
385 birthday, the department shall inform that young adult of the
386 opportunity to apply before turning 21 years of age.
387 c. ~~If funding for the program is available,~~ The department
388 shall issue awards from the ~~scholarship~~ program for each young
389 adult who meets all the requirements of the program to the
390 extent funding is available.
391 d. An award shall be issued at the time the eligible
392 student reaches 18 years of age.
393 e. A young adult who is eligible for the Road-to-
394 Independence Program, transitional support services, or
395 aftercare services and who so desires shall be allowed to reside
396 with the licensed foster family or group care provider with whom
397 he or she was residing at the time of attaining his or her 18th
398 birthday or to reside in another licensed foster home or with a
399 group care provider arranged by the department.
400 f. If the award recipient transfers from one eligible
401 institution to another and continues to meet eligibility
402 requirements, the award must be transferred with the recipient.
403 g. ~~Scholarship~~ Funds awarded to any eligible young adult
404 under this program are in addition to any other services or
405 funds provided to the young adult by the department through
406 transitional support services or aftercare services ~~its~~
407 ~~independent living transition services~~.
408 h. The department shall provide information concerning
409 young adults receiving funding through the Road-to-Independence
410 Program ~~Scholarship~~ to the Department of Education for inclusion

411 in the student financial assistance database, as provided in s.
412 1009.94.
413 i. ~~Scholarship~~ Funds are intended to help eligible young
414 adults ~~students~~ who are former foster children in this state to
415 receive the educational and vocational training needed to become
416 independent and self-supporting. The funds shall be terminated
417 when the young adult has attained one of four postsecondary
418 goals under subsection (3) or reaches 23 years of age, whichever
419 occurs earlier. In order to initiate postsecondary education, to
420 allow for a change in career goal, or to obtain additional
421 skills in the same educational or vocational area, a young adult
422 may earn no more than two diplomas, certificates, or
423 credentials. A young adult attaining an associate of arts or
424 associate of science degree shall be permitted to work toward
425 completion of a bachelor of arts or a bachelor of science degree
426 or an equivalent undergraduate degree. Road-to-Independence
427 Program ~~Scholarship~~ funds may not be used for education or
428 training after a young adult has attained a bachelor of arts or
429 a bachelor of science degree or an equivalent undergraduate
430 degree.
431 j. The department shall evaluate and renew each award
432 annually during the 90-day period before the young adult's
433 birthday. In order to be eligible for a renewal award for the
434 subsequent year, the young adult must:
435 (I) Complete the number of hours, or the equivalent
436 considered full time by the educational institution, unless that
437 young adult has a recognized disability preventing full-time
438 attendance, in the last academic year in which the young adult
439 earned an award ~~a scholarship~~, except for a young adult who
440 meets the requirements of s. 1009.41

441 (II) Maintain appropriate progress as required by the
442 educational institution, except that, if the young adult's
443 progress is insufficient to renew the award ~~scholarship~~ at any
444 time during the eligibility period, the young adult may restore
445 eligibility by improving his or her progress to the required
446 level.
447 k. ~~Scholarship~~ Funds may be terminated during the interim
448 between an award and the evaluation for a renewal award if the
449 department determines that the award recipient is no longer
450 enrolled in an educational institution as defined in sub-
451 subparagraph 2.d., or is no longer a state resident. The
452 department shall notify a recipient ~~student~~ who is terminated
453 and inform the recipient ~~student~~ of his or her right to appeal.
454 l. An award recipient who does not qualify for a renewal
455 award or who chooses not to renew the award may subsequently
456 apply for reinstatement. An application for reinstatement must
457 be made before the young adult reaches 23 years of age, and a
458 student may not apply for reinstatement more than once. In order
459 to be eligible for reinstatement, the young adult must meet the
460 eligibility criteria and the criteria for award renewal for the
461 ~~scholarship~~ program.
462 (c) Transitional support services.--
463 1. In addition to any services provided through aftercare
464 support or the Road-to-Independence Program ~~Scholarship~~, a young
465 adult formerly in foster care may receive other appropriate
466 short-term funding and services, which may include financial,
467 housing, counseling, employment, education, mental health,
468 disability, and other services, if the young adult demonstrates
469 that the services are critical to the young adult's own efforts
470 to achieve self-sufficiency and to develop a personal support

