

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/SB 1036

INTRODUCER: Appropriations Committee and Children, Families, and Elder Affairs Committee

SUBJECT: Independent Living

DATE: April 21, 2013                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Preston	Hendon		<b>CF SPB 7012 as introduced</b>
2.	Brown	Cibula	JU	<b>Favorable</b>
3.	Brown	Pigott	AHS	<b>Favorable</b>
4.	Brown	Hansen	AP	<b>Fav/CS</b>
5.				
6.				

**Please see Section VIII. for Additional Information:**

- |                              |                                     |   |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>            | Technical amendments were recommended   |
|                              | <input type="checkbox"/>            | Amendments were recommended             |
|                              | <input type="checkbox"/>            | Significant amendments were recommended |

**I. Summary:**

CS/SB 1036 authorizes young adults in foster care who have not reached permanency before 18 years of age to remain in care until 21 years of age. The bill provides eligibility criteria to remain in such extended care, allows such a young adult older than 18 years to leave and reenter care anytime before reaching age 21, and requires residence in supervised living arrangements. The bill requires the Department of Children and Families (DCF) and community-based care lead agencies (CBC lead agencies) to develop a transition plan for young adults in extended foster care and also requires continuation of case management, service delivery, and judicial review for such young adults.

The bill provides requirements and expectations for foster parents, group home parents and providers, the DCF, CBC lead agencies, and their providers. The bill also requires adequate training and support for foster parents and inclusion of foster parents in a full, equal, and respectful partnership with other participants in the child welfare system. Under the bill, group home staff must meet the same training, background screening, and other screening requirements as foster parents. The bill codifies the room and board rate for foster parents, provides for an annual cost of living increase, and provides for a supplemental stipend. The bill transfers the responsibility of providing independent living skills for children from age 13 through age 17 to

foster and group home parents, eliminates the need to contract for those services, and relieves caseworkers from some responsibilities associated with independent living services for children from age 13 through age 17.

The bill has an estimated fiscal impact of potentially reducing expenditures in the Independent Living Program to an indeterminate extent.

The bill restructures the Road-to-Independence (RTI) Program, which provides financial assistance to young adults attending eligible postsecondary institutions. The bill provides for aftercare services for young adults who leave care and for an appeals process. The bill enables young adults currently receiving independent living transition services to continue in the existing program until their eligibility expires. The bill provides for portability of services and support for children and young adults who relocate within the state and provides collaboration between the DCF and colleges and universities for an educational support program.

The bill has an effective date of January 1, 2014.

This bill substantially amends the following sections of the Florida Statutes: 39.013, 39.6013, 39.701, 409.145, 409.1451, 409.175, and 409.903.

The bill creates sections 39.6035 and 39.6251, Florida Statutes.

## **II. Present Situation:**

### **Independent Living (IL) Program**

Each year, thousands of children leave state dependency care systems because they turn 18 years of age and are no longer eligible for care. Since the early 1980s, research and anecdotal evidence indicate that many of these young adults experience numerous difficulties in their attempts to achieve self-sufficiency. When compared to young adults with no exposure to the child welfare system, young adults who were formerly in care are less likely to earn a high school diploma or GED and have lower rates of college attendance.<sup>1</sup> They suffer more from mental health problems, have a higher rate of involvement with the criminal justice system, and are more likely to have difficulty achieving financial independence. These young adults have a higher need for public assistance and are more likely to experience housing instability, including homelessness.<sup>2</sup>

As of December 2012, 5,288 Florida children from age 13 through age 17 in licensed foster care were eligible for independent living services, and the numbers of children who aged-out of care in fiscal years 2009-2010, 2010-2011, and 2011-2012, were 1,386, 1,304, and 1,181, respectively.<sup>3</sup>

The IL program within the DCF provides services to youth in foster care and young adults who were formerly in foster care. The program is designed to assist youth to obtain the life skills and

---

<sup>1</sup> Courtney, M.A. and D. H. Heuring, ON YOUR OWN WITHOUT A NET: THE TRANSITION TO ADULTHOOD FOR VULNERABLE POPULATIONS, 33-34 (2007).

<sup>2</sup> *Id.* at 36-40.

<sup>3</sup> Information supplied by the Department of Children and Families. Dec. 21, 2013.

education necessary to become self-sufficient, live independently, and maintain employment. Services include life skills training and financial, educational, and social support. Examples of such services are parenting classes, career counseling, therapy and psychological counseling, and assistance with personal organization and time management.

### **The Federal John H. Chafee Foster Care Independence Program**

The federal government responded to the needs of children who age-out of care by enacting the Foster Care Independence Act of 1999 (Chafee Act).<sup>4</sup> The Chafee Act provides states with flexible funding to design and conduct programs to serve children who are likely to remain in foster care until age 18, children who have reached 16 years of age and have left foster care for kinship guardianship or adoption, and young adults from age 18 until age 21 who have “aged-out” of the foster care system.<sup>5</sup>

The Chafee Act eliminated age restrictions, allowing states to offer independent living services to children younger than age 16.<sup>6</sup> The Chafee Act grants wide discretion to states, allowing them to set their own criteria for children in care to receive services.<sup>7</sup> However, states must use objective criteria in determining eligibility for benefits and services and must ensure fair and equitable treatment of benefit recipients.<sup>8</sup>

Each state is allotted an amount of funds which has the same ratio as the number of children in foster care in that state to the total number of children in foster care in all states in the most recent federal fiscal year for which such information is available. The Chafee Act requires a 20 percent state match.<sup>9</sup>

### **Education and Training Vouchers**

The Educational and Training Vouchers Program (ETV) for children aging-out of care was added to the Chafee Act in 2002. ETV provides resources specifically to meet the education and training needs of youth aging-out of care. Funding is provided for postsecondary educational and training vouchers for children and young adults likely to experience difficulty as they transition to adulthood after reaching 18 years of age. The program makes available vouchers of up to \$5,000 per year per young adult.<sup>10</sup>

---

<sup>4</sup> Pub. Law No. 106-169, 113 Stat. 1822 (1999). Federal funds for independent living initiatives were first made available under the Consolidated Omnibus Budget Reconciliation Act of 1985.

<sup>5</sup> 42 U.S.C. § 677(2002).

<sup>6</sup> 42 U.S.C. § 677(b)(2)(C) (2002).

<sup>7</sup> 42 U.S.C. § 677(b)(2).

<sup>8</sup> 42 U.S.C. § 677(b)(2)(E).

<sup>9</sup> In FY 2012, Florida’s Chafee allocation was \$6,130,927 and the ETV allocation was \$2,044,377. U.S. Department of Health and Family Services, Administration on Children, Youth and Families, Children’s Bureau. Program Instruction. ACYF-CB-PI-12-05. (April 11, 2012), available at <http://www.acf.hhs.gov/sites/default/files/cb/pi1205.pdf>.

