

1                   A bill to be entitled  
2           An act relating to child welfare; 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 by a specified date;  
10          requiring the department and community-based care lead  
11          agencies to document strategies taken to engage  
12          relatives and kin; providing strategies to engage  
13          relatives and kin; requiring the department and  
14          community-based care lead agencies to use diligent  
15          efforts in family finding; providing that certain  
16          actions do not constitute family finding; requiring  
17          determinations by the court; requiring the department  
18          to adopt rules; amending s. 39.402, F.S.; requiring  
19          the court to request that parents consent to providing  
20          access to additional records; requiring a judge to  
21          appoint a surrogate parent for certain children;  
22          requiring the court to place on the record its  
23          determinations regarding the department's or the  
24          community-based lead agency's reasonable engagement in  
25          family finding; providing guidelines for determining

26 | reasonably; amending ss. 39.506; requiring the  
27 | court to make a determination regarding the  
28 | department's or the community-based lead agency's  
29 | reasonable engagement in family finding; providing  
30 | guidelines for determining reasonableness; amending s.  
31 | 39.507 F.S.; requiring the court to make a  
32 | determination regarding the department's or the  
33 | community-based lead agency's reasonable engagement in  
34 | family finding; providing guidelines for determining  
35 | reasonableness; requiring the court to advise parents  
36 | that their parental rights may be terminated and the  
37 | child's out-of-home placement may become permanent  
38 | under certain circumstances; amending s. 39.5085,  
39 | F.S.; providing legislative findings and intent;  
40 | defining terms; requiring the department to provide  
41 | financial assistance to kinship caregivers who meet  
42 | certain requirements; providing eligibility criteria  
43 | for such financial assistance; providing that children  
44 | living with caregivers who are receiving financial  
45 | assistance are eligible for Medicaid coverage;  
46 | providing the purpose of a kinship navigator program;  
47 | requiring each community-based care lead agency to  
48 | establish a kinship navigator program by a certain  
49 | date; providing requirements for programs; requiring  
50 | the department to adopt rules; deleting provisions

51 related to the Relative Caregiver Program; amending s.  
52 39.521, F.S.; requiring the court to make a  
53 determination regarding the department's or the  
54 community-based lead agency's reasonable engagement in  
55 family finding ; providing guidelines for determining  
56 reasonableness; conforming provisions to changes made  
57 by the act; amending s. 39.6012, F.S.; revising the  
58 types of records that must be attached to a case plan  
59 and updated throughout the judicial review process;  
60 requiring that documentation of the family-finding  
61 efforts of the department and the community-based care  
62 lead agency be included in certain case plans;  
63 amending s. 39.604, F.S.; revising legislative  
64 findings and intent; providing requirements and  
65 procedures for referring certain children to the Early  
66 Steps Program; requiring the Early Steps Program to  
67 screen or evaluate all children referred to the  
68 program by the department or its contracted agencies;  
69 requiring the service coordinator of the Early Steps  
70 Program to forward certain information to the  
71 department and the community-based care lead agency;  
72 requiring the dependency court to appoint a surrogate  
73 parent for certain children under certain  
74 circumstances; requiring the department or a  
75 community-based care lead agency to refer a child to

76 | the Child Find program of the Florida Diagnostic and  
77 | Learning Resources System under certain circumstances;  
78 | requiring a caregiver to choose certain providers to  
79 | care for children in out-of-home care; revising  
80 | enrollment and attendance requirements for children in  
81 | an early education or child care program; conforming  
82 | cross-references; providing requirements and  
83 | procedures for maintaining the educational stability  
84 | of a child during the child's placement in out-of-home  
85 | care, or subsequent changes in out-of-home placement;  
86 | requiring that a child's transition from a child care  
87 | or early education program be pursuant to a plan that  
88 | meets certain requirements; amending s. 39.701, F.S.;  
89 | requiring the court to appoint a surrogate parent if  
90 | the child is under the age of school entry; requiring  
91 | the court to determine if the department and  
92 | community-based lead agency has continued to  
93 | reasonably engaged in family finding; providing  
94 | guidelines for determining the level of  
95 | reasonableness; amending ss. 414.045 and 1009.25,  
96 | F.S.; conforming provisions to changes made by the  
97 | act; providing effective dates.

98 |  
99 | Be It Enacted by the Legislature of the State of Florida:  
100 |

101 Section 1. Effective January 1, 2019, section 39.4015,  
102 Florida Statutes, is created to read:

103 39.4015 Family finding.-

104 (1) LEGISLATIVE FINDINGS AND INTENT.-

105 (a) The Legislature finds that every child who is in out-  
106 of-home care has the goal of finding a permanent home, whether  
107 achieved by reunifying the child with his or her parents or  
108 finding another permanent connection, such as adoption or legal  
109 guardianship with a relative or nonrelative who has a  
110 significant relationship with the child.

111 (b) The Legislature finds that while legal permanency is  
112 important to a child in out-of-home care, emotional permanency  
113 helps increase the likelihood that children will achieve  
114 stability and well-being and successfully transition to  
115 independent adulthood.

116 (c) The Legislature also finds that research has  
117 consistently shown that placing a child within his or her own  
118 family reduces the trauma of being removed from his or her home,  
119 is less likely to result in placement disruptions, and enhances  
120 prospects for finding a permanent family if the child cannot  
121 return home.

122 (d) The Legislature further finds that the primary purpose  
123 of family finding is to facilitate legal and emotional  
124 permanency for children who are in out-of-home care by finding  
125 and engaging their relatives.

126        (e) It is the intent of the Legislature that every child  
127 in out-of-home care be afforded the advantages that can be  
128 gained from the use of family finding to establish caring and  
129 long-term or permanent connections and relationships for  
130 children and youth in out-of-home care, as well as to establish  
131 a long-term emotional support network with family members and  
132 other adults who may not be able to take the child into their  
133 home but who want to stay connected with the child.

