

By Senator Garcia

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1                   A bill to be entitled  
2       An act relating to kinship care; creating s. 39.4015,  
3       F.S.; providing legislative findings and intent;  
4       defining terms; requiring the Department of Children  
5       and Families, in collaboration with sheriffs' offices  
6       that conduct child protective investigations and  
7       community-based care lead agencies, to develop a  
8       statewide family finding program; requiring the  
9       implementation of family finding before a specified  
10      date; requiring the department and community-based  
11      care lead agencies to document strategies taken to  
12      engage relatives and kin; providing strategies to  
13      engage relatives and kin; requiring the department and  
14      community-based care lead agencies to use diligent  
15      efforts in family finding; providing that a basic  
16      computer search using the Internet or an attempt to  
17      contact known relatives at a last known address or  
18      telephone number is insufficient; requiring  
19      determinations by the court; requiring the department  
20      to adopt rules; amending s. 39.5085, F.S.; providing  
21      legislative findings and intent; defining terms;  
22      requiring the department to provide financial  
23      assistance for kinship caregivers who meet certain  
24      requirements; providing eligibility requirements for  
25      such financial assistance; providing that children  
26      living with caregivers who are receiving financial  
27      assistance are eligible for Medicaid coverage;  
28      providing the purpose of a kinship navigator program;  
29      requiring each community-based care lead agency to

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30 establish a kinship navigator program by a certain  
31 date; providing requirements for programs; requiring  
32 the department to adopt rules; amending s. 39.604,  
33 F.S.; revising legislative findings and intent;  
34 revising attendance and reporting requirements for  
35 children enrolled in early education or child care  
36 programs; amending s. 414.045, F.S.; conforming a  
37 provision to changes made by the act; providing  
38 effective dates.

39  
40 Be It Enacted by the Legislature of the State of Florida:

41  
42 Section 1. Effective January 1, 2019, section 39.4015,  
43 Florida Statutes, is created to read:

44 39.4015 Family finding.-

45 (1) LEGISLATIVE FINDINGS AND INTENT.-

46 (a) The Legislature finds that every child who is in out-  
47 of-home care has the goal of finding a permanent home, whether  
48 achieved by reunifying the child with his or her parents or  
49 finding another permanent connection, such as adoption or legal  
50 guardianship with a relative or nonrelative who has a  
51 significant relationship with the child.

52 (b) The Legislature finds that while legal permanency is  
53 important to a child in out-of-home care, emotional permanency  
54 helps increase the likelihood that children will achieve  
55 stability and well-being and successfully transition to  
56 independent adulthood.

57 (c) The Legislature also finds that research repeatedly  
58 shows placing a child within their own family reduces the trauma

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59 of being removed from their home, is less likely to result in  
60 placement disruptions, and enhances prospects for finding a  
61 permanent family if the child cannot return home.

62 (d) The Legislature further finds that the primary purpose  
63 of family finding is to facilitate, through finding and engaging  
64 relatives, legal and emotional permanency for children who are  
65 in out-of-home care.

66 (e) It is the intent of the Legislature that every child in  
67 out-of-home care be afforded the advantages that can be gained  
68 from the use of family finding to locate long-term, caring,  
69 permanent connections and relationships for children and youth  
70 in out-of-home care, as well as to establish a long-term  
71 emotional support network with family members and other adults  
72 who may not be able to take the child into their home but who  
73 want to stay connected with the child.

74 (2) DEFINITIONS.—As used in this section, the term:

75 (a) "Diligent efforts" means the use of methods and  
76 techniques including, but not limited to, interviews with  
77 immediate and extended family and kin, genograms, eco-mapping,  
78 case mining, cold calls, and specialized computer searches.

79 (b) "Family finding" means an intensive relative search and  
80 engagement technique to identify family and other close adults  
81 for children in out-of-home care, and to involve them in  
82 developing and carrying out a plan for the emotional and legal  
83 permanency of a child.

84 (c) "Family group decisionmaking" means a generic term that  
85 includes a number of approaches in which family members and  
86 fictive kin are brought together to make decisions about how to  
87 care for their children and develop a plan for services.