<sup>10</sup> U.S. Department of Health and Human Services, Administration for Children and Families, *The John H. Chafee Foster Care Independence Program*. available at [http://www.acf.hhs.gov/programs/cb/programs\\_fund/state\\_tribal/jh\\_chafee.htm](http://www.acf.hhs.gov/programs/cb/programs_fund/state_tribal/jh_chafee.htm) (last visited March 27, 2013).

### **National Youth in Transition Database (NYTD)**

The Chafee Act also required the Administration for Children and Families (ACF), a division of the U.S. Department of Health & Human Services, to develop a data collection system to track the independent living services that states provide to children and young adults and to develop outcome measures that may be used to assess states' performance in operating their independent living programs.<sup>11</sup> Subsequent regulation established the NYTD and requires states to engage in two data collection activities:

- States must collect information on each youth who receives independent living services paid for or provided by the state agency that administers the Chafee Act; and
- States must collect demographic and outcome information on certain youth in foster care who will be followed over time to collect additional outcome information.

This information allows ACF to track which independent living services are provided by states and assess collective outcomes of youths receiving services. Pursuant to regulation, states began collecting data for the NYTD on October 1, 2010, and are required to report data to ACF semiannually.

### **Florida Foster Care**

With the enactment of federal legislation and an increase in available funding, the 2002 Florida Legislature established a new framework for the state's independent living transition services. Florida law requires the provision of services and financial assistance to older children in care and young adults who leave the foster care system at age 18 to help them transition to self-sufficiency.<sup>12</sup>

Section 409.1671, F.S., expresses legislative intent to outsource the provision of foster care and related services statewide. The term "outsource" means to contract with competent, community-based agencies, while the term "related services" includes, but is not limited to, family preservation, independent living, emergency shelter, residential group care, foster care, therapeutic foster care, intensive residential treatment, foster care supervision, case management, post-placement supervision, permanent foster care, and family reunification.<sup>13</sup>

The DCF is authorized to contract for the delivery, administration, or management of protective services, foster care, and other related services or programs, as appropriate,<sup>14</sup> and such contractors are typically referred to as "community-based care lead agencies" or CBC lead agencies.

---

<sup>11</sup> U.S. Department of Health and Human Services, Administration for Children and Families, *The John H. Chafee Foster Care Independence Program*. available at <http://www.acf.hhs.gov/programs/cb/resource/about-nytd?page=all> (last visited March 27, 2013).

<sup>12</sup> The DCF provided independent living services to older youth in foster care prior to the creation of s. 409.1451, F.S., with provisions for those services appearing in a number of sections of the Florida Statutes, including s. 409.145, F.S., relating to care of children (2001), and s. 409.165, F.S., relating to alternative care of children (2001).

<sup>13</sup> See s. 409.1671(1)(a), F.S.

<sup>14</sup> See s. 409.1671(2)(a), F.S.

Foster care and related services categories include:<sup>15</sup>

**Table 1.**

<b>PROGRAM COMPONENTS</b>	<b>SERVICES PROVIDED</b>	<b>AGE GROUP</b>
<b>PRE-INDEPENDENT LIVING</b>	Life skills training, educational field trips and conferences.	13 to 15 years
<b>LIFE SKILLS</b>	Independent living skills training, including training to develop banking and budgeting skills, interviewing skills, parenting skills, and time management or organizational skills, educational support, employment training, and counseling.	15 to 18 years
<b>SUBSIDIZED INDEPENDENT LIVING (SIL)<sup>16</sup></b>	Financial assistance for living arrangements that allow the child to live independently of the daily care and supervision of an adult.	16 to 18 years
<b>AFTERCARE SUPPORT</b>	Housing, electric, water, gas, sewer service, food, mentoring, tutoring, mental health services, substance abuse counseling, life skills classes, parenting classes, job and career skills training, counselor consultations, temporary financial assistance, and financial literacy skills training.	18 to 23 years
<b>ROAD-TO-INDEPENDENCE PROGRAM</b>	Financial assistance for education.	18 to 23 years
<b>TRANSITIONAL SUPPORT</b>	Financial, housing, counseling, employment, education, mental health, disability, and other services.	18 to 23 years

### **Outcome Measures and Minimum Standards**

The Legislature added requirements for outcome measures and standards for the program that would allow for the effectiveness of IL services to be measured:

- In 2002, the Legislature required the DCF to establish outcome measures for the independent living program.<sup>17</sup>
- In response to the DCF's failure to adopt standards or measures, in 2004 the Legislature directed the Office of Program Policy and Government Accountability (OPPAGA) to recommend minimum standards for the state's independent living transition services.<sup>18</sup> The OPPAGA provided those recommended minimum standards to the DCF in November 2004.<sup>19</sup> The OPPAGA report also emphasized that at a minimum, the success of a provider's program should be based on how well children in care progress on three major variables: education, life skills, and employment.<sup>20</sup> The OPPAGA reported that without minimum skills in these three areas, children in care cannot hope to live self-sufficiently.

<sup>15</sup> Section 409.1451, F.S.

<sup>16</sup> Subsidized independent living provides an opportunity for youth ages 16-17 to receive a cash subsidy and other services from the DCF, and placement in a living arrangement not required to be licensed and not under the daily care and supervision of an adult. Subsidized independent living arrangements established for a youth must be part of an overall plan leading to total independence from the DCF's supervision.

<sup>17</sup> Chapter 2002-19, L.O.F.; s. 409.145(6), F.S.

<sup>18</sup> Chapter 2004-362, L.O.F.

<sup>19</sup> Office of Program Policy Analysis and Government Accountability, Florida Legislature, *Improved Fiscal and Quality Oversight Is Needed for the Independent Living Program*, Report No. 04-78. (Nov. 2004), available at

<http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/0478rpt.pdf>.

<sup>20</sup> *Id.*

- A subsequent report issued by the OPPAGA in 2005 noted that standards had still not been developed and recommended that the DCF develop minimum standards of performance for IL programs and include those standards in contracts with providers.<sup>21</sup>
- In 2006 the Legislature again required the DCF to:
  - Establish minimum standards for independent living transition services for current and former foster youth and incorporate minimum independent living standards into lead agency contracts by July 1, 2007.<sup>22</sup>
  - In coordination with CBC lead agencies, develop measures for assessing the effectiveness of lead agency performance in meeting these minimum standards by July 1, 2007.<sup>23</sup>
  - Begin monitoring lead agency performance in accordance with these requirements by Fiscal Year 2008-2009.<sup>24</sup>
- In a 2007 report, the OPPAGA noted that the DCF made limited progress on developing minimum standards and some progress on developing outcome measures. The OPPAGA again recommended that the DCF develop the required standards and incorporate them into lead agency contracts.<sup>25</sup>
- The annual report published by the Independent Living Services Advisory Council (ILSAC) in 2008 stated:

In our 2006 report, the ILSAC developed a set of youth outcome measures that we encouraged the DCF to adopt and integrate. It was our expectation, the legislature and the DCF would find elements of the baseline data so alarming that a sense of urgency and call to action would result in the immediate establishment of youth outcome measures and benchmarks in every community based care contract... In the last year, we still have not identified and established Florida's standard of acceptable youth outcome levels; and those acceptable youth outcomes have not been incorporated into the CBC contracts.<sup>26</sup>

- The DCF's response to the 2007 OPPAGA report indicated that they were revising lead agency contracts to include minimum standards. However, a subsequent report issued by the OPPAGA in 2010 stated that the DCF had not established an effective mechanism to ensure that lead agencies meet minimum contract standards and that the DCF failed to establish outcome measures as required by law.<sup>27</sup>

<sup>21</sup> Office of Program Policy Analysis and Gov't Accountability, Florida Legislature, *Improvements in Independent Living Services Will Better Assist State's Struggling Youth*, Report No. 05-61. (Dec. 2005), available at <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/0561rpt.pdf>.

<sup>22</sup> Chapter 2006-25, Laws of Fla. These standards were to be consistent with, but not limited to, the standards contained in the Office of Program Policy and Analysis and Government Accountability (OPPAGA) Report No. 04-78.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> Office of Program Policy Analysis and Gov't Accountability, Florida Legislature, *Improved Fiscal and Quality Oversight Is Needed for the Independent Living Program*, Report No. 07-11. (Feb. 2007) available at <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/0711rpt.pdf>.

<sup>26</sup> Report of Independent Living Services for Florida's Foster Youth (2008), Independent Living Services Advisory Council. available at <http://centerforchildwelfare2.fmhi.usf.edu/kb/Prgrprac/ILSACreport2008.pdf> (last visited January 10, 2013).

<sup>27</sup> Office of Program Policy Analysis and Gov't Accountability, Florida Legislature, *DCF Has Improved Some Aspects of Independent Living Program Oversight: Other Long-Standing Problems Remain*, Report No. 10-30. (Mar. 2010), available at <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/1030rpt.pdf>.

## Other OPPAGA Findings

The OPPAGA evaluated and examined numerous aspects of the IL program multiple times since 2004. In addition to findings related to outcome measures and minimum standards, the OPPAGA reports the following:

- In 2005, the OPPAGA evaluated the independent living services program. While the primary focus of the OPPAGA evaluation was on services for young adults formerly in foster care, the OPPAGA also sought to determine if the DCF was adequately monitoring the delivery of contracted independent living services.<sup>28</sup> The OPPAGA concluded that while the DCF's oversight of community based care providers had improved over time, more improvements were needed. Specifically, quality management processes did not ensure that providers were delivering quality services.<sup>29</sup>
- In 2007, the OPPAGA re-evaluated the independent living services program and reported that the DCF needs to improve fiscal oversight to ensure that program resources were being used as intended and in compliance with state and federal guidelines. The OPPAGA determined that lack of information hinders the DCF's ability to provide oversight and assess the quality and level of independent living services. As a result, neither the DCF nor the lead agencies could readily determine if children in care receive the required independent living transition services. This also has hindered the ability of the DCF and lead agencies to accurately determine budget needs for serving the IL population.<sup>30</sup>
- In 2010, the OPPAGA found that the DCF broadened its contract monitoring and quality assurance systems to better address key elements of the IL program but continued to lack the ability to track whether youths from age 13 through age 17 received services as required by law.<sup>31</sup>

## Findings by the Office of the Auditor General

In the most recent operational audit of the DCF independent living transition services program conducted by the Auditor General, audit findings revealed the following:

- Needs Assessment – The DCF and CBC lead agencies did not require that actual living and educational expenses be utilized as a basis for determining the amounts of the RTI awards made to high school students. The DCF set the amount of the award at the statutory maximum. Additionally, for postsecondary students, the DCF and lead agencies were unable to provide documentation supporting the appropriateness of the amounts of the RTI awards.

---

<sup>28</sup> Office of Program Policy Analysis and Gov't Accountability, Florida Legislature, *Improvements in Independent Living Services Will Better Assist State's Struggling Youth*, Report No. 05-61. (Dec. 2005), available at <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/0561rpt.pdf>.

<sup>29</sup> *Id.*

<sup>30</sup> Office of Program Policy Analysis and Gov't Accountability, Florida Legislature *Improved Fiscal and Quality Oversight Is Needed for the Independent Living Program*, Report No. 07-11. (February 2007), available at <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/0711rpt.pdf>.

<sup>31</sup> Office of Program Policy Analysis and Gov't Accountability, Florida Legislature *DCF Has Improved Some Aspects of Independent Living Program Oversight: Other Long-Standing Problems Remain*, Report No. 10-30. (Mar. 2010), available at <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/1030rpt.pdf>

- Appropriate Progress – DCF rules and guidelines did not specifically address the type of documentation that would be sufficient to demonstrate appropriate progress by students in GED programs.
- Services and Payments – There were instances where young adults received multiple payments for the same service from multiple programs. Documentation of assessment of need for aftercare support assistance was not always provided. In addition:
  - There was an inappropriate use of transitional support funds for achieving an educational goal;
  - Payments were erroneously coded;
  - Payments were made to ineligible individuals;
  - There were instances where young adults did not meet program eligibility requirements, including instances in which the maximum age limitation was exceeded; and
  - Payments were made in excess of established spending caps.
- Subsidized Independent Living (SIL) – The DCF and lead agencies were unable to provide documentation to support the required number of services worker visitations. In addition, the DCF and applicable lead agencies were unable to provide documentation showing that staffing, assessments, and judicial reviews had been completed.
- Staffing, Assessments, Case Plans – The DCF and lead agencies did not properly conduct or provide supporting documentation showing that staffing, assessments, and case plans for children from age 13 through age 17 had been completed.
- Florida Safe Families Network (FSFN) – The DCF did not require lead agencies to fully utilize the functionality of FSFN specific to the independent living (IL) program although system capabilities were available.
- Monitoring – DCF monitoring efforts were not sufficient to ensure IL program compliance.<sup>32</sup>

An operational audit of the independent living transition services program performed by the Auditor General in 2005 at the direction of the Legislature reported almost identical findings.<sup>33</sup>

### **Findings by the Independent Living Services Advisory Council (ILSAC)**

When the Florida Legislature established a new framework for Florida’s independent living transition services in 2002, the legislation provided for the creation of an independent living services integration workgroup tasked with assessing the implementation and operation of the redesigned program. ILSAC annual reports are required to be accompanied by a report from the DCF that identifies the recommendations of the workgroup and either describes the DCF’s actions to implement these recommendations or provides the DCF’s rationale for not implementing the recommendations.<sup>34</sup>

- In its 2006 annual report, the ILSAC acknowledged tremendous strides in the past year. However, the report indicated much more needed to be done to help young people who are out of foster care become successful and productive:

<sup>32</sup> Office of the Auditor General. *Operational Audit. Department of Children And Family Services. Independent Living Transition Services Program.* Report No. 2011-176. (Apr. 2011). A follow-up to Report No. 2011-176 is currently in progress.