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

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

139        (b) "Family finding" means an intensive relative search  
140 and engagement technique used in identifying family and other  
141 close adults for children in out-of-home care and involving them  
142 in developing and carrying out a plan for the emotional and  
143 legal permanency of a child.

144        (c) "Family group decisionmaking" is a generic term that  
145 includes a number of approaches in which family members and  
146 fictive kin are brought together to make decisions about how to  
147 care for their children and develop a plan for services. The  
148 term includes family team conferencing, family team meetings,  
149 family group conferencing, family team decisionmaking, family  
150 unity meetings, and team decisionmaking, which may consist of

151 several phases and employ a trained facilitator or coordinator.

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

156 (3) FAMILY-FINDING PROGRAM.—The department, in  
157 collaboration with sheriffs' offices that conduct child  
158 protective investigations and community-based care lead  
159 agencies, shall develop a formal family-finding program to be  
160 implemented statewide by child protective investigators and  
161 community-based care lead agencies.

162 (a) Family finding is required as soon as a child comes to  
163 the attention of the department and throughout the duration of  
164 the case, and finding and engaging with as many family members  
165 and fictive kin as possible for each child who may help with  
166 care or support for the child is considered a best practice. The  
167 department or community-based care lead agency must specifically  
168 document strategies taken to locate and engage relatives and  
169 kin. Strategies of engagement may include, but are not limited  
170 to, asking the relatives and kin to:

171 1. Participate in a family group decisionmaking  
172 conference, family team conferencing, or other family meetings  
173 aimed at developing or supporting the family service plan;

174 2. Attend visitations with the child;

175 3. Assist in transportation of the child;

176        4. Provide respite or child care services; or  
 177        5. Provide actual kinship care.  
 178        (b) The department and the community-based care lead  
 179 agencies must use diligent efforts in family finding, must  
 180 continue those efforts until multiple relatives and kin are  
 181 identified, and must go beyond basic searching tools by  
 182 exploring alternative tools and methodologies. Efforts by the  
 183 department and the community-based care lead agency may include,  
 184 but are not limited to:  
 185            1. Searching for and locating adult relatives and kin.  
 186            2. Identifying and building positive connections between  
 187 the child and the child's relatives and fictive kin.  
 188            3. Supporting the engagement of relatives and fictive kin  
 189 in social service planning and delivery of services and creating  
 190 a network of extended family support to assist in remedying the  
 191 concerns that led to the child becoming involved with the child  
 192 welfare system, when appropriate.  
 193            4. Maintaining family connections, when possible.  
 194            5. Keeping siblings together in care, when in the best  
 195 interest of each child and when possible.  
 196        (c) A basic computer search using the Internet or attempts  
 197 to contact known relatives at a last known address or telephone  
 198 number do not constitute effective family finding.  
 199        (d) The court's inquiry and determination regarding family  
 200 finding should be made at each stage of the case, including a



201 shelter hearing conducted pursuant to s. 39.402. The court shall  
202 place its determinations on the record as to whether the  
203 department or community-based care lead agency has reasonably  
204 engaged in family finding. The level of reasonableness is to be  
205 determined by the length of the case and the amount of time the  
206 department or community-based care lead agency has had to begin  
207 or continue the process.

208 (4) RULEMAKING.—The department shall adopt rules to  
209 implement this section.

210 Section 2. Paragraphs (c) and (d) of subsection (11) of  
211 section 39.402, Florida Statutes, and subsection (17) of that  
212 section are amended to read:

213 39.402 Placement in a shelter.—

214 (11)

215 (c) The court shall request that the parents consent to  
216 provide access to the child's child care records, early  
217 education program records, or other educational records and  
218 provide information to the court, the department or its contract  
219 agencies, and any guardian ad litem or attorney for the child.  
220 If a parent is unavailable or unable to consent or withholds  
221 consent and the court determines access to the records and  
222 information is necessary to provide services to the child, the  
223 court shall issue an order granting access.

224 (d) The court may appoint a surrogate parent or may refer  
225 the child to the district school superintendent for appointment

226 of a surrogate parent if the child has or is suspected of having  
227 a disability and the parent is unavailable pursuant to s.  
228 39.0016(3)(b). If the child is under the age of school entry,  
229 the court must make the appointment.

230 (17) At the shelter hearing, the court shall inquire of  
231 the parent whether the parent has relatives who might be  
232 considered as a placement for the child. The parent shall  
233 provide to the court and all parties identification and location  
234 information regarding the relatives. The court shall advise the  
235 parent that the parent has a continuing duty to inform the  
236 department of any relative who should be considered for  
237 placement of the child. The court shall place its determinations  
238 on the record as to whether the department or community-based  
239 care lead agency has reasonably engaged in family finding. The  
240 level of reasonableness is to be determined by the length of the  
241 case and amount of time the department or community-based care  
242 lead agency has had to begin or continue the process.

243 Section 3. Present subsection (9) of section 39.506,  
244 Florida Statutes, is redesignated as subsection (10), and a new  
245 subsection (9) is added to that section, to read:

246 39.506 Arraignment hearings.—

247 (9) The court shall review whether the department or  
248 community-based care lead agency has reasonably engaged in  
249 family finding and make a written determination as to its  
250 findings. The level of reasonableness is determined by the

251 length of the case and amount of time the department or  
252 community-based care lead agency has had to begin or continue  
253 the process.

254 Section 4. Paragraphs (c) and (d) of subsection (7) of  
255 section 39.507, Florida Statutes, are amended to read:

256 39.507 Adjudicatory hearings; orders of adjudication.—

257 (7)

258 (c) If a court adjudicates a child dependent and the child  
259 is in out-of-home care, the court shall inquire of the parent or  
260 parents whether the parents have relatives who might be  
261 considered as a placement for the child. ~~The court shall advise~~  
262 ~~the parents that, if the parents fail to substantially comply~~  
263 ~~with the case plan, their parental rights may be terminated and~~  
264 ~~that the child's out-of-home placement may become permanent.~~ The  
265 parent or parents shall provide to the court and all parties  
266 identification and location information of the relatives. The  
267 court shall review whether the department or community-based  
268 care lead agency has reasonably engaged in family finding and  
269 make a written determination as to its findings. The level of  
270 reasonableness is determined by the length of the case and  
271 amount of time the department or community-based care lead  
272 agency has had to begin or continue the process.