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88 Different names used for this type of intervention include  
89 family team conferencing, family team meetings, family group  
90 conferencing, family team decisionmaking, family unity meetings,  
91 and team decisionmaking. Approaches differ in various aspects,  
92 but most consist of several phases and employ a trained  
93 facilitator or coordinator.

94 (d) "Fictive kin" means an individual who is unrelated to  
95 the child by either birth or marriage, but has such a close  
96 emotional relationship with the child that he or she may be  
97 considered part of the family.

98 (3) FAMILY FINDING PROGRAM.—The department, in  
99 collaboration with sheriffs' offices that conduct child  
100 protective investigations and community-based care lead  
101 agencies, shall develop a formal family finding program to be  
102 implemented statewide by child protective investigators and  
103 community-based care lead agencies.

104 (a) No later than January 1, 2019, family finding is  
105 required as soon as a child comes to the attention of the  
106 department and throughout the duration of the case. It is best  
107 practice to find and engage with as many family members and  
108 fictive kin as possible for each child. These individuals may  
109 help with care or support for the child. The department or  
110 community-based care lead agency must specifically document  
111 strategies taken to locate and engage relatives and kin.  
112 Strategies of engagement may include, but are not limited to,  
113 asking the relatives and kin to:

114 1. Participate in a family group decisionmaking conference,  
115 family team conferencing, or other family meetings aimed at  
116 developing or supporting the family service plan;

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117 2. Attend visitations with the child;

118 3. Assist in transportation of the child;

119 4. Provide respite or child care services; or

120 5. Provide actual kinship care.

121 (b) The department and the community-based care lead  
122 agencies must use diligent efforts in family finding, must  
123 continue those efforts until multiple relatives and kin are  
124 identified, and must go beyond basic searching tools by  
125 exploring alternative tools and methodologies. Efforts by the  
126 department and the community-based care lead agency may include,  
127 but are not limited to:

128 1. Searching for and locating adult relatives and kin.

129 2. Identifying and building positive connections between  
130 the child and the child's relatives and fictive kin.

131 3. Supporting the engagement of relatives and fictive kin  
132 in social service planning and delivery of services and creating  
133 a network of extended family support to assist in remedying the  
134 concerns that led to the child becoming involved with the child  
135 welfare system, when appropriate.

136 4. Maintaining family connections, when possible.

137 5. Keeping siblings together in care, when in the best  
138 interests of the children and when possible.

139 (c) It is insufficient to complete only a basic computer  
140 search using the Internet or attempt to contact known relatives  
141 at a last known address or telephone number.

142 (d) The court's inquiry and determination regarding family  
143 finding should be made at each stage of the case, including the  
144 shelter care hearing pursuant to s. 39.402. The court is to  
145 place its determinations on the record as to whether the

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146 department or community-based care lead agency has reasonably  
147 engaged in family finding. The level of reasonableness is to be  
148 determined by the length of the case and time the department or  
149 community-based care lead agency has had to begin or continue  
150 the process.

151 (4) RULEMAKING.—The department shall adopt rules to  
152 implement this section.

153 Section 2. Effective January 1, 2019, section 39.5085,  
154 Florida Statutes, is amended to read:

155 39.5085 Kinship Care ~~Relative Caregiver~~ Program.—

156 (1) LEGISLATIVE FINDINGS AND INTENT.—

157 (a) The Legislature finds that an increasing number of  
158 relatives and fictive kin are assuming the responsibility of  
159 raising children because the parents of these children are  
160 unable to care for them.

161 (b) The Legislature also finds that these kinship  
162 caregivers perform a vital function by providing homes for  
163 children who would otherwise be at risk of foster care placement  
164 and that kinship care is a crucial option in the spectrum of  
165 out-of-home care available to children in need.

166 (c) The Legislature finds that children living with kinship  
167 caregivers experience increased placement stability, are less  
168 likely to reenter care if reunified with their parents, and have  
169 better behavioral and mental health outcomes.

170 (d) The Legislature further finds that these kinship  
171 caregivers may face a number of difficulties and need assistance  
172 to support the health and well-being of the children they care  
173 for. These needs include, but are not limited to, financial  
174 assistance, legal assistance, respite care, child care, and

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175 counseling.