<sup>33</sup> Office of the Auditor General. *Operational Audit. Department Of Children And Family Services. Independent Living Transition Services Program.* Report No. 2005-119. (Feb. 2005).

<sup>34</sup> Section 409.1451, F.S. In 2004, the workgroup became the Independent Living Services Advisory Council.



We have gone on too long without accountability. Every dollar spent on independent living services should have a measurable impact on the quality of the lives for our foster care youth and young adults, especially in the areas of education, employment, housing, financial stability and permanency.<sup>35</sup>

- Baseline data continue to indicate significant areas of deficit in both youth achievement and community-based care service delivery practice.<sup>36</sup>
- ILSAC has recommended since 2006 that a program planning and delivery reporting tool be developed for determining the independent living services, outcomes, and fiscal implications of projected and actual delivery of services for youth from age 13 through age 23 for all lead agencies. ILSAC has also recommended establishment of provider accountability through corrective action as part of ongoing quality assurance benchmarks. This would show how young adults in foster care are faring in terms of education, permanency, health care, and employment. Outcomes have been established in lead agency contracts in the past year but are still inadequate in measuring success of youth.<sup>37</sup>

### **DCF Report on Outcome Measures and Oversight Activities**

The DCF was required to develop outcome measures for the independent living transition services program and other performance measures in order to maintain oversight of the program.<sup>38</sup> A required annual report to the Legislature must contain an analysis of performance on the outcome measures reported for each CBC lead agency as compared with the performance of the DCF on the same measures and a description of the DCF's oversight of the program, including, by lead agency, any programmatic or fiscal deficiencies found, corrective actions required, and current status of compliance.<sup>39</sup>

The DCF's Contract Oversight Unit randomly selected cases of youth eligible to receive IL services and young adults formerly in foster care and conducted a file review to determine if the requirements of Florida law and Florida Administrative Code were met. This included a review of eligibility requirements for these services. Deficiencies in cases or areas of concern with the delivery of independent living services were noted in reports submitted to the DCF's contract managers and DCF leadership. The contract managers determined if the area of deficiency warranted a corrective action plan (CAP). If a CAP was needed, the CBC lead agency was required to develop steps and processes to bring services into compliance with federal regulations, Florida law, Florida Administrative Code, and the contract. The January 2012 report

---

<sup>35</sup> Independent Living Services Advisory Council. Annual Report. 2006. available at [http://centerforchildwelfare2.fmhi.usf.edu/kb/indliv/ILSAC\\_2006report.pdf](http://centerforchildwelfare2.fmhi.usf.edu/kb/indliv/ILSAC_2006report.pdf).

<sup>36</sup> *Report of Independent Living Services for Florida's Foster Youth* (2009). Independent Living Services Advisory Council. available at <http://centerforchildwelfare2.fmhi.usf.edu/kb/Prgrprac/ILSACreport09.pdf>.

<sup>37</sup> *Report of Independent Living Services for Florida's Foster Youth* (2011). Independent Living Services Advisory Council. available at [http://centerforchildwelfare2.fmhi.usf.edu/kb/LegislativeMandatedRpts/ILSACreport\\_2011%20Final.pdf](http://centerforchildwelfare2.fmhi.usf.edu/kb/LegislativeMandatedRpts/ILSACreport_2011%20Final.pdf).

<sup>38</sup> Section 409.1451(6), F.S.

<sup>39</sup> *Id.*

contains the following table (Table 2) summarizing the monitoring of the CBC lead agencies for the 2011 calendar year and the action taken by the DCF to address deficiencies.<sup>40</sup>

**Table 2.**

<b>CIRCUIT</b>	<b>CBC</b>	<b>IDENTIFIED AREAS OF DEFICIENCY (SPECIFIC TO IL SERVICES)</b>	<b>DCF RESPONSE (SPECIFIC TO IL SERVICES)</b>
3, 8	Partnership for Strong Families	Independent Living requirements were not met	Corrective Action Plan is in place.
4	Family Support Services of North Florida	Some Independent Living requirements were not met	Corrective Action Plan not needed.
4	Clay Baker Kids, Inc.	Some Independent Living requirements were not met	Corrective Action Plan is in place.
7	Family Integrity Program	Some Independent Living requirements were not met	Corrective Action Plan not needed.
11	Our Kids of Miami-Dade-Monroe, Inc.	Some Independent Living requirements were not met	Corrective Action Plan is in place.
17	ChildNet, Inc.	Independent Living requirements were not met	Corrective Action Plan is in place.
19	United for Families	Some Independent Living requirements were not met	Corrective Action Plan is in place.
20	Children's Network of SW Florida	Independent Living requirements were not met	Corrective Action Plan is in place.

### Surveys

To address federal and state requirements, the DCF implemented two surveys to capture data on IL services and outcomes:

- The My Services Review Survey that captures information on services for children from age 13 through age 17; and
- The National Youth in Transition Database Survey that captures data and tracks outcomes on young adults from age 18 through age 22.

<sup>40</sup> *Report on Outcome Measures and Oversight Activities of the Independent Living Transition Services Program*. Department of Children and Family Services. (Jan. 2009), available at <http://www.dcf.state.fl.us/programs/inliving/docs/2012%20ILSAC%20Report%20final.pdf/>.

### My Services Survey Data – Ages 13-17 Spring 2012<sup>41</sup>

**Table 3.**

<b>EDUCATION</b>	
Foster parents review report cards	76%
Caseworker reviews report cards	69%
Has education and career path	35%
Has changed schools at least once during the school year	47%
<b>HEALTH AND DENTAL CARE</b>	
Receiving needed medical care	86%
Saw a dentist in the last year	86%
Had an eye exam in the last year	68%
<b>NORMALCY</b>	
Can spend time with friends without adult supervision	65%
Can spend the night with friends	45%
Receives a personal allowance each week	53%
Has a driver's license (ages 16-17 years only)	3%
<b>JUVENILE JUSTICE SYSTEM INVOLVEMENT</b>	
Has been arrested in the past 12 months	28%
Is currently on probation or under DJJ supervision	22%

### Florida Nation Youth in Transition Survey Data - Ages 18-22 Spring 2012<sup>42</sup>

**Table 4.**

<b>EDUCATION</b>	
Completed grade 12 or GED	57%
Completed post-secondary education	7%
<b>EMPLOYMENT</b>	
Any job – full-time, part-time, temporary, seasonal	19%
<b>HEALTH AND DENTAL CARE</b>	
Has health insurance coverage	86%
Received dental services in the last year	39%
<b>HOUSING AND TRANSPORTATION</b>	
Safe housing	92%
Experienced homelessness	28%
Reliable means of transportation to school and/or work	80%
Have a driver's license	47%
<b>CRIMINAL JUSTICE SYSTEM INVOLVEMENT</b>	
Arrested in the past 12 months	40%

### The Fostering Connections to Success and Increasing Adoptions Act

Congress enacted the Fostering Connections to Success and Increasing Adoptions Act<sup>43</sup> in 2008 to improve outcomes for children in care and young adults who have aged-out of care by promoting permanent families for them through relative guardianship and adoption and by improving educational stability and quality coordinated health care. Specifically, this law:

<sup>41</sup> Department of Children and Families. *available at* <http://www.myflfamilies.com/service-programs/independent-livingarchive-data>.