273 (d) The court shall advise the parents that, if they fail  
274 to substantially comply with the case plan, their parental  
275 rights may be terminated and that the child's out-of-home

276 placement may become permanent.

277 Section 5. Effective January 1, 2019, section 39.5085,  
278 Florida Statutes, is amended to read:

279 39.5085 Kinship Care ~~Relative Caregiver~~ Program.—

280 (1) LEGISLATIVE FINDINGS AND INTENT.—

281 (a) The Legislature finds that an increasing number of  
282 relatives and fictive kin are assuming the responsibility of  
283 raising children because the parents of these children are  
284 unable to care for them.

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

290 (c) The Legislature finds that children living with  
291 kinship caregivers experience increased placement stability, are  
292 less likely to reenter care if they are reunified with their  
293 parents, and have better behavioral and mental health outcomes.

294 (d) The Legislature further finds that these kinship  
295 caregivers may face a number of difficulties and need assistance  
296 to support the health and well-being of the children they care  
297 for. These needs include, but are not limited to, financial  
298 assistance, legal assistance, respite care, child care,  
299 specialized training, and counseling.

300 (e) It is the intent of the Legislature to provide for the

301 establishment and implementation of procedures and protocols  
302 that are likely to increase and adequately support appropriate  
303 and safe kinship care placements.

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

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

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

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

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

- 317 1. Is related to the child within the fifth degree by  
318 blood or marriage to the parent or stepparent of the child; or  
319 2. Is related to a half-sibling of that child within the  
320 fifth degree by blood or marriage to the parent or stepparent.

321 (3) FINANCIAL ASSISTANCE.—The department shall provide  
322 financial assistance to all caregivers who qualify under this  
323 subsection.

324 (a) Relatives or fictive kin caring for a child who has  
325 been placed with them by the court shall receive a monthly

326 caregiver benefit, beginning when the child is placed with them.  
327 The amount of the benefit payment is based on the child's age  
328 within a payment schedule established by rule of the department.  
329 The cost of providing the assistance described in this section  
330 to any caregiver may not exceed the cost of providing out-of-  
331 home care in emergency shelter or foster care.

332 (b) Caregivers who receive assistance under this section  
333 must be capable, as determined by a home study, of providing a  
334 physically safe environment and a stable, supportive home for  
335 the children under their care and must assure that the  
336 children's well-being is met, including, but not limited to, the  
337 provision of immunizations, education, and mental health  
338 services, as needed.

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

342 (d) Children receiving cash benefits under this section  
343 are not eligible to simultaneously receive WAGES cash benefits  
344 under chapter 414.

345 (e) A caregiver may not receive a benefit payment if the  
346 parent or stepparent of the child resides in the home. However,  
347 a caregiver may receive the benefit payment for a minor parent  
348 who is in his or her care, as well as for the minor parent's  
349 child, if both children have been adjudicated dependent and meet  
350 all other eligibility requirements. If the caregiver is

351 receiving a benefit payment when a parent, other than an  
352 eligible minor parent, or stepparent moves into the home, the  
353 payment must be terminated no later than the first day of the  
354 month following the move, allowing for 10-day notice of adverse  
355 action.

356 (f) Children living with caregivers who are receiving  
357 assistance under this section are eligible for Medicaid  
358 coverage.

359 (4) ADDITIONAL ASSISTANCE AND SERVICES.—

360 (a) The purpose of a kinship navigator program is to help  
361 relative caregivers and fictive kin in the child welfare system  
362 to navigate the broad range of services available to them and  
363 the children from public, private, community, and faith-based  
364 organizations.

365 (b) By January 1, 2019, each community-based care lead  
366 agency shall establish a kinship navigator program. In order to  
367 meet the requirements of a kinship navigator program, the  
368 program must:

369 1. Be coordinated with other state or local agencies that  
370 promote service coordination or provide information and referral  
371 services, including any entities that participate in the Florida  
372 211 Network, to avoid duplication or fragmentation of services  
373 to kinship care families;

374 2. Be planned and operated in consultation with kinship  
375 caregivers and organizations representing them, youth raised by

376 kinship caregivers, relevant governmental agencies, and relevant  
377 community-based or faith-based organizations;

378 3. Establish a toll-free telephone hotline to provide  
379 information to link kinship caregivers, kinship support group  
380 facilitators, and kinship service providers to:

381 a. One another;

382 b. Eligibility and enrollment information for federal,  
383 state, and local benefits;

384 c. Relevant training to assist kinship caregivers in  
385 caregiving and in obtaining benefits and services; and

386 d. Relevant knowledge related to legal options available  
387 for child custody, other legal assistance, and help in obtaining  
388 legal services.

389 4. Provide outreach to kinship care families, including by  
390 establishing, distributing, and updating a kinship care website,  
391 or other relevant guides or outreach materials; and

392 5. Promote partnerships between public and private  
393 agencies, including schools, community-based or faith-based  
394 organizations, and relevant governmental agencies, to increase  
395 their knowledge of the needs of kinship care families to promote  
396 better services for those families.

397 (5) RULEMAKING.—The department shall adopt rules to  
398 implement this section.