176 (e) It is the intent of the Legislature to provide for the  
177 establishment and implementation of procedures and protocols  
178 that are likely to increase and adequately support appropriate  
179 and safe kinship care placements.

180 (2) DEFINITIONS.—As used this section, the term:

181 (a) "Fictive kin" means an individual who is unrelated to  
182 the child by either birth or marriage, but has such a close  
183 emotional relationship with the child that he or she may be  
184 considered part of the family.

185 (b) "Kinship care" means the full-time care of a child  
186 placed in out-of-home care by the court in the home of a  
187 relative or fictive kin.

188 (c) "Kinship navigator" means a statewide program designed  
189 to ensure that kinship caregivers are provided with necessary  
190 resources for the preservation of the family.

191 (d) "Relative" means an individual who is caring full time  
192 for a child placed in out-of-home care by the court and who:

193 1. Is related to the child within the fifth degree by blood  
194 or marriage to the parent or stepparent of the child; or

195 2. Is related to a half-sibling of that child within the  
196 fifth degree by blood or marriage to the parent or stepparent.

197 (3) FINANCIAL ASSISTANCE.—The department shall provide  
198 financial assistance to all caregivers who qualify under this  
199 subsection.

200 (a) Relatives or fictive kin caring for a child who has  
201 been placed with them by the court shall receive a monthly  
202 caregiver benefit, beginning when the child is placed in the  
203 out-of-home care. The amount of the benefit payment is based on

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204 the child's age within a payment schedule established by rule of  
205 the department. The cost of providing the assistance described  
206 in this section to any caregiver may not exceed the cost of  
207 providing out-of-home care in emergency shelter or foster care.

208 (b) Caregivers who receive assistance under this section  
209 must be capable, as determined by a home study, of providing a  
210 physically safe environment and a stable, supportive home for  
211 the children under their care and must assure that the  
212 children's well-being is met, including, but not limited to, the  
213 provision of immunizations, education, and mental health  
214 services as needed.

215 (c) Caregivers who qualify for and receive assistance under  
216 this section are not required to meet foster care licensing  
217 requirements under s. 409.175.

218 (d) Children receiving cash benefits under this section are  
219 not eligible to simultaneously receive WAGES cash benefits under  
220 chapter 414.

221 (e) A caregiver may not receive a benefit payment if the  
222 parent or stepparent of the child resides in the home. However,  
223 a caregiver may receive the benefit payment for a minor parent  
224 who is in his or her care, as well as for the minor parent's  
225 child, if both children have been adjudicated dependent and meet  
226 all other eligibility requirements. If the caregiver is  
227 currently receiving the payment, the payment must be terminated  
228 no later than the first of the following month after the parent  
229 or stepparent moves into the home, allowing for 10-day notice of  
230 adverse action.

231 (f) Children living with caregivers who are receiving  
232 assistance under this section are eligible for Medicaid



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233 coverage.

234 (4) ADDITIONAL ASSISTANCE AND SERVICES.—

235 (a) The purpose of a kinship navigator program is to help  
236 relative caregivers and fictive kin in the child welfare system  
237 to navigate the broad range of services available to them and  
238 the children from public and private, community and faith-based  
239 organizations.

240 (b) By no later than January 1, 2019, each community-based  
241 care lead agency shall establish a kinship navigator program. In  
242 order to meet the requirements of a kinship navigator program,  
243 the program must:

244 1. Be coordinated with other state or local agencies that  
245 promote service coordination or provide information and referral  
246 services, including the entities that provide Florida 211  
247 Network information where available, to avoid duplication or  
248 fragmentation of services to kinship care families;

249 2. Be planned and operated in consultation with kinship  
250 caregivers and organizations representing them, youth raised by  
251 kinship caregivers, relevant governmental agencies, and relevant  
252 community-based or faith-based organizations;

253 3. Establish a toll-free telephone hotline to provide  
254 information to link kinship caregivers, kinship support group  
255 facilitators, and kinship service providers to:

256 a. One another;

257 b. Eligibility and enrollment information for federal,  
258 state, and local benefits;

259 c. Relevant training to assist kinship caregivers in  
260 caregiving and in obtaining benefits and services; and

261 d. Relevant knowledge related to legal options available

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262 for child custody, other legal assistance, and help in obtaining  
263 legal services.