<sup>42</sup> *Id.*

<sup>43</sup> Pub. Law No.110-351, H.R. 6893, 110th Cong. (Oct. 7, 2008).

- Promotes permanent families for children in care with relatives by:
  - Providing notice to relatives when a child enters care;
  - Providing subsidized guardianship payments for relatives; and
  - Waiving certain licensing standards for relatives;
- Promotes permanent families for children with adoptive families by increasing opportunities for more children with special needs to receive federally-supported adoption assistance; and
- Improves outcomes for children in care by:
  - Allowing children who turn 18 in care without permanent families to remain in care, at a state's option, to age 19, 20, or 21 with continued federal support to increase their opportunities for success as they transition to adulthood;
  - Helping children in care achieve educational goals by requiring that states ensure that they attend school and, when placed in care, remain at the same school when appropriate, or when a move is necessary, get help transferring promptly to a new school; and
  - Helping improve health care for children in care by requiring the state child welfare agency to work with the state Medicaid agency to create a plan to better coordinate health care for these children in order to ensure appropriate screenings, assessments, and follow-up treatment, and to ensure sharing of critical information with appropriate providers and oversight of prescription medications.<sup>44</sup>

### Quality Parenting Initiative

The Quality Parenting Initiative (QPI) is a statewide initiative that is a joint project of the Youth Law Center, the DCF, CBC lead agencies, and the Eckerd Family Foundation. The QPI is designed to promote quality care for children in foster care by redefining the expectations and roles of foster parents. The QPI was developed to ensure that every child removed from the home because of abandonment, abuse, or neglect is cared for by a foster family that provides skilled, nurturing parenting while helping the child maintain connections with his or her family. The foster family works closely with child welfare agencies, case workers, courts, attorneys, and others to protect the child's best interests.<sup>45</sup>

One of the key ways the QPI supports these foster families is by providing in-depth training to help them manage challenges. These may be routine events, like appearing in court, or more complex problems like helping a child transition home, coping with behavioral problems, or advocating for special education services. The training also helps families to better understand any information they were given about the child at the time of placement so they can be proactive in advocating for the child and getting the right assistance.<sup>46</sup>

An Internet-based learning project connects foster parents with trainers who can answer their questions and give them a framework for dealing with these challenges. The project coordinator will receive requests for training and will quickly identify individuals who are available to provide that training. These may be subject matter experts, like doctors, psychologists, lawyers,

---

<sup>44</sup> Center for Law and Social Policy. *Fostering Connections To Success And Increasing Adoptions Act*. available at [http://www.clasp.org/admin/site/publications/files/FINAL\\_FCSIAA\\_LongSummary.pdf](http://www.clasp.org/admin/site/publications/files/FINAL_FCSIAA_LongSummary.pdf)

<sup>45</sup> Quality Parenting Initiative. Center for Child Welfare. available at <http://qipflorida.cbcs.usf.edu/pages/About/About.html> (last visited March 27, 2013).

<sup>46</sup> *Id.*

or teachers. Or they may be practice experts like other foster parents who have successfully dealt with the same situation.<sup>47</sup>

### **Normalcy**

Each year, approximately 30,000 children in foster care age-out of the foster care system nationwide, typically at 18 years of age. This number has risen steadily in the past decade.<sup>48</sup> In Florida, an average of 1,290 children aged-out of care over the past three years.<sup>49</sup> These are young adults who experienced significant psychological trauma during their formative years, including being neglected and/or abused, being separated from their homes, friends, families, and most things familiar to them.

The foster care system, which has historically focused on safety and concerns about liability, can create barriers to the normalcy of a child's experiences growing up, causing children in care to miss out on many rites of passage common to their peers.<sup>50</sup> Getting a first job, participating in sports, going camping with friends, and even going to the prom are all examples of activities that, while may be a normal part of growing up for most children and teenagers, are not always readily available to many foster youth.<sup>51</sup>

These problems are often compounded for children in care who live their teen years in group homes. They often do not benefit from normal growing-up experiences which help prepare children and youth for adult life that many children take for granted, such as seeing an adult pay bills each month, do the laundry, buy groceries, pay taxes, arrange for car insurance, or undertake the dozens of other mundane tasks required to run a household.<sup>52</sup>

### **Administration of Independent Living Transition Services**

The DCF and CBC lead agencies are responsible for dependency proceedings and managing and providing child protection, foster care, and adoption services. Foster care services include a range of independent living services. Section 409.1451, F.S., requires the DCF to adopt by rule procedures to administer the independent living transition services program, including balancing the goals of normalcy and safety for children and providing caregivers with as much flexibility as possible to enable a child to participate in normal life experiences. The current rule, relating to licensed out of home caregiver roles, provides that:

- Children in licensed out-of-home care shall be afforded every opportunity for social development, recreation, and normalization of their lives. Children in licensed out of home care may attend overnight or planned outings if such activities are determined to be safe and

---

<sup>47</sup> *Id.*

<sup>48</sup> Congressional Coalition on Adoption Institute. Fact Sheet. (2011), available at <http://www.ccaainstitute.org/why-we-do-it/facts-and-statistics.html> (last visited Jan. 28, 2013).

<sup>49</sup> Provided as part of a data request from Senate Children, Families, and Elder Affairs staff to the Department of Children and Families. Response received on Dec. 21, 2012.

<sup>50</sup> Martha Shirk and Gary Stangler, *On Their Own*, Basic Books (2004).

<sup>51</sup> *Id.*

<sup>52</sup> First Star and Children's Advocacy Institute of the University of San Diego School of Law. *The Fleecing of Foster Children: How We Confiscate Their Assets and Undermine Their Financial Security*. (2011). available at [http://www.caichildlaw.org/Misc/Fleecing\\_Report\\_Final\\_HR.pdf](http://www.caichildlaw.org/Misc/Fleecing_Report_Final_HR.pdf) (last visited Jan. 28, 2013).

appropriate by the licensed out-of-home caregiver. The services worker must be notified of the activity.