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



401 ~~(a) Provide for the establishment of procedures and~~  
402 ~~protocols that serve to advance the continued safety of children~~  
403 ~~by acknowledging the valued resource uniquely available through~~  
404 ~~grandparents, relatives of children, and specified nonrelatives~~  
405 ~~of children pursuant to subparagraph (2)(a)3.~~

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

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

413 ~~(d) Recognize that permanency in the best interests of the~~  
414 ~~child can be achieved through a variety of permanency options,~~  
415 ~~including permanent guardianship under s. 39.6221 if the~~  
416 ~~guardian is a relative, by permanent placement with a fit and~~  
417 ~~willing relative under s. 39.6231, by a relative, guardianship~~  
418 ~~under chapter 744, or adoption, by providing additional~~  
419 ~~placement options and incentives that will achieve permanency~~  
420 ~~and stability for many children who are otherwise at risk of~~  
421 ~~foster care placement because of abuse, abandonment, or neglect,~~  
422 ~~but who may successfully be able to be placed by the dependency~~  
423 ~~court in the care of such relatives.~~

424 ~~(e) Reserve the limited casework and supervisory resources~~  
425 ~~of the courts and the department for those cases in which~~

426 ~~children do not have the option for safe, stable care within the~~  
427 ~~family.~~

428 ~~(f) Recognize that a child may have a close relationship~~  
429 ~~with a person who is not a blood relative or a relative by~~  
430 ~~marriage and that such person should be eligible for financial~~  
431 ~~assistance under this section if he or she is able and willing~~  
432 ~~to care for the child and provide a safe, stable home~~  
433 ~~environment.~~

434 ~~(2)(a) The Department of Children and Families shall~~  
435 ~~establish, operate, and implement the Relative Caregiver Program~~  
436 ~~by rule of the department. The Relative Caregiver Program shall,~~  
437 ~~within the limits of available funding, provide financial~~  
438 ~~assistance to:~~

439 ~~1. Relatives who are within the fifth degree by blood or~~  
440 ~~marriage to the parent or stepparent of a child and who are~~  
441 ~~earing full-time for that dependent child in the role of~~  
442 ~~substitute parent as a result of a court's determination of~~  
443 ~~child abuse, neglect, or abandonment and subsequent placement~~  
444 ~~with the relative under this chapter.~~

445 ~~2. Relatives who are within the fifth degree by blood or~~  
446 ~~marriage to the parent or stepparent of a child and who are~~  
447 ~~earing full-time for that dependent child, and a dependent half-~~  
448 ~~brother or half-sister of that dependent child, in the role of~~  
449 ~~substitute parent as a result of a court's determination of~~  
450 ~~child abuse, neglect, or abandonment and subsequent placement~~

451 ~~with the relative under this chapter.~~

452 ~~3. Nonrelatives who are willing to assume custody and care~~  
453 ~~of a dependent child in the role of substitute parent as a~~  
454 ~~result of a court's determination of child abuse, neglect, or~~  
455 ~~abandonment and subsequent placement with the nonrelative~~  
456 ~~caregiver under this chapter. The court must find that a~~  
457 ~~proposed placement under this subparagraph is in the best~~  
458 ~~interest of the child.~~

459 ~~4. A relative or nonrelative caregiver, but the relative~~  
460 ~~or nonrelative caregiver may not receive a Relative Caregiver~~  
461 ~~Program payment if the parent or stepparent of the child resides~~  
462 ~~in the home. However, a relative or nonrelative may receive the~~  
463 ~~Relative Caregiver Program payment for a minor parent who is in~~  
464 ~~his or her care, as well as for the minor parent's child, if~~  
465 ~~both children have been adjudicated dependent and meet all other~~  
466 ~~eligibility requirements. If the caregiver is currently~~  
467 ~~receiving the payment, the Relative Caregiver Program payment~~  
468 ~~must be terminated no later than the first of the following~~  
469 ~~month after the parent or stepparent moves into the home,~~  
470 ~~allowing for 10-day notice of adverse action.~~

471  
472 ~~The placement may be court-ordered temporary legal custody to~~  
473 ~~the relative or nonrelative under protective supervision of the~~  
474 ~~department pursuant to s. 39.521(1)(c)3., or court-ordered~~  
475 ~~placement in the home of a relative or nonrelative as a~~

476 ~~permanency option under s. 39.6221 or s. 39.6231 or under former~~  
477 ~~s. 39.622 if the placement was made before July 1, 2006. The~~  
478 ~~Relative Caregiver Program shall offer financial assistance to~~  
479 ~~caregivers who would be unable to serve in that capacity without~~  
480 ~~the caregiver payment because of financial burden, thus exposing~~  
481 ~~the child to the trauma of placement in a shelter or in foster~~  
482 ~~care.~~

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

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

493 ~~(d) Relatives or nonrelatives who are caring for children~~  
494 ~~placed with them by the court pursuant to this chapter shall~~  
495 ~~receive a special monthly caregiver benefit established by rule~~  
496 ~~of the department. The amount of the special benefit payment~~  
497 ~~shall be based on the child's age within a payment schedule~~  
498 ~~established by rule of the department and subject to~~  
499 ~~availability of funding. The statewide average monthly rate for~~  
500 ~~children judicially placed with relatives or nonrelatives who~~

501 ~~are not licensed as foster homes may not exceed 82 percent of~~  
502 ~~the statewide average foster care rate, and the cost of~~  
503 ~~providing the assistance described in this section to any~~  
504 ~~caregiver may not exceed the cost of providing out-of-home care~~  
505 ~~in emergency shelter or foster care.~~

506 ~~(e) Children receiving cash benefits under this section~~  
507 ~~are not eligible to simultaneously receive WAGES cash benefits~~  
508 ~~under chapter 414.~~

509 ~~(f) Within available funding, the Relative Caregiver~~  
510 ~~Program shall provide caregivers with family support and~~  
511 ~~preservation services, flexible funds in accordance with s.~~  
512 ~~409.165, school readiness, and other available services in order~~  
513 ~~to support the child's safety, growth, and healthy development.~~  
514 ~~Children living with caregivers who are receiving assistance~~  
515 ~~under this section shall be eligible for Medicaid coverage.~~