471 system. The department or community-based care provider shall
472 work with the young adult in developing a joint transition
473 agreement that is consistent with a needs assessment identifying
474 the specific need for transitional services to support the young
475 adult's own efforts. The young adult must have specific tasks to
476 complete or maintain included in the agreement and be
477 accountable for the completion of or making progress towards the
478 completion of these tasks. If the young adult and department or
479 community-based care provider cannot come to agreement regarding
480 any part of the plan, the young adult may access a grievance
481 process to its full extent in an effort to resolve the
482 disagreement.
483 2. A young adult formerly in foster care is eligible to
484 apply for transitional support services if he or she has reached
485 18 years of age but is not yet 23 years of age, was a dependent
486 child pursuant to chapter 39, was living in licensed foster care
487 or in subsidized independent living at the time of his or her
488 18th birthday, and had spent at least 6 months living in foster
489 care before that date.
490 3. If at any time the services are no longer critical to
491 the young adult's own efforts to achieve self-sufficiency and to
492 develop a personal support system, they shall be terminated.
493 (d) Payment of aftercare, Road-to-Independence Program
494 ~~scholarship~~, or transitional support funds.—
495 1. Payment of aftercare, Road-to-Independence Program
496 ~~scholarship~~, or transitional support funds shall be made
497 directly to the recipient unless the recipient requests in
498 writing to the community-based care lead agency, or the
499 department, that the payments or a portion of the payments be
500 made directly on the recipient's behalf in order to secure

501 services such as housing, counseling, education, or employment
502 training as part of the young adult's own efforts to achieve
503 self-sufficiency.
504 2. After the completion of aftercare support services that
505 satisfy the requirements of sub-subparagraph (a)1.h., payment of
506 awards under the Road-to-Independence Program shall be made by
507 direct deposit to the recipient, unless the recipient requests
508 in writing to the community-based care lead agency or the
509 department that:
510 (I) The payments be made directly to the recipient by
511 check or warrant;
512 (II) The payments or a portion of the payments be made
513 directly on the recipient's behalf to institutions the recipient
514 is attending to maintain eligibility under this section; or
515 (III) The payments be made on a two-party check to a
516 business or landlord for a legitimate expense, whether
517 reimbursed or not. A legitimate expense for the purposes of this
518 sub-sub-subparagraph shall include auto repair or maintenance;
519 educational, job, or training expenses; and costs incurred,
520 except legal costs, fines, or penalties, when applying for or
521 executing a rental agreement for the purposes of securing a home
522 or residence.
523 3.The community-based care lead agency may purchase
524 housing, transportation, or employment services to ensure the
525 availability and affordability of specific transitional services
526 thereby allowing an eligible young adult to utilize these
527 services in lieu of receiving a direct payment. Prior to
528 purchasing such services, the community-based care lead agency
529 must have a plan approved by the department describing the
530 services to be purchased, the rationale for purchasing the

531 services, and a specific range of expenses for each service that
532 is less than the cost of purchasing the service by an individual
533 young adult. The plan must include a description of the
534 transition of a young adult using these services into
535 independence and a timeframe for achievement of independence. An
536 eligible young adult who can demonstrate an ability to obtain
537 these services independently and prefers a direct payment shall
538 receive such payment. The plan must be reviewed annually and
539 evaluated for cost-efficiency and for effectiveness in assisting
540 young adults in achieving independence, preventing homelessness
541 among young adults, and enabling young adults to earn a livable
542 wage in a permanent employment situation.
543 4. The young adult who resides with a foster family may not
544 be included as a child in calculating any licensing restriction
545 on the number of children in the foster home.
546 (e) Appeals process.--
547 1. The Department of Children and Family Services shall
548 adopt by rule a procedure by which a young adult may appeal an
549 eligibility determination or the department's failure to provide
550 aftercare, Road-to-Independence Program ~~scholarship~~, or
551 transitional support services, or the termination of such
552 services, if such funds are available.
553 2. The procedure developed by the department must be
554 readily available to young adults, must provide timely
555 decisions, and must provide for an appeal to the Secretary of
556 Children and Family Services. The decision of the secretary
557 constitutes final agency action and is reviewable by the court
558 as provided in s. 120.68.
559 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.--The
560 Secretary of Children and Family Services shall establish the