264 4. Provide outreach to kinship care families, including by  
265 establishing, distributing, and updating a kinship care website,  
266 or other relevant guides or outreach materials; and

267 5. Promote partnerships between public and private  
268 agencies, including schools, community-based or faith-based  
269 organizations, and relevant governmental agencies, to increase  
270 their knowledge of the needs of kinship care families to promote  
271 better services for those families.

272 (5) RULEMAKING.—The department shall adopt rules to  
273 implement this section.

274 ~~(1) It is the intent of the Legislature in enacting this~~  
275 ~~section to:~~

276 ~~(a) Provide for the establishment of procedures and~~  
277 ~~protocols that serve to advance the continued safety of children~~  
278 ~~by acknowledging the valued resource uniquely available through~~  
279 ~~grandparents, relatives of children, and specified nonrelatives~~  
280 ~~of children pursuant to subparagraph (2)(a)3.~~

281 ~~(b) Recognize family relationships in which a grandparent~~  
282 ~~or other relative is the head of a household that includes a~~  
283 ~~child otherwise at risk of foster care placement.~~

284 ~~(c) Enhance family preservation and stability by~~  
285 ~~recognizing that most children in such placements with~~  
286 ~~grandparents and other relatives do not need intensive~~  
287 ~~supervision of the placement by the courts or by the department.~~

288 ~~(d) Recognize that permanency in the best interests of the~~  
289 ~~child can be achieved through a variety of permanency options,~~  
290 ~~including permanent guardianship under s. 39.6221 if the~~

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291 guardian is a relative, by permanent placement with a fit and  
292 willing relative under s. 39.6231, by a relative, guardianship  
293 under chapter 744, or adoption, by providing additional  
294 placement options and incentives that will achieve permanency  
295 and stability for many children who are otherwise at risk of  
296 foster care placement because of abuse, abandonment, or neglect,  
297 but who may successfully be able to be placed by the dependency  
298 court in the care of such relatives.

299 (e) Reserve the limited casework and supervisory resources  
300 of the courts and the department for those cases in which  
301 children do not have the option for safe, stable care within the  
302 family.

303 (f) Recognize that a child may have a close relationship  
304 with a person who is not a blood relative or a relative by  
305 marriage and that such person should be eligible for financial  
306 assistance under this section if he or she is able and willing  
307 to care for the child and provide a safe, stable home  
308 environment.

309 (2)(a) The Department of Children and Families shall  
310 establish, operate, and implement the Relative Caregiver Program  
311 by rule of the department. The Relative Caregiver Program shall,  
312 within the limits of available funding, provide financial  
313 assistance to:

314 1. Relatives who are within the fifth degree by blood or  
315 marriage to the parent or stepparent of a child and who are  
316 caring full-time for that dependent child in the role of  
317 substitute parent as a result of a court's determination of  
318 child abuse, neglect, or abandonment and subsequent placement  
319 with the relative under this chapter.

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320 ~~2. Relatives who are within the fifth degree by blood or~~  
321 ~~marriage to the parent or stepparent of a child and who are~~  
322 ~~earing full-time for that dependent child, and a dependent half-~~  
323 ~~brother or half-sister of that dependent child, in the role of~~  
324 ~~substitute parent as a result of a court's determination of~~  
325 ~~child abuse, neglect, or abandonment and subsequent placement~~  
326 ~~with the relative under this chapter.~~

327 ~~3. Nonrelatives who are willing to assume custody and care~~  
328 ~~of a dependent child in the role of substitute parent as a~~  
329 ~~result of a court's determination of child abuse, neglect, or~~  
330 ~~abandonment and subsequent placement with the nonrelative~~  
331 ~~caregiver under this chapter. The court must find that a~~  
332 ~~proposed placement under this subparagraph is in the best~~  
333 ~~interest of the child.~~