516 ~~(g) The department may use appropriate available state,~~  
517 ~~federal, and private funds to operate the Relative Caregiver~~  
518 ~~Program. The department may develop liaison functions to be~~  
519 ~~available to relatives or nonrelatives who care for children~~  
520 ~~pursuant to this chapter to ensure placement stability in~~  
521 ~~extended family settings.~~

522 Section 6. Paragraph (e) of subsection (1) of section  
523 39.521, Florida Statutes, is amended to read:

524 39.521 Disposition hearings; powers of disposition.—

525 (1) A disposition hearing shall be conducted by the court,

526 | if the court finds that the facts alleged in the petition for  
527 | dependency were proven in the adjudicatory hearing, or if the  
528 | parents or legal custodians have consented to the finding of  
529 | dependency or admitted the allegations in the petition, have  
530 | failed to appear for the arraignment hearing after proper  
531 | notice, or have not been located despite a diligent search  
532 | having been conducted.

533 |       (e) The court shall, in its written order of disposition,  
534 | include all of the following:

- 535 |       1. The placement or custody of the child.  
536 |       2. Special conditions of placement and visitation.  
537 |       3. Evaluation, counseling, treatment activities, and other  
538 | actions to be taken by the parties, if ordered.  
539 |       4. The persons or entities responsible for supervising or  
540 | monitoring services to the child and parent.  
541 |       5. Continuation or discharge of the guardian ad litem, as  
542 | appropriate.  
543 |       6. The date, time, and location of the next scheduled  
544 | review hearing, which must occur within the earlier of:  
545 |       a. Ninety days after the disposition hearing;  
546 |       b. Ninety days after the court accepts the case plan;  
547 |       c. Six months after the date of the last review hearing;  
548 | or  
549 |       d. Six months after the date of the child's removal from  
550 | his or her home, if no review hearing has been held since the

551 child's removal from the home.

552 7. If the child is in an out-of-home placement, child  
553 support to be paid by the parents, or the guardian of the  
554 child's estate if possessed of assets which under law may be  
555 disbursed for the care, support, and maintenance of the child.  
556 The court may exercise jurisdiction over all child support  
557 matters, shall adjudicate the financial obligation, including  
558 health insurance, of the child's parents or guardian, and shall  
559 enforce the financial obligation as provided in chapter 61. The  
560 state's child support enforcement agency shall enforce child  
561 support orders under this section in the same manner as child  
562 support orders under chapter 61. Placement of the child shall  
563 not be contingent upon issuance of a support order.

564 8.a. If the court does not commit the child to the  
565 temporary legal custody of an adult relative, legal custodian,  
566 or other adult approved by the court, the disposition order must  
567 ~~shall~~ include the reasons for such a decision and ~~shall include~~  
568 a written determination as to whether ~~diligent efforts were made~~  
569 ~~by~~ the department and the community-based care lead agency  
570 reasonably engaged in family finding in attempting to locate an  
571 adult relative, legal custodian, or other adult willing to care  
572 for the child in order to present that placement option to the  
573 court instead of placement with the department. The level of  
574 reasonableness is determined by the length of the case and  
575 amount of time the department or community-based care lead

576 agency has had to begin or continue the process.

577       b. If no suitable relative is found and the child is  
578 placed with the department or a legal custodian or other adult  
579 approved by the court, both the department and the court shall  
580 consider transferring temporary legal custody to an adult  
581 relative approved by the court at a later date, but neither the  
582 department nor the court is obligated to so place the child if  
583 it is in the child's best interest to remain in the current  
584 placement.

585

586 ~~For the purposes of this section, "diligent efforts to locate an~~  
587 ~~adult relative" means a search similar to the diligent search~~  
588 ~~for a parent, but without the continuing obligation to search~~  
589 ~~after an initial adequate search is completed.~~

590       9. Other requirements necessary to protect the health,  
591 safety, and well-being of the child, to preserve the stability  
592 of the child's child care, early education program, or any other  
593 educational placement, and to promote family preservation or  
594 reunification whenever possible.

595       Section 7. Paragraph (b) of subsection (2) and paragraph  
596 (a) of subsection (3) of section 39.6012, Florida Statutes, are  
597 amended to read:

598       39.6012 Case plan tasks; services.—

599       (2) The case plan must include all available information  
600 that is relevant to the child's care including, at a minimum:



601 (b) A description of the plan for ensuring that the child  
 602 receives safe and proper care and that services are provided to  
 603 the child in order to address the child's needs. To the extent  
 604 available and accessible, the following health, mental health,  
 605 and education information and records of the child must be  
 606 attached to the case plan and updated throughout the judicial  
 607 review process:

608 1. The names and addresses of the child's health, mental  
 609 health, and educational providers;

610 2. The child's grade level performance;

611 3. The child's school record or, if the child is under the  
 612 age of school entry, any records from a child care program,  
 613 early education program, or preschool program;

614 4. Documentation of compliance or noncompliance with the  
 615 attendance requirements under s. 39.604, if the child is  
 616 enrolled in a child care program, early education program, or  
 617 preschool program;

618 ~~5.4.~~ Assurances that the child's placement takes into  
 619 account proximity to the school in which the child is enrolled  
 620 at the time of placement;

621 ~~6.~~ ~~5.~~ ~~A record of~~ The child's immunizations;

622 ~~7.6.~~ The child's known medical history, including any  
 623 known health problems;

624 ~~8.7.~~ The child's medications, if any; and

625 ~~9.8.~~ Any other relevant health, mental health, and

626 education information concerning the child.

627 (3) In addition to any other requirement, if the child is  
628 in an out-of-home placement, the case plan must include:

629 (a) A description of the type of placement in which the  
630 child is to be living and, if the child has been placed with the  
631 department, whether the department and the community-based care  
632 lead agency have reasonably engaged in family finding to locate  
633 an adult relative, legal custodian, or other adult willing to  
634 care for the child in order to present that placement option to  
635 the court instead of placement with the department.