561 Independent Living Services Advisory Council for the purpose of
562 reviewing and making recommendations concerning the
563 implementation and operation of the independent living
564 transition services. This advisory council shall continue to
565 function as specified in this subsection until the Legislature
566 determines that the advisory council can no longer provide a
567 valuable contribution to the department's efforts to achieve the
568 goals of the independent living transition services.
569 (a) Specifically, the advisory council shall assess the
570 implementation and operation of the system of independent living
571 transition services and advise the department on actions that
572 would improve the ability of the independent living transition
573 services to meet the established goals. The advisory council
574 shall keep the department informed of problems being experienced
575 with the services, barriers to the effective and efficient
576 integration of services and support across systems, and
577 successes that the system of independent living transition
578 services has achieved. The department shall consider, but is not
579 required to implement, the recommendations of the advisory
580 council.
581 (b) The advisory council shall report to the appropriate
582 substantive committees of the Senate and the House of
583 Representatives on the status of the implementation of the
584 system of independent living transition services; efforts to
585 publicize the availability of aftercare support services, the
586 Road-to-Independence ~~Scholarship~~ Program, and transitional
587 support services; ~~specific barriers to financial aid created by~~
588 ~~the scholarship and possible solutions;~~ the success of the
589 services; problems identified; recommendations for department or
590 legislative action; and the department's implementation of the

591 recommendations contained in the Independent Living Services
592 Integration Workgroup Report submitted to the Senate and the
593 House substantive committees December 31, 2002. This advisory
594 council report shall be submitted by December 31 of each year
595 that the council is in existence and shall be accompanied by a
596 report from the department which identifies the recommendations
597 of the advisory council and either describes the department's
598 actions to implement these recommendations or provides the
599 department's rationale for not implementing the recommendations.
600 (c) Members of the advisory council shall be appointed by
601 the secretary of the department. The membership of the advisory
602 council must include, at a minimum, representatives from the
603 headquarters and district offices of the Department of Children
604 and Family Services, community-based care lead agencies, the
605 Agency for Workforce Innovation, the Department of Education,
606 the Agency for Health Care Administration, the State Youth
607 Advisory Board, Workforce Florida, Inc., the Statewide Guardian
608 Ad Litem Office, foster parents, recipients of Road-to-
609 Independence Program funding, and advocates for foster children.
610 The secretary shall determine the length of the term to be
611 served by each member appointed to the advisory council, which
612 may not exceed 4 years.
613 (d) The Department of Children and Family Services shall
614 provide administrative support to the Independent Living
615 Advisory Council to accomplish its assigned tasks. The advisory
616 council shall be afforded access to all appropriate data from
617 the department, each community-based care lead agency, and other
618 relevant agencies in order to accomplish the tasks set forth in
619 this section. The data collected may not include any information
620 that would identify a specific child or young adult.

621 (9) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN FOSTER
622 CARE.--The department shall enroll in the Florida KidCare
623 program, outside the open enrollment period, each young adult
624 who is eligible as described in paragraph (2)(b) and who has not
625 yet reached his or her 20th ~~19th~~ birthday.
626 (a) A young adult who was formerly in foster care at the
627 time of his or her 18th birthday and who is 18 years of age but
628 not yet 20 ~~19~~, shall pay the premium for the Florida KidCare
629 program as required in s. 409.814.
630 (b) A young adult who has health insurance coverage from a
631 third party through his or her employer or who is eligible for
632 Medicaid is not eligible for enrollment under this subsection.
633 (10) RULEMAKING.--The department shall adopt by rule
634 procedures to administer this section, including balancing the
635 goals of normalcy and safety for the youth and providing the
636 caregivers with as much flexibility as possible to enable the
637 youth to participate in normal life experiences. The department
638 shall not adopt rules relating to reductions in ~~scholarship~~
639 awards. The department shall engage in appropriate planning to
640 prevent, to the extent possible, a reduction in ~~scholarship~~
641 awards after issuance.
642
643 ========== T I T L E A M E N D M E N T ==========
644 Remove lines 28-53 and insert:
645
646 health oversight agencies for certain purposes; amending s.
647 409.1451, F.S.; revising duties of the Department of Children
648 and Family Services regarding independent living transition
649 services; including additional parties in the review of a
650 child's academic performance; requiring the department or a

651
652 community-based care lead agency under contract with the
653 department to develop a plan for delivery of such services;
654 requiring additional aftercare support services; requiring
655 collaboration between certain parties in the development of an
656 agreement regarding the provision of transitional services;
657 requiring a community-based care lead agency to develop a plan
658 for purchase and delivery of such services and requiring
659 department approval prior to implementation; permitting the
660 Independent Living Advisory Council to have access to certain
661 data held by the department and certain agencies;

PCB FFF 06-01

COUNCIL/COMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	__	(Y/N)
OTHER	____	