- The licensed out of home caregiver may allow foster children to experience circumstances without adult supervision depending on the child's age, maturity, and ability to make appropriate decisions. The licensed out of home caregiver must be prudent and conscientious about circumstances where the child is granted independence, including trips to the movies, mall, athletic events, and work.
- Overnight trips exceeding one night must be approved by the child's services worker and must not interfere with visitation schedules.
- Background checks for dating and outings, such as school field trips, Cub Scout camp-outs, and activities with friends, families, school, and church groups, are not necessary for participation in normal school or community activities.<sup>53</sup>

The DCF has proposed changes to the rule relating to licensed out of home caregiver roles. However, these changes do not appear to substantively change provisions relating to normalcy. In addition, former secretaries and the current secretary of the DCF have issued memoranda requiring CBC lead agencies and their providers to implement policies related to normalcy.<sup>54</sup> In general, foster teens continue to report that the effort to establish a more normal living environment is still lagging.<sup>55</sup>

### III. Effect of Proposed Changes:

The bill creates an option for young adults who have not found permanency before turning 18 years of age to remain in care up to the age of 21 in order to finish high school, earn a GED, pursue postsecondary education, or begin a career. The bill also restructures the Road-To-Independence Program, strengthens the role and authority of foster parents and group home parents, and codifies the concept of normalcy for children in care. Specifically, the bill provides the following:

**Section 1** amends s. 39.013, F.S., to give circuit courts jurisdiction of any child found to be dependent until the child reaches 21 years of age, unless the young adult chooses to leave foster care upon turning 18 years old or the young adult becomes ineligible for foster care, among other exceptions in current law.

**Section 2** amends s. 39.6013, F.S., relating to case plans to conform a reference.

**Section 3** creates s. 39.6035, F.S., which requires the creation of a transition plan after the 17th birthday of a child in foster care that will be reviewed and updated as necessary until the child leaves care. The transition plan must address specific options for the child to use in obtaining services, including housing, health insurance, education, workforce support, and employment services. The plan must also consider establishing and maintaining naturally occurring mentoring relationships and other personal support services.

---

<sup>53</sup> Rule 65C-13.029, F.A.C.

<sup>54</sup> See Memorandum from Lucy Hadi dated Aug. 31, 2005, Memorandum from George Sheldon dated Sept. 3, 2010, and Memorandum from David Wilkins dated Jan. 20, 2012. (on file with the Senate Children, Families, and Elder Affairs Committee).

<sup>55</sup> Independent Living Services Advisory Council, Annual Report, 2012.

**Section 4** creates s. 39.6251, F.S., which:

- Defines “child” as an individual who has not attained 21 years of age;
- Defines “young adult” as an individual who has attained 18 years of age but who has not attained 21 years of age;
- Provides that a child who is living in licensed care on his or her 18th birthday and who has not achieved permanency under s. 39.621, F.S., is eligible to remain in licensed care if he or she is:
  - Completing secondary education or a program leading to an equivalent credential;
  - Enrolled in an institution that provides postsecondary or vocational education;
  - Participating in a program or activity designed to promote or eliminate barriers to employment;
  - Employed for at least 80 hours per month; or
  - Unable to participate in programs or activities listed above full time due to a physical, intellectual, emotional, or psychiatric condition that limits participation;
- Requires a young adult choosing to remain in care beyond age 18 to reside in a supervised living environment, approved by the DCF or a CBC lead agency as a setting consistent with the young adult’s needs and goals for education, health care, permanency, and independent living, which may include:
  - A licensed foster home;
  - A licensed group home;
  - A college dormitory;
  - Shared housing; or
  - An apartment;
- Requires 24-hour crisis intervention and support to be available for a young adult choosing to remain in care beyond age 18;
- Provides that eligibility for a young adult to remain in extended foster care ends on the earliest of the dates that the young adult:
  - Reaches 21 years of age, or, in the case of a young adult with a disability, reaches 22 years of age;
  - Leaves care to live in a permanent home consistent with his or her permanency plan; or
  - Knowingly and voluntarily withdraws his or her consent to participate in extended foster care;
- Provides that a young adult who has voluntarily withdrawn from extended care may return to care by applying to a CBC lead agency for readmission;
- Requires a CBC lead agency to provide regular case management reviews that ensure contact with a case manager at least monthly while a young adult participates in extended foster care;
- Provides that the court with jurisdiction over the young adult’s dependency prior to extended foster care will maintain jurisdiction during extended foster care to ensure that the DCF and lead agencies are providing services and coordinating with other agencies involved in implementing the young adult’s case plan, education plan, and transition plan;
- Requires the court to review the young adult’s status at least every six months and hold a permanency hearing at least annually;
- Authorizes the court to appoint a guardian ad litem with the young adult’s consent; and
- Requires the DCF to establish a procedure for a young adult to appeal a determination of non-eligibility for extended foster care made by a CBC lead agency.

**Section 5** amends s. 39.701, F.S., to revise provisions relating to judicial review of child dependency cases by establishing specific parameters for judicial review involving 17-year-olds, in addition to general parameters for judicial review of cases involving all children under 18 years of age.

**Section 6** amends s. 409.145, F.S., to codify the concept that quality parenting is a core function of the system of care required of the DCF. The bill recognizes the effectiveness of the Quality Parenting Initiative in Florida by:

- Relieving caseworkers of many responsibilities associated with independent living services for children from age 13 through age 17, transferring those duties to the foster parents and group home parents, and eliminating the need to contract for those services;
- Providing requirements and expectations for foster parents and group home parents and providers;
- Providing requirements and expectations for the DCF, CBC lead agencies, and their providers;
- Requiring adequate training and support for foster parents, inclusion of foster parents in a full and equal respectful partnership with other participants in the child welfare system, and authority to assist in meeting the goals of the child and the family;
- Requiring the same education, training, background, and other screening requirements for group home staff as foster parents;
- Codifying the room and board rates for foster parents and providing for an annual cost of living adjustment; and
- Requiring the CBE lead agencies to pay a supplemental room and board payment to foster parents for providing independent living skills and normalcy supports to children who are 13 through 17 years of age.

The bill requires specific information about a child to be shared with foster parents and group home parents and provides requirements related to transitioning a child from one placement to another.

The bill makes numerous changes relating to normalcy for children in foster care, including:

- Providing legislative findings and intent that recognize the importance of normalizing the lives of children in foster care;
- Providing definitions for the terms “age-appropriate,” “caregiver,” and “reasonable and prudent parent standard;”
- Requiring verification by the DCF and the CBC lead agencies that private providers have policies in place promoting and protecting the concept of normalcy;
- Establishing a reasonable and prudent parent standard of care and provides for application of the standard;
- Protecting caregivers who apply the reasonable and prudent parent standard from liability; and
- Eliminating the current requirements to develop a normalcy plan and quarterly updates for children in foster care and replacing them with an assessment of normalcy goals and objectives at each judicial review.