636 Section 8. Section 39.604, Florida Statutes, is amended to  
637 read:

638 39.604 Rilya Wilson Act; short title; legislative intent;  
639 early intervention; child care; early education; preschool  
640 requirements; attendance and reporting responsibilities.-

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

643 (2) LEGISLATIVE FINDINGS AND INTENT.-

644 (a) The Legislature finds that children from birth to age  
645 5 years are particularly vulnerable to maltreatment and that  
646 they enter out-of-home care in disproportionately high numbers.

647 (b) The Legislature also finds that children who are  
648 abused or neglected are at high risk of experiencing physical  
649 and mental health problems and problems with language and  
650 communication, cognitive development, and social and emotional

651 development.

652 (c) The Legislature also finds that providing early  
653 intervention and services, as well as quality child care and  
654 early education programs to support the healthy development of  
655 these young children, can have positive effects that last  
656 throughout childhood and into adulthood.

657 (d) The Legislature also finds that the needs of each of  
658 these children are unique, and while some children may be best  
659 served by a quality child care or early education program,  
660 others may need more attention and nurturing that can best be  
661 provided by a stay-at-home caregiver ~~The Legislature recognizes~~  
662 ~~that children who are in the care of the state due to abuse,~~  
663 ~~neglect, or abandonment are at increased risk of poor school~~  
664 ~~performance and other behavioral and social problems.~~

665 (e) It is the intent of the Legislature that children who  
666 are currently in out-of-home the care of the state be provided  
667 with an age-appropriate developmental child care or early  
668 education arrangement that is in the best interest of the child  
669 ~~education program~~ to help ameliorate the negative consequences  
670 of abuse, neglect, or abandonment.

671 (3) EARLY INTERVENTION FOR CHILDREN UNDER THE AGE OF  
672 THREE.—The Child Abuse Prevention and Treatment Act, 42 U.S.C.  
673 ss. 5101, et seq., and federal the Individuals with Disabilities  
674 Education Act requires states to have provisions and procedures  
675 for referring to early intervention services children who are

676 under the age of 3 years and involved in substantiated cases of  
677 child abuse or neglect, or who are affected by substance abuse  
678 or withdrawal symptoms from prenatal drug exposure.

679 (a) Referral process.—A child from birth to age 36 months  
680 who is determined to be a victim of any substantiated case of  
681 child abuse or neglect or who is affected by substance abuse or  
682 withdrawal symptoms from prenatal drug exposure, shall be  
683 referred to the Early Steps Program under s. 391.301, according  
684 to the following criteria:

685 1. Children who will remain in the home of their parents  
686 or legal guardian without referral to a community-based care  
687 lead agency for services shall be referred to the Early Steps  
688 Program by the protective investigator handling the case within  
689 48 hours of verification of the abuse or neglect.

690 2. When there is an indication that they may have an  
691 established condition or developmental delay, children who will  
692 remain in the home of their parents or legal guardian and who  
693 are referred to a community-based care lead agency for services  
694 must be referred to the Early Steps Program by the community-  
695 based care lead agency case worker during the case plan  
696 development process within 7 days after the identification of an  
697 established condition or possible developmental delay. The  
698 community-based care lead agency shall follow up to determine  
699 whether the child has been found eligible for Part C services  
700 and shall support the participation of the eligible children's

701 families in the Early Steps Program. Support may include, but  
702 need not be limited to:

703 a. Assistance with transportation, if necessary;  
704 b. Providing written information about the Early Steps  
705 Program; and  
706 c. Followup with the family and encouraging the child's  
707 participation in the Early Steps Program.

708 3. Children being placed into shelter care for referral to  
709 a community-based care lead agency for out-of-home placement  
710 must receive an initial assessment during the case plan  
711 development process and may be referred to the Early Steps  
712 Program according to the following criteria:

713 a. Children who are not referred for a comprehensive  
714 behavioral health assessment under the Medicaid program must be  
715 referred to the Early Steps Program by the case worker during  
716 the case plan development process for the child. The referral  
717 must be documented in the case plan.

718 b. Children who are referred for a comprehensive  
719 behavioral health assessment under the Medicaid program must be  
720 referred to the Early Steps Program by the community-based care  
721 lead agency case worker if their comprehensive behavioral health  
722 assessment flags them as potentially having a developmental  
723 delay or an established condition. The referral must be  
724 documented in the case plan. The Early Steps Program referral  
725 form must be accompanied by the comprehensive behavioral health

726 assessment that flagged the child as potentially having a  
727 developmental delay or an established condition.

728 (b) Screening and evaluation.—The local Early Steps  
729 Program shall screen or evaluate all children referred by the  
730 department or its contracted agencies. The information on the  
731 outcome of a child's screening or evaluation, and any  
732 recommended services on the child's individualized family  
733 support plan, shall be forwarded by the Early Steps Program's  
734 service coordinator to the department and the community-based  
735 care lead agency for consideration in development of the child's  
736 case plan.

737 (c) Appointment of surrogate parent.—Federal law requires  
738 parental consent and participation at every stage of the early  
739 intervention process after referral. A dependency court shall  
740 appoint a surrogate parent under s. 39.0016 for a child from  
741 birth to age 36 months whose parents are unavailable or  
742 unwilling to provide consent for services when the child has  
743 been determined to be a victim of any substantiated case of  
744 child abuse or neglect or is affected by substance abuse or  
745 withdrawal symptoms from prenatal drug exposure and has been  
746 referred to the Early Steps Program under s. 391.301.

747 (4) EARLY INTERVENTION FOR CHILDREN AGES THREE YEARS TO  
748 FIVE YEARS.—The federal Individuals with Disabilities Education  
749 Act requires states to develop a comprehensive Child Find  
750 program to locate children who are potentially eligible for

751 services, including children who are involved in substantiated  
752 cases of child abuse or neglect, and link them to early  
753 intervention services. If the department or a community-based  
754 care lead agency suspects that a child is a victim of  
755 substantiated child abuse or neglect, the child must be referred  
756 to the Child Find program of the Florida Diagnostic and Learning  
757 Resources System for assessment.