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1 Council/Committee hearing bill: Future of Florida's Families
2 Committee and Representative Glorioso offered the following:
3
4 **Amendment (with title amendment)**
5 Remove lines 1364-1474
6
7 ========== T I T L E A M E N D M E N T ==========
8 Remove lines 57-62 and insert:
9
10 ss. 39.013, 39.701, and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4

Bill No. **PCB FFF 06-01**

COUNCIL/COMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	__	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	✓	(Y/N)
OTHER	____	

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1 Council/Committee hearing bill: Future of Florida's Families
2 And Representative(s) Glorioso offered the following:
3
4 **Amendment (with Title Amendment)**
5 Remove lines 1364-1608
6
7 **Title Amendment**
8 Remove lines 56-64, and insert:
9 certain standards within a specified timeframe; providing an
10 appropriation; providing an effective date;

000000

PCB FFF 06-01

COUNCIL/COMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	__	(Y/N)
OTHER	____	

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1 Council/Committee hearing bill: Future of Florida's Families
2 Committee and Representative Glorioso offered the following:
3
4 **Amendment (with title amendment)**
5 Remove lines 1602-1608
6
7 ========== T I T L E A M E N D M E N T ==========
8 Remove line 64 and insert:
9 the act; providing an appropriation; providing an effective

COUNCIL/COMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	✓	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	__	(Y/N)
OTHER	____	

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1 Council/Committee hearing bill: Future of Florida's Families
2 Representative(s) Bucher offered the following:
3 **Amendment (with Title Amendment)**
4 Remove lines 588 through 595, and insert:
5 Section 6. Subsection (1) of section 402.164, Florida
6 Statutes, is amended to read:
7 402.164 Legislative intent; definitions.--
8 (1)(a) It is the intent of the Legislature to use citizen
9 volunteers as members of the Florida Statewide Advocacy Council
10 and the Florida local advocacy councils, and to have volunteers
11 operate a network of councils that shall, without interference
12 by an executive agency, undertake to discover, monitor,
13 investigate, and determine the presence of conditions or
14 individuals that constitute a threat to the rights, health,
15 safety, or welfare of persons who receive services from state
16 agencies.
17 (b) It is the further intent of the Legislature that
18 monitoring and investigation shall safeguard the health, safety,
19 and welfare of consumers of services provided by these state
20 agencies.

21 (c) It is further the intent of the Legislature that state
22 agencies cooperate with the councils in forming interagency
23 agreements, to provide the councils with client records defined
24 as appropriate, so that the councils may monitor services and
25 investigate claims.
26 Section 7. Subsections (5) and (7) of section 402.165,
27 Florida Statutes, are amended to read:
28 402.165, Florida Statewide Advocacy Council; confidential
29 records and meetings.--
30 (5)(a) Members of the statewide council shall receive no
31 compensation, but are entitled to be reimbursed for per diem and
32 travel expenses in accordance with s. 112.061.
33 (b) The Governor shall select an executive director who
34 shall serve at the pleasure of the Governor and shall perform
35 the duties delegated to him or her by the council. The
36 compensation of the executive director and staff shall be
37 established in accordance with the rules of the Selected Exempt
38 Service. The Governor shall give priority consideration in the
39 selection of an executive director to an individual with
40 professional expertise in research design, statistical analysis,
41 and/or agency evaluation and analysis.
42 (c) The council may apply for, receive, and accept grants,
43 gifts, donations, bequests, and other payments including money
44 or property, real or personal, tangible or intangible, and
45 service from any governmental or other public or private entity
46 or person and make arrangements as to the use of same.
47 (d) The statewide council shall annually prepare a budget
48 request that, after it is approved by the council, shall be
49 submitted to the Governor. The budget shall include a request

50 for funds to carry out the activities of the statewide council
51 and the local councils.
52 (7) The responsibilities of the statewide council include,
53 but are not limited to:
54 (a) Serving as an independent third-party mechanism for
55 protecting the constitutional and human rights of clients within
56 programs or facilities operated, funded, or contracted by any
57 state agency that provides client services.
58 (b) Monitoring, by site visit and through access to
59 records, the delivery and use of services, programs, or
60 facilities operated, funded, or contracted by any state agency
61 that provides client services, for the purpose of preventing
62 abuse or deprivation of the constitutional and human rights of
63 clients. The statewide council may conduct an unannounced site
64 visit or monitoring visit that involves the inspection of
65 records if the visit is conditioned upon a complaint. A
66 complaint may be generated by the council itself, after
67 consulting with the Governor's office, if information from any
68 state agency that provides client services or from other sources
69 indicates a situation at the program or facility that indicates
70 possible abuse or neglect or deprivation of the constitutional
71 and human rights of clients. The statewide council shall
72 establish and follow uniform criteria for the review of
73 information and generation of complaints. <u>For all self-generated</u>
74 <u>complaints the statewide council shall develop written protocol</u>
75 <u>to provide the Governor's office including the nature of the</u>
76 <u>abuse or neglect, the agencies involved, the populations or</u>
77 <u>numbers of individuals affected, the types of records necessary</u>
78 <u>to complete the investigation, and a strategy for approaching</u>