334 ~~4. A relative or nonrelative caregiver, but the relative or~~  
335 ~~nonrelative caregiver may not receive a Relative Caregiver~~  
336 ~~Program payment if the parent or stepparent of the child resides~~  
337 ~~in the home. However, a relative or nonrelative may receive the~~  
338 ~~Relative Caregiver Program payment for a minor parent who is in~~  
339 ~~his or her care, as well as for the minor parent's child, if~~  
340 ~~both children have been adjudicated dependent and meet all other~~  
341 ~~eligibility requirements. If the caregiver is currently~~  
342 ~~receiving the payment, the Relative Caregiver Program payment~~  
343 ~~must be terminated no later than the first of the following~~  
344 ~~month after the parent or stepparent moves into the home,~~  
345 ~~allowing for 10-day notice of adverse action.~~

346  
347 ~~The placement may be court-ordered temporary legal custody to~~  
348 ~~the relative or nonrelative under protective supervision of the~~

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349 ~~department pursuant to s. 39.521(1)(c)3., or court-ordered~~  
350 ~~placement in the home of a relative or nonrelative as a~~  
351 ~~permanency option under s. 39.6221 or s. 39.6231 or under former~~  
352 ~~s. 39.622 if the placement was made before July 1, 2006. The~~  
353 ~~Relative Caregiver Program shall offer financial assistance to~~  
354 ~~caregivers who would be unable to serve in that capacity without~~  
355 ~~the caregiver payment because of financial burden, thus exposing~~  
356 ~~the child to the trauma of placement in a shelter or in foster~~  
357 ~~care.~~

358 ~~(b) Caregivers who receive assistance under this section~~  
359 ~~must be capable, as determined by a home study, of providing a~~  
360 ~~physically safe environment and a stable, supportive home for~~  
361 ~~the children under their care and must assure that the~~  
362 ~~children's well-being is met, including, but not limited to, the~~  
363 ~~provision of immunizations, education, and mental health~~  
364 ~~services as needed.~~

365 ~~(c) Relatives or nonrelatives who qualify for and~~  
366 ~~participate in the Relative Caregiver Program are not required~~  
367 ~~to meet foster care licensing requirements under s. 409.175.~~

368 ~~(d) Relatives or nonrelatives who are caring for children~~  
369 ~~placed with them by the court pursuant to this chapter shall~~  
370 ~~receive a special monthly caregiver benefit established by rule~~  
371 ~~of the department. The amount of the special benefit payment~~  
372 ~~shall be based on the child's age within a payment schedule~~  
373 ~~established by rule of the department and subject to~~  
374 ~~availability of funding. The statewide average monthly rate for~~  
375 ~~children judicially placed with relatives or nonrelatives who~~  
376 ~~are not licensed as foster homes may not exceed 82 percent of~~  
377 ~~the statewide average foster care rate, and the cost of~~

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378 ~~providing the assistance described in this section to any~~  
379 ~~caregiver may not exceed the cost of providing out-of-home care~~  
380 ~~in emergency shelter or foster care.~~

381 ~~(e) Children receiving cash benefits under this section are~~  
382 ~~not eligible to simultaneously receive WAGES cash benefits under~~  
383 ~~chapter 414.~~

384 ~~(f) Within available funding, the Relative Caregiver~~  
385 ~~Program shall provide caregivers with family support and~~  
386 ~~preservation services, flexible funds in accordance with s.~~  
387 ~~409.165, school readiness, and other available services in order~~  
388 ~~to support the child's safety, growth, and healthy development.~~  
389 ~~Children living with caregivers who are receiving assistance~~  
390 ~~under this section shall be eligible for Medicaid coverage.~~

391 ~~(g) The department may use appropriate available state,~~  
392 ~~federal, and private funds to operate the Relative Caregiver~~  
393 ~~Program. The department may develop liaison functions to be~~  
394 ~~available to relatives or nonrelatives who care for children~~  
395 ~~pursuant to this chapter to ensure placement stability in~~  
396 ~~extended family settings.~~

397 Section 3. Section 39.604, Florida Statutes, is amended to  
398 read:

399 39.604 Rilya Wilson Act; short title; legislative intent;  
400 requirements; attendance and reporting responsibilities.-

401 (1) SHORT TITLE.-This section may be cited as the "Rilya  
402 Wilson Act."