758 (5) CHILD CARE, EARLY EDUCATION PROGRAMS, PRESCHOOL.—  
759 Research has found that the quality of child care, early  
760 education programs, and preschool programs is important to the  
761 cognitive, language, and social development of young children,  
762 with consistent and emotionally supportive care being of great  
763 benefit to children and their families. Children who receive  
764 high-quality early childhood care and education have better  
765 math, language, and social skills as they enter school, and, as  
766 they grow older, require less remedial education, progress  
767 further in school, and have fewer interactions with the justice  
768 system. Significant involvement of parents in early childhood  
769 care and education may help reduce the incidence of maltreatment  
770 of children and may be beneficial to children and families who  
771 are already involved in the child welfare system by virtue of  
772 establishing caring relationships in a supportive learning  
773 environment that assists parents in establishing social support  
774 networks, accessing information about parenting and child  
775 development, and receiving referrals to other services.

776 (a) Early child care and education preference.—Care for  
 777 children in out-of-home care shall be chosen by the caregiver  
 778 according to the following order:

779 1. Providers who receive a Gold Seal Quality Care  
 780 designation pursuant to s. 402.281, or providers participating  
 781 in a quality rating system;

782 2. Licensed child care providers;

783 3. Public school providers; and

784 4. License-exempt child care providers, including  
 785 religious-exempt and registered providers, and non-public  
 786 schools. These providers must be participating in the school  
 787 readiness program through the local early learning coalition.

788 (b) Enrollment

789 ~~(3) REQUIREMENTS.—~~

790 1. A child from birth to the age of school entry, who is  
 791 under court-ordered protective supervision or in out-of-home  
 792 care and is the custody of the Family Safety Program Office of  
 793 the Department of Children and Families or a community-based  
 794 lead agency, and enrolled in an a licensed early education or  
 795 child care program must attend the program 5 days a week unless  
 796 the court grants an exception due to the court determining it is  
 797 in the best interest of a child from birth to age 3 years:

798 a. With a stay-at-home caregiver to remain at home.

799 b. With a caregiver who works less than full time to  
 800 attend an early education or child care program fewer than 5



801 days a week.

802 2. Notwithstanding s. 39.202, the department ~~of Children~~  
 803 ~~and Families~~ must notify operators of an ~~the licensed~~ early  
 804 education or child care program, subject to the reporting  
 805 requirements of this act, of the enrollment of any child from  
 806 birth to the age of school entry, under court-ordered protective  
 807 supervision or in out-of-home care. ~~If the custody of the Family~~  
 808 ~~Safety Program Office of the Department of Children and Families~~  
 809 ~~or a community-based lead agency.~~ When a child is enrolled in an  
 810 early education or child care program ~~regulated by the~~  
 811 ~~department,~~ the child's attendance in the program must be a  
 812 required task ~~action~~ in the safety plan or the case plan  
 813 developed for the child pursuant to this chapter. ~~An exemption~~  
 814 ~~to participating in the licensed early education or child care~~  
 815 ~~program 5 days a week may be granted by the court.~~

816 ~~(c)(4) Attendance ATTENDANCE AND REPORTING REQUIREMENTS.-~~

817 1.(a) A child enrolled in an ~~a licensed~~ early education or  
 818 child care program who meets the requirements of paragraph (b)  
 819 ~~subsection (3)~~ may not be withdrawn from the program without the  
 820 prior written approval of the department ~~Family Safety Program~~  
 821 ~~Office of the Department of Children and Families~~ or the  
 822 community-based care lead agency.

823 2.a.(b)1. If a child covered by this section is absent  
 824 from the program on a day when he or she is supposed to be  
 825 present, the person with whom the child resides must report the

826 absence to the program by the end of the business day. If the  
827 person with whom the child resides, whether the parent or  
828 caregiver, fails to timely report the absence, the absence is  
829 considered to be unexcused. The program shall report any  
830 unexcused absence or seven consecutive excused absences of a  
831 child who is enrolled in the program and covered by this act to  
832 ~~the local designated staff of the Family Safety Program Office~~  
833 ~~of the department of Children and Families~~ or the community-  
834 based care lead agency by the end of the business day following  
835 the unexcused absence or seventh consecutive excused absence.

836 b.2. The department or community-based care lead agency  
837 shall conduct a site visit to the residence of the child upon  
838 receiving a report of two consecutive unexcused absences or  
839 seven consecutive excused absences.

840 c.3. If the site visit results in a determination that the  
841 child is missing, the department or community-based care lead  
842 agency shall follow the procedure set forth in s. 39.0141 ~~report~~  
843 ~~the child as missing to a law enforcement agency and proceed~~  
844 ~~with the necessary actions to locate the child pursuant to~~  
845 ~~procedures for locating missing children.~~

846 d.4. If the site visit results in a determination that the  
847 child is not missing, the parent or caregiver shall be notified  
848 that failure to ensure that the child attends the ~~licensed~~ early  
849 education or child care program is a violation of the safety  
850 plan or the case plan. If more than two site visits are

851 conducted pursuant to this paragraph ~~subsection~~, staff shall  
852 ~~initiate action to~~ notify the court of the parent or caregiver's  
853 noncompliance with the case plan.

854 (6) EDUCATIONAL STABILITY.—Just as educational stability  
855 is important for school-age children, it is also important to  
856 minimize disruptions to secure attachments and stable  
857 relationships with supportive caregivers of children from birth  
858 to school age and to ensure that these attachments are not  
859 disrupted due to placement in out-of-home care or subsequent  
860 changes in out-of-home placement.

