

**HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS**

BILL #: HB 657

FINAL HOUSE FLOOR ACTION:

SPONSOR(S): Albritton and others

118 Y's

1 N's

**COMPANION
BILLS:** CS/SB 860

GOVERNOR'S ACTION: Approved

SUMMARY ANALYSIS

HB 657 passed the House on March 2, 2016, as CS/SB 860.

Foster families provide care for children in the child welfare system who have suffered abuse, abandonment, or neglect. To honor their work, foster families are recognized in the state by government agencies, community-based care organizations, and community partners. These entities hold events throughout the year to promote awareness of the contributions made by foster families. Foster families are further recognized during National Foster Care Month, when community-based care organizations, in partnership with the Department of Children and Families (DCF), participate in events such as social media campaigns, awareness walks, and honorary banquets.

The bill creates s. 683.333, F.S., designating the second week of February of each year as "Foster Family Appreciation Week." During this week, DCF, local governments, and other agencies are encouraged to sponsor events to promote awareness of the contributions made by foster families to the state.

The bill has no fiscal impact on state or local government.

The bill was approved by the Governor on March 23, 2016, ch. 2016-73, L.O.F., and became effective on that date.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Background:

Child Welfare System

The child welfare system identifies families whose children are in danger of suffering or have suffered abuse, abandonment, or neglect and works with those families to address the problems that are endangering children. If the problems cannot be ameliorated, the child welfare system finds other caregivers for children, such as relative and non-relative caregivers, foster families, or adoptive families.¹

Foster Care

A licensed foster home is identified when placement with a relative or non-relative caregiver is not possible. This type of setting is intended to provide a temporary, safe place to live until a child can be reunited with his or her family, an adoptive family is identified, or other permanency is achieved.² Section 409.175(2)(e), F.S., defines a “family foster home” as a private residence in which children who are unattended by a parent or legal guardian are provided 24-hour care. Such homes include emergency shelter family homes and specialized foster homes for children with special needs. A family foster home does not include a person who cares for a child of a friend for a period not to exceed 90 days, a relative who cares for a child and does not receive reimbursement for such care from the state or federal government, or an adoptive home which has been approved by the department or by a licensed child-placing agency for children placed for adoption.³

As of June 1, 2015, there were 21,946 dependent children in out-of-home care. Of this figure, 28 percent were in family foster care and three percent were in therapeutic foster care. According to the Department of Children and Families’ Florida Safe Families Network (FSFN), there were approximately 3,400 beds available as of January 1, 2015. The majority of children (61%) in family foster care are five years old and younger, with placement for teenagers an ongoing challenge.⁴ According to the Florida Governor’s Office of Adoption and Child Protection, 27.25 percent of children adopted from the state’s child welfare system in Fiscal Year (FY) 2013-14 were adopted by foster parents.⁵

Foster Parent Qualifications

In order to qualify as a potential foster parent, an individual must:⁶

- Attend an orientation;
- Complete 20 to 30 hours of foster parent training;
- Have a child abuse and criminal background check;
- Participate in a home inspection; and
- Participate in a home study to review readiness for fostering.

The recruitment, training, and licensing of foster parents is conducted by 18 community-based care agencies that maintain contracts with the Department of Children and Families.⁷ Families are licensed

¹ See s. 39.001(1), F.S.

² OPPAGA, Florida’s Child Welfare System: Out-of-Home-Care, November 2015 (on file with committee staff).

³ S. 409.175(2)(e), F.S.

⁴ *Supra*, FN 2.

⁵ Florida Governor’s Office of Adoption and Child Protection, 2014 Annual Report, available at http://www.flgov.com/wp-content/uploads/childadvocacy/OACP_2014_FINAL.pdf, p. 51. (last visited Mar. 4, 2016).

⁶ Department of Children of Families, How Do I Become A Foster Parent?, available at <http://www.myflfamilies.com/service-programs/foster-care/how-do-i> (last visited Mar. 4, 2016).

to care for up to five children, including foster parents' biological and adopted children. Foster parents are responsible for the care and well-being of the child, including maintaining their health, safety, and best interests and encouraging emotional and developmental growth.⁸ Following placement, a foster child is closely monitored by a case worker, who provides support and additional training related to special needs.⁹

Section 409.145(2)(a), F.S., specifies the roles and responsibilities of foster parents. Foster parents must:¹⁰

- Participate in the development of the child's case plan and assist in implementing the case plan;
- Complete all training needed to improve skills in parenting a child who has experienced trauma;
- Respect and support the child's ties to members of his or her biological family and assist with maintaining allowable visitation;
- Effectively advocate for the child;
- Participate fully in the child's medical, psychological, and dental care as the caregiver would for his or her biological child;
- Support the child's educational success by participating in activities and meetings associated with the child's school;
- Work in partnership with other stakeholders to obtain and maintain records that are important to the child's well-being;
- Ensure that children between the ages of 13 and 17 learn and master independent living skills;
- Ensure that the child is aware of the requirements and benefits of the Road-to-Independence Program; and
- Work to enable the child to establish and maintain naturally occurring mentoring relationships.