403 (2) LEGISLATIVE INTENT.-

404 (a) The Legislature recognizes that children from birth to  
405 the age of school entry who are in out-of-home ~~the~~ care ~~of the~~  
406 ~~state~~ due to abuse, neglect, or abandonment are at increased

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407 risk for delayed social-emotional development and challenging  
408 behaviors of poor school performance and other behavioral and  
409 social problems.

410 (b) The Legislature also finds that the needs of each of  
411 these children are unique and while some children may be best  
412 served by a quality child care program, others may need more  
413 attention and nurturing that can be best provided by a stay-at-  
414 home foster parent or relative or nonrelative caregiver.

415 (c) It is the intent of the Legislature that children who  
416 are currently in out-of-home the care of the state be provided  
417 with an age-appropriate developmental child care arrangement  
418 that is in the best interest of the child education program to  
419 help ameliorate the negative consequences of abuse, neglect, or  
420 abandonment.

421 (3) REQUIREMENTS.—

422 (a) A child from birth to the age of school entry, under  
423 court-ordered protective supervision or in out-of-home care the  
424 eustody of the Family Safety Program Office of the Department of  
425 Children and Families or a community-based lead agency, who is  
426 and enrolled in a licensed early education or child care program  
427 must attend the program 5 days a week unless the court grants an  
428 exception and one of the following applies:

429 1. A child who is age 0-3 years with a stay-at-home  
430 caregiver shall have the option of remaining at home if it is  
431 determined to be in the best interest of the child.

432 2. A child who is age 0-3 years with a caregiver who works  
433 part time shall have the option of attending a licensed early  
434 education or child care program fewer than 5 days a week if it  
435 is determined to be in the best interest of the child.

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436        (b) Notwithstanding s. 39.202, the department ~~of Children~~  
437 ~~and Families~~ must notify operators of a ~~the~~ licensed early  
438 education or child care program, subject to the reporting  
439 requirements of this act, of the enrollment of any child from  
440 birth to the age of school entry, under court-ordered protective  
441 supervision or in out-of-home care ~~the custody of the Family~~  
442 ~~Safety Program Office of the Department of Children and Families~~  
443 ~~or a community-based lead agency~~. When a child is enrolled in a  
444 licensed ~~an~~ early education or child care program ~~regulated by~~  
445 ~~the department~~, the child's attendance in the program must be a  
446 required task ~~action~~ in the safety plan or the case plan  
447 developed for the child pursuant to this chapter. ~~An exemption~~  
448 ~~to participating in the licensed early education or child care~~  
449 ~~program 5 days a week may be granted by the court.~~

450        (4) ATTENDANCE AND REPORTING REQUIREMENTS.—

451        (a) A child enrolled in a licensed early education or child  
452 care program who meets the requirements of subsection (3) may  
453 not be withdrawn from the program without the prior written  
454 approval of the department ~~Family Safety Program Office of the~~  
455 ~~Department of Children and Families~~ or the community-based care  
456 lead agency.

457        (b)1. If a child covered by this section is absent from the  
458 program on a day when he or she is supposed to be present, the  
459 person with whom the child resides must report the absence to  
460 the program by the end of the business day. If the person with  
461 whom the child resides, whether the parent or caregiver, fails  
462 to timely report the absence, the absence is considered to be  
463 unexcused. The program shall report any unexcused absence or  
464 seven consecutive excused absences of a child who is enrolled in



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465 the program and covered by this act to the ~~local designated~~  
466 ~~staff of the Family Safety Program Office of the department of~~  
467 ~~Children and Families~~ or the community-based care lead agency by  
468 the end of the business day following the unexcused absence or  
469 seventh consecutive excused absence.

470 2. The department or community-based care lead agency shall  
471 conduct a site visit to the residence of the child upon  
472 receiving a report of two consecutive unexcused absences or  
473 seven consecutive excused absences.