79 the problem. Routine program monitoring and reviews that do not
80 require an examination of records may be made unannounced.
81 (c) Receiving, investigating, and resolving reports of
82 abuse or deprivation of constitutional and human rights referred
83 to the statewide council by a local council. If a matter
84 constitutes a threat to the life, safety, or health of clients
85 or is multiservice-area in scope, the statewide council may
86 exercise its powers without the necessity of a referral from a
87 local council.
88 (d) Reviewing existing programs or services and new or
89 revised programs of the state agencies that provide client
90 services and making recommendations as to how the rights of
91 clients are affected.
92 (e) Submitting an annual report to the Legislature, no
93 later than December 30 of each calendar year, concerning
94 activities, recommendations, and complaints reviewed or
95 developed by the council during the year.
96 (f) Conducting meetings at least one time ~~six~~ a year at
97 the call of the chair and at other times at the call of the
98 Governor or by written request of eight ~~six~~ members of the
99 council including the Executive Director.
100 (g) Developing and adopting uniform procedures to be used
101 to carry out the purpose and responsibilities of the statewide
102 council and the local councils.
103 (h) Supervising the operations of the local councils and
104 monitoring the performance and activities of all local councils
105 and providing technical assistance to members of local councils.
106 (i) Providing for the development and presentation of a
107 standardized training program for members of local councils.

108 (j) Developing and maintaining interagency agreements
109 between the council and the state agencies providing client
110 services. The interagency agreements shall address the
111 coordination of efforts and identify the roles and
112 responsibilities of the statewide and local councils and each
113 agency in fulfillment of their responsibilities, including
114 access to records. The interagency agreements shall explicitly
115 define processes through which the statewide and local councils
116 will request records from the agency, and shall define processes
117 for appeal when disputes about access to records arise between
118 staff and council members.
119 (k) Interagency agreements shall be renewed annually and
120 are to completed and reported to the Governor by no later than
121 February 1.
122 **==========TITLE AMENDMENT==========**
123 Remove lines 27-28 and insert:
124 amending ss. 39.0015 and 39.302, F.S.; conforming cross-
125 references; amending s. 402.164, F.S.; designating statewide and
126 local advocacy councils as health oversight agencies for certain
127 purposes; establishing legislative intent for the statewide and
128 local advocacy councils; amending s. 402.165, F.S.; providing
129 guidelines for selection of council executive director;
130 establishing process for investigating reports of abuse;
131 revising council meeting requirements; requiring interagency
132 agreements to be completed; amending s. 409.1451, F.S.; revising
133 duties of the Department of Children and Family Services
134 regarding independent living transition services;

TITLE AMENDMENT

On line 25, after definitions; insert:

amending s. 39.201, F.S.; providing for transfer of an abuse report of known or suspected child abuse by an employee of a public school to law enforcement; exempting the Department of Children and Family Services from a protective investigation;

Boarding Schools

Salvano

AMENDMENT 6

Remove lines 1335-1363 and insert:

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

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

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

(b) "Boarding school" means a school which is accredited by the Florida Council of Independent Schools or the Southern Association of Colleges and Schools, which is accredited by the Council on Accreditation, the Commission of Rehabilitative Facilities or the Council on Residential Education and which is registered with the Department of Education as a school. Its program must follow established school schedules, with holiday breaks and summer recesses in accordance with other public and private school programs. The children in residence must customarily return to their family homes or legal guardians during school breaks and must not be in residence year-round, except that this provision does not apply to foreign students. The parents of these children retain custody and planning and financial responsibility. A boarding school currently in existence and a boarding school opening and seeking accreditation has 3 years to comply with the requirements of this paragraph. A boarding school must provide proof of accreditation or documentation of the accreditation process upon request. A boarding school that cannot produce the required documentation or that has not registered with the Department of Education shall be considered to be providing residential group care without a license. The department may impose administrative sanctions or seek civil remedies as provided under paragraph (11)(a).

DOES NOT NEED A TITLE AMENDMENT