**Section 7** amends s. 409.1451, F.S., with substantial rewording of the section, to restructure the RTI program to accommodate the differing needs of young adults who either remain in foster care or leave in pursuit of a postsecondary skill, trade, or higher education.

Under the bill, a young adult is eligible for RTI services and support under the bill if he or she:

- Was living in licensed care on his or her 18th birthday or is currently living in licensed care, or was at least 16 years of age and was adopted from foster care or placed with a court-approved dependency guardian after spending at least six months in licensed care within the 12 months immediately preceding placement or adoption;
- Spent at least six months in licensed care before reaching his or her 18th birthday;
- Earned a standard high school diploma or its equivalent;
- Has been admitted as a full-time student<sup>56</sup> to an eligible postsecondary educational institution based on Florida Bright Futures Scholarship Program standards;<sup>57</sup>
- Is between 18 and 22 years old;
- Has applied, with assistance from a caregiver and community-based lead agency, for any other eligible grants and scholarships;
- Has submitted a Free Application for Federal Student Aid (FAFSA) form which is complete and error-free; and
- Has signed an agreement to give the DCF and the CBC lead agency access to school records.

The amount of financial assistance provided for pursuing postsecondary education depends on whether a young adult remains in care and whether he or she continues to live in a licensed foster home, licensed group home, or another supervised living arrangement:

- For a young adult who does not remain in foster care and is attending a postsecondary school, the amount is \$1,256 monthly.
- For a young adult who remains in foster care, and continues to reside in a licensed foster home, the amount is the established room and board rate for foster parents.
- For a young adult who remains in foster care, but temporarily resides away from a licensed foster home to attend a postsecondary school, the amount is \$1,256 monthly, which takes the place of the foster care room and board payment.
- For a young adult who remains in foster care, is attending a postsecondary school, and continues to reside in a licensed group home, the amount is negotiated between the CBC lead agency and the licensed group home provider.
- For a young adult who remains in foster care, but temporarily resides away from a licensed group home for purposes of attending a postsecondary school, the amount is \$1,256 monthly, which takes the place of a negotiated room and board rate.

---

<sup>56</sup> For purposes of this section, the term “full-time” means 9 credit hours or the vocational school equivalent. A student may enroll part-time if he or she has a recognized disability or is faced with another challenge or circumstance that would prevent full-time attendance. A student needing to enroll part-time for any reason other than having a recognized disability must get approval from his or her academic advisor.

<sup>57</sup> Section 1009.533, F.S., defines an eligible postsecondary institution as a state public university, a college system institution, a career center, or a private college, university, or institution with certain accreditation.

A young adult is eligible to receive financial assistance while enrolled in a postsecondary educational institution.

Payment of financial assistance for a young adult who is not in foster care and is attending a postsecondary school, is made to the CBC lead agency in order to secure housing and utilities, with the balance paid directly to the young adult until the lead agency and the young adult determine that the young adult can successfully manage the full amount of the assistance. Payment of financial assistance for a young adult who remains in extended foster care and is attending postsecondary school, is made directly to the foster parent or group home provider. Community-based care lead agencies or other contracted providers are prohibited from charging a fee associated with administering the Road-to-Independence payments.

The bill provides for an annual evaluation for renewal eligibility to receive financial assistance and provides criteria necessary to continue the assistance. Circumstances under which financial assistance may be terminated are provided and a young adult may apply for reinstatement to the program an unlimited number of times if the application is made before the young adult reaches 23 years of age.

The bill provides for aftercare services for young adults who have chosen not to remain in foster care after reaching 18 years of age and who are not receiving financial assistance under this program to pursue postsecondary education. Aftercare services include, but are not limited to, the following:

- Mentoring and tutoring;
- Mental health services and substance abuse counseling;
- Life skills classes, including credit management and preventive health activities;
- Parenting classes;
- Job and career skills training;
- Counselor consultations;
- Temporary financial assistance for emergency situations; and
- Financial literacy skills training.

A young adult from age 18 through age 22 who leaves foster care at 18 years of age may request services before reaching 23 years of age. The bill provides for portability of services and support for children and young adults who relocate within the state and provides for a transition for those young adults who entered the program under current law.

**Section 8** amends s. 409.175, F.S., related to the licensure of family foster homes, to include young adults participating in extended foster care in the total number of children placed in a home.

**Section 9** amends s. 409.903, F.S., related to Medicaid payments, to revise a statutory reference to conform to other changes in the bill.

**Section 10** creates a non-statutory provision of law to require collaboration between the DCF and colleges and universities for an educational support program for young adults who are or have been in the foster care system. Positions for this program are to be education employees.

**Section 11** creates a non-statutory provision of law requiring that, effective October 1, 2013, a child or young adult who is participating in the RTI program may continue in the program as it exists through December 31, 2013. Effective January 1, 2014, a child or young adult participating in the program must transfer to RTI services as altered under the bill and his or her monthly stipend may not be reduced, the stipend's method of payment may not be changed, and a young adult participating in the program may not be required to change his or her living arrangement. These conditions will remain in effect until the participant ceases to meet the eligibility requirements under which he or she entered the program. A child or young adult applying or reapplying for the program on or after October 1, 2013, is eligible for program services as altered under the bill.

**Section 12** creates a non-statutory provision of law to require that the DCF in collaboration with the Florida Foster and Adoptive Parent Association and the Quality Parenting Initiative design and disseminate training for caregivers on the life skills necessary for youth in the foster care system.

**Section 13** provides an effective date of January 1, 2014.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill will require termination or non-renewal of most, if not all, of the contracts between CBC lead agencies and providers for IL services for children from age 13 through age 17.

The bill also has the potential to reduce the workload of caseworkers and IL case managers which could either result in those staff having more time to spend on other duties or a reduction in the number of those positions.

The bill may result in an increased cost of staff training for providers that operate group homes, particularly those using a shift care model.

**C. Government Sector Impact:**

The fiscal impact of the bill to the state will be determined by individual choices young adults in the foster care system make and the types of services they may require. The main choices young adults in foster care will make are whether to stay in care and whether to pursue postsecondary education. Over the last three years, an average of 1,290 young adults left foster care at age 18. Table 5 below shows the estimated fiscal impact to the overall costs of foster care services if *all* young adults in the foster care system decided at age 18 to stay in care. The costs shown are estimates of expenditures by the CBC lead agencies that serve this group.