474 3. If the site visit results in a determination that the  
475 child is missing, the department or community-based care lead  
476 agency shall follow the procedure set forth in s. 39.0141 ~~report~~  
477 ~~the child as missing to a law enforcement agency and proceed~~  
478 ~~with the necessary actions to locate the child pursuant to~~  
479 ~~procedures for locating missing children.~~

480 4. If the site visit results in a determination that the  
481 child is not missing, the parent or caregiver shall be notified  
482 that failure to ensure that the child attends the licensed early  
483 education or child care program is a violation of the safety  
484 plan or the case plan. If more than two site visits are  
485 conducted pursuant to this subsection, staff shall ~~initiate~~  
486 ~~action to~~ notify the court of the parent or caregiver's  
487 noncompliance with the case plan.

488 Section 4. Effective January 1, 2019, paragraph (b) of  
489 subsection (1) of section 414.045, Florida Statutes, is amended  
490 to read:

491 414.045 Cash assistance program.—Cash assistance families  
492 include any families receiving cash assistance payments from the  
493 state program for temporary assistance for needy families as

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494 defined in federal law, whether such funds are from federal  
495 funds, state funds, or commingled federal and state funds. Cash  
496 assistance families may also include families receiving cash  
497 assistance through a program defined as a separate state  
498 program.

499 (1) For reporting purposes, families receiving cash  
500 assistance shall be grouped into the following categories. The  
501 department may develop additional groupings in order to comply  
502 with federal reporting requirements, to comply with the data-  
503 reporting needs of the board of directors of CareerSource  
504 Florida, Inc., or to better inform the public of program  
505 progress.

506 (b) *Child-only cases.*—Child-only cases include cases that  
507 do not have an adult or teen head of household as defined in  
508 federal law. Such cases include:

509 1. Children in the care of caretaker relatives, if the  
510 caretaker relatives choose to have their needs excluded in the  
511 calculation of the amount of cash assistance.

512 2. Families in the Kinship Care ~~Relative Caregiver~~ Program  
513 as provided in s. 39.5085.

514 3. Families in which the only parent in a single-parent  
515 family or both parents in a two-parent family receive  
516 supplemental security income (SSI) benefits under Title XVI of  
517 the Social Security Act, as amended. To the extent permitted by  
518 federal law, individuals receiving SSI shall be excluded as  
519 household members in determining the amount of cash assistance,  
520 and such cases shall not be considered families containing an  
521 adult. Parents or caretaker relatives who are excluded from the  
522 cash assistance group due to receipt of SSI may choose to

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523 participate in work activities. An individual whose ability to  
524 participate in work activities is limited who volunteers to  
525 participate in work activities shall be assigned to work  
526 activities consistent with such limitations. An individual who  
527 volunteers to participate in a work activity may receive child  
528 care or support services consistent with such participation.

529 4. Families in which the only parent in a single-parent  
530 family or both parents in a two-parent family are not eligible  
531 for cash assistance due to immigration status or other  
532 limitation of federal law. To the extent required by federal  
533 law, such cases shall not be considered families containing an  
534 adult.

535 5. To the extent permitted by federal law and subject to  
536 appropriations, special needs children who have been adopted  
537 pursuant to s. 409.166 and whose adopting family qualifies as a  
538 needy family under the state program for temporary assistance  
539 for needy families. Notwithstanding any provision to the  
540 contrary in s. 414.075, s. 414.085, or s. 414.095, a family  
541 shall be considered a needy family if:

542 a. The family is determined by the department to have an  
543 income below 200 percent of the federal poverty level;

544 b. The family meets the requirements of s. 414.095(2) and  
545 (3) related to residence, citizenship, or eligible noncitizen  
546 status; and

547 c. The family provides any information that may be  
548 necessary to meet federal reporting requirements specified under  
549 Part A of Title IV of the Social Security Act.

550

551 Families described in subparagraph 1., subparagraph 2., or

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552 subparagraph 3. may receive child care assistance or other  
553 supports or services so that the children may continue to be  
554 cared for in their own homes or in the homes of relatives. Such  
555 assistance or services may be funded from the temporary  
556 assistance for needy families block grant to the extent  
557 permitted under federal law and to the extent funds have been  
558 provided in the General Appropriations Act.

559 Section 5. Except as otherwise expressly provided in this  
560 act, this act shall take effect July 1, 2018.