Foster Parent Compensation

The FY 2015-2016 room and board rates paid to foster parents are as follows.¹¹

- \$439.30 monthly for children 0-5 years of age.
- \$450.56 monthly for children 6-12 years of age.
- \$527.36 monthly for children 13-21 years of age.¹²

Section 409.145(4)(b), F.S., requires the Department of Children and Families to give foster parents an annual cost of living increase. Additionally, the board rate amount may be increased upon agreement between the department, the community-based care lead agency, and the foster parent.¹³ These rates do not include medical and behavioral health services, which are covered by Medicaid. In addition, the amount of the basic monthly payment may be reduced by the income earned of the child.¹⁴

⁷ Department of Children and Families, Fostering in Florida, available at <http://www.myflfamilies.com/service-programs/foster-care/fostering> (last visited Mar. 4, 2016).

⁸ *Supra*, FN 2.

⁹ Our Kids, How Foster Care Works, available at <http://fosteringourkids.org/how-foster-care-works/> (last visited Mar. 4, 2016).

¹⁰ *Supra*, FN 2.

¹¹ Department of Children and Families, 2015 Foster Parent Cost of Living Allowance Increase, available at http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=0ahUKEwibvYWM9tvJAhVLSSYKHTpaCLIQFggoMAI&url=http%3A%2F%2Fcenterforchildwelfare.fmhi.usf.edu%2Fkb%2Fpolicymemos%2F2015FP-COLA-Increase123114.pdf&usg=AFQjCNHgcCnICYcm4T8u-s4LbDko_CADi5A&bvm=bv.109910813.d.eWE (Last visited Mar. 4, 2016).

¹² Family foster parents receive this monthly room and board rate through the child reaching age 21.

¹³ Section 409.145(4)(c), F.S.

¹⁴ *Supra*, FN 2.

Recognition of Foster Families

A number of entities currently provide recognition of foster families within Florida.

- Governor's Office of Adoption and Child Protection, through attendance at prayer breakfasts that encourage members of the faith community to consider becoming foster parents.¹⁵
- Department of Children and Families, by highlighting foster parents and youth on the department's blog during National Foster Care Month in May.¹⁶
- Florida State Foster/Adoptive Parent Association, by participating in events during National Foster Care Month and by hosting an annual conference for foster parents and teens.¹⁷
- Community-based care agencies, by working closely with individuals and businesses in their communities to hold celebratory events that recognize the contributions of foster families.¹⁸
- Community partners, churches, businesses, and non-profit organizations, which offer resources and support to foster families that allow children to succeed.¹⁹

National Foster Care Month, which takes place in May and is observed under a presidential proclamation, was first recognized in 1988. The month is designed to acknowledge foster parents, family members, volunteers, mentors, policymakers, child welfare professionals, and other members of the community who help children and youth in foster care find permanent homes and connections.²⁰ In observance of the month, community-based care agencies, in partnership with the Department of Children and Families, hold large events to further recruitment, promote awareness, attract media attention, and receive local government recognition.²¹ Efforts on behalf of the agencies consist of social media campaigns, awareness walks, honorary banquets, and appreciation dinners.²²

Effect of Proposed Changes

The bill creates s. 683.333, F.S., designating the second week of February as "Foster Family Appreciation Week." During this week, the Department of Children and Families, local governments, and other agencies are encouraged to sponsor events to promote awareness of the contributions made by foster families to the state.

¹⁵ *Supra*, FN 5.

¹⁶ Department of Children and Families, The Department of Children and Families Celebrates National Foster Care Month, May 2014, available at <http://www.myffamilies.com/press-release/department-children-and-families-celebrates-national-foster-care-month> (last visited Mar. 4, 2016).

¹⁷ Florida State Foster/Adoptive Parent Association, About FSFAPA, available at <http://floridafapa.org/about-fsfapa/> (last visited Mar. 4, 2016).

¹⁸ Department of Children and Families, Support Fostering, available at <http://www.myffamilies.com/service-programs/foster-care/support-fostering> (last visited Mar. 4, 2016).

¹⁹ *Supra*, FN 7.

²⁰ U.S. Department of Health and Human Services, National Foster Care Month 2015, available at <https://www.childwelfare.gov/fostercaremonth/more/about/> (last visited Mar. 4, 2016).

²¹ Email from Victoria Zepp, Executive Director, Florida Coalition for Children, RE: HB 657, (12/2/15, on file with committee staff).

²² Banquet and social media campaign, hosted by Partnership for Strong Families CBC, available at http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwje3NGKv9vJAhWJ4yYKHQeeBUwQFggcMAA&url=http%3A%2F%2Fwww.pfsf.org%2Fwp-content%2Fuploads%2F05-11-15-National-Foster-Care-Month.pdf&usq=AFQjCNFU3K_F2FKjC20Gbgda2TMeMrD1rQ (last visited Mar. 4, 2016); Duffels for Kids Walk, hosted by FSFAPA and CBCs, available at <http://floridafapa.org/event/2016-duffels4kids-walk/> (last visited Mar. 4, 2016); Foster parent appreciation dinner, poolside picnic, and garden party hosted by Devereux CBC, available at http://www.devereux.org/site/PageServer?pagename=cbc_foster_parents_resources (last visited Mar. 4, 2016); Foster Parent Appreciation Reception, hosted by ChildNet CBC, available at http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=0ahUKEWjPpPHezNTJAhUBYSYKHTQ6BCcQFggoMAI&url=http%3A%2F%2Fwww.pfsf.org%2Fwp-content%2Fuploads%2F05-11-15-National-Foster-Care-Month.pdf&usq=AFQjCNFU3K_F2FKjC20Gbgda2TMeMrD1rQ (last visited Mar. 4, 2016).

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.