**Table 5.**

<b>ALL YOUNG ADULTS STAY IN CARE</b>	<b>FY 2011-12 EXPENDITURES</b>	<b>EFFECT OF BILL</b>	<b>ESTIMATED ANNUAL COSTS</b>	<b>NOTES</b>
IL Case Mtg./Life Skills Training	13,066,982	(7,936,848)	5,130,134	No IL case mgt./Life Skills Training costs for youth age 13-17. Remaining costs are for IL case mgt. for grandfathered youth.
Subsidized IL	276,761	(276,761)		No more subsidized living.
Aftercare Services	628,794	(628,794)		No aftercare needed as all young adults stay in care.
Transitional Support Services	5,208,321	(5,208,321)		All stay in care, no transition support until 18 years olds reach 21.
RTI Stipends	29,858,300	(9,808,128)	20,050,172	55% of current RTI participants are completing high school with an average payment of \$1,152/month. Of 1,290 young adults reaching age 18, 710 (55%) would be ineligible for RTI due to not completing high school. Reduced costs = 710*\$1,152*12. Remaining costs for grandfathered young adults.
RTI/room and board for new eligible young adults	N/A	14,969,315	14,969,315	1,290 young adults at \$515 per month for foster care, \$1,256 for group home care. Used ratio of 61/39, group care to foster care.
Case mgt. for 18-20 year olds	N/A	3,234,030	3,234,030	Current cost of case mgt. for IL for 18-23 year olds is \$2,507 per year. \$2,507 per client per year for 1,290 young adults.
<b>TOTAL</b>	<b>49,039,158</b>	<b>(5,655,507)</b>	<b>43,383,651</b>	

Table 6 shows the estimated fiscal impact of the bill if *half* of the estimated 1,290 young adults in foster care choose to remain in foster care.

**Table 6.**

<b>HALF OF YOUNG ADULTS STAY IN CARE</b>	<b>FY 2011-12 EXPENDITURES</b>	<b>EFFECT OF BILL</b>	<b>ESTIMATED ANNUAL COSTS</b>	<b>NOTES</b>
IL Case Mgt./Life Skills Training	13,066,982	(7,936,848)	5,130,134	No IL case mgt./Life Skills Training costs for youth age 13-17. Remaining costs are for IL case mgt. for grandfathered youth.
Subsidized IL	276,761	(276,761)		No more subsidized living.
Aftercare Services	628,794	(314,397)	314,397	Services reduced by half to reflect half of formerly aging out youth staying in care.
Transitional Support Services	5,208,321	(2,604,161)	2,604,161	Services reduced by half to reflect half of formerly aging out youth staying in care.
RTI Stipends	29,858,300	(9,808,128)	20,050,172	55% of current RTI participants are completing high school with an average payment of \$1,152/month. Of 1,290 young adults reaching age 18, 710 (55%) would be ineligible for RTI due to not completing high school. Reduced costs = 710*\$1,152*12. Remaining costs for grandfathered young adults.
RTI/room and board for new eligible young adults	N/A	11,859,305	11,859,305	Cost for 645 young adults in care is \$7.5 m. \$515 per month for foster care, \$1,256 for group home care. Used ratio of 61/39, group care to foster care. Cost for 645 leaving care is \$4.3 m, estimated 45% will qualify for RTI at \$1,256 per month.
Cast mgt. for 18-20 year olds	N/A	1,617,015	1,617,015	Current cost of case mgt. for IL for 18-23 year olds is \$2,507 per year. \$2,507 per client per year for 645 young adults.
<b>TOTAL</b>	49,039,158	(7,463,975)	41,575,184	

Table 7 shows the estimated fiscal impact if *none* of the 1,290 young adults in foster care decide to stay in care. Costs will be incurred for some of these young adults as they would qualify for the RTI program. Others leaving care may need transitional support.

**Table 7.**

<b>NONE OF YOUNG ADULTS STAY IN CARE</b>	<b>FY 2011-12 EXPENDITURES</b>	<b>EFFECT OF BILL</b>	<b>ESTIMATED ANNUAL COSTS</b>	<b>NOTES</b>
IL Case Mtg./Life Skills Training	13,066,982	(7,936,848)	5,130,134	No IL case mgt./Life Skills Training costs for youth age 13-17. Remaining costs are for IL case mgt. for grandfathered youth.
Subsidized IL	276,761	(276,761)		No more subsidized living.
Aftercare Services	628,794		628,794	Costs remain same.
Transitional Support Services	5,208,321	4,400,190	9,608,511	All 1,290 leave care. Cost is \$3,411 per year per client (1,290*\$3,411).
RTI Stipends	29,858,300	(9,808,128)	20,050,172	55% of current RTI participants are completing high school with an average payment of \$1,152/month. Of 1,290 young adults reaching age 18, 710 (55%) would be ineligible for RTI due to not completing high school. Reduced costs = 710*\$1,152*12. Remaining costs for grandfathered young adults.
RTI/room and board for new eligible young adults	N/A	8,741,760	8,741,760	45% of 1,290 18 year olds would be eligible for RTI at a cost of \$1,256 per month. (580*\$1,256)*12.
Cast mgt. for 18-20 year olds	N/A	1,454,060	1,454,060	\$2,507 per client for case mgt. for 45% of 1,290 who would qualify for RTI (580).
<b>TOTAL</b>	49,039,158	(3,425,727)	45,613,431	

Finally, to account for inflation, the bill requires an increase in dollar amount based on the annual consumer price index of foster care payments to licensed foster homes. The DCF reports that in Fiscal Year 2011-2012, \$47,608,375 was spent on foster home room and board payments. According to the U.S. Department of Labor's Bureau of Labor Statistics, the most recent consumer price index for the south region was 1.7 percent. Using this figure, the cost of increasing foster care payments for the first year of the bill is \$404,671. The increase would begin on January 1, 2014. A full year cost for such an adjustment would be \$809,342.

IL expenditures total about \$49 million annually, which exceeds the authorized budget for CBC lead agencies to spend on IL services by about \$20 million. The excessive cost is absorbed each year by the CBC lead agencies. Reducing IL costs would not necessarily result in a reduction to CBC lead agency expenditures but would likely reduce the

amount of excessive spending on IL services, possibly providing more flexibility for funding other critical needs.

To the extent that more 18-to-20-year-old foster children stay in care, the court may see an increase in the number of judicial review hearings.<sup>58</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Appropriations on April 18, 2013:**

The CS makes the following changes to the bill:

- Amends provisions relating to case plans to conform a reference;
- Provides for a supplemental room and board payment to foster parents for providing independent life skills to children who are age 13 through 17;
- Defines “full-time” student and provides exceptions to full-time attendance;
- Clarifies that educational campus coaching positions are education employees;
- Requires the DCF, in collaboration with the Florida Foster and Adoptive Parent Association and the Quality Parenting Initiative, to design and disseminate training for caregivers on the life skills necessary for youth in the foster care system;
- Prohibits community-based care lead agencies or other contracted providers from charging a fee associated with administering the Road-to-Independence payments;
- Removes the requirement for the creation of a special budget category for independent living funding; and
- Changes the effective date of the bill to January 1, 2014.

- B. **Amendments:**

None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

---

---

<sup>58</sup> Office of the State Courts Administrator, *2013 Judicial Impact Statement* (March 11, 2013).