861 (a) A child must be allowed to remain in the child care or  
862 early educational setting that he or she attended before entry  
863 into out-of-home care, unless the program is not in the best  
864 interest of the child.

865 (b) If it is not in the best interest of the child for him  
866 or her to remain in his or her child care or early education  
867 setting upon entry into out-of-home care, the caregiver must  
868 work with the case manager, guardian ad litem, child care and  
869 educational staff, and educational surrogate, if one has been  
870 appointed, to determine the best setting for the child. Such  
871 setting may be a child care provider that receives a Gold Seal  
872 Quality Care designation pursuant to s. 402.281, a provider  
873 participating in a quality rating system, a licensed child care  
874 provider, a public school provider, or a license-exempt child  
875 care provider, including religious-exempt and registered

876 providers, and non-public schools.

877 (c) The department and providers of early care and  
878 education shall develop protocols to ensure continuity if  
879 children are required to leave a program because of a change in  
880 out-of-home placement.

881 (7) TRANSITIONS.—In the absence of an emergency, if a  
882 child from birth to school age leaves a child care or early  
883 education program, the transition must be pursuant to a plan  
884 that involves cooperation and sharing of information among all  
885 persons involved, that respects the child's developmental stage  
886 and associated psychological needs, and that allows for a  
887 gradual transition from one setting to another.

888 Section 9. Paragraph (c) of subsection (2) of section  
889 39.701, Florida Statutes, is amended to read:

890 39.701 Judicial review.—

891 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF  
892 AGE.—

893 (c) *Review determinations.*—The court and any citizen  
894 review panel shall take into consideration the information  
895 contained in the social services study and investigation and all  
896 medical, psychological, and educational records that support the  
897 terms of the case plan; testimony by the social services agency,  
898 the parent, the foster parent or legal custodian, the guardian  
899 ad litem or surrogate parent for educational decisionmaking if  
900 one has been appointed for the child, and any other person

901 deemed appropriate; and any relevant and material evidence  
902 submitted to the court, including written and oral reports to  
903 the extent of their probative value. These reports and evidence  
904 may be received by the court in its effort to determine the  
905 action to be taken with regard to the child and may be relied  
906 upon to the extent of their probative value, even though not  
907 competent in an adjudicatory hearing. In its deliberations, the  
908 court and any citizen review panel shall seek to determine:

909 1. If the parent was advised of the right to receive  
910 assistance from any person or social service agency in the  
911 preparation of the case plan.

912 2. If the parent has been advised of the right to have  
913 counsel present at the judicial review or citizen review  
914 hearings. If not so advised, the court or citizen review panel  
915 shall advise the parent of such right.

916 3. If a guardian ad litem needs to be appointed for the  
917 child in a case in which a guardian ad litem has not previously  
918 been appointed or if there is a need to continue a guardian ad  
919 litem in a case in which a guardian ad litem has been appointed.

920 4. Who holds the rights to make educational decisions for  
921 the child. If appropriate, the court may refer the child to the  
922 district school superintendent for appointment of a surrogate  
923 parent or may itself appoint a surrogate parent under the  
924 Individuals with Disabilities Education Act and s. 39.0016. If  
925 the child is under the age of school entry, the court must make

926 | the appointment.

927 |         5. The compliance or lack of compliance of all parties  
928 | with applicable items of the case plan, including the parents'  
929 | compliance with child support orders.

930 |         6. The compliance or lack of compliance with a visitation  
931 | contract between the parent and the social service agency for  
932 | contact with the child, including the frequency, duration, and  
933 | results of the parent-child visitation and the reason for any  
934 | noncompliance.

935 |         7. The frequency, kind, and duration of contacts among  
936 | siblings who have been separated during placement, as well as  
937 | any efforts undertaken to reunite separated siblings if doing so  
938 | is in the best interest of the child.

939 |         8. The compliance or lack of compliance of the parent in  
940 | meeting specified financial obligations pertaining to the care  
941 | of the child, including the reason for failure to comply, if  
942 | applicable.

943 |         9. Whether the child is receiving safe and proper care  
944 | according to s. 39.6012, including, but not limited to, the  
945 | appropriateness of the child's current placement, including  
946 | whether the child is in a setting that is as family-like and as  
947 | close to the parent's home as possible, consistent with the  
948 | child's best interests and special needs, and including  
949 | maintaining stability in the child's educational placement, as  
950 | documented by assurances from the community-based care provider

951 that:

952 a. The placement of the child takes into account the  
953 appropriateness of the current educational setting and the  
954 proximity to the school in which the child is enrolled at the  
955 time of placement.

956 b. The community-based care agency has coordinated with  
957 appropriate local educational agencies to ensure that the child  
958 remains in the school in which the child is enrolled at the time  
959 of placement.

960 10. Whether the department or community-based care lead  
961 agency continues to reasonably engage in family finding. The  
962 level of reasonableness is determined by the length of the case  
963 and amount of time the department or community-based care lead  
964 agency has had to continue the process.

965 11. 10. A projected date likely for the child's return  
966 home or other permanent placement.

967 12. 11. When appropriate, the basis for the unwillingness  
968 or inability of the parent to become a party to a case plan. The  
969 court and the citizen review panel shall determine if the  
970 efforts of the social service agency to secure party  
971 participation in a case plan were sufficient.

972 13. 12. For a child who has reached 13 years of age but is  
973 not yet 18 years of age, the adequacy of the child's preparation  
974 for adulthood and independent living. For a child who is 15  
975 years of age or older, the court shall determine if appropriate

976 steps are being taken for the child to obtain a driver license  
977 or learner's driver license.

978 14. 13. If amendments to the case plan are required.  
979 Amendments to the case plan must be made as provided in ~~under~~ s.  
980 39.6013.

981 Section 10. Effective January 1, 2019, paragraph (b) of  
982 subsection (1) of section 414.045, Florida Statutes, is amended  
983 to read:

984 414.045 Cash assistance program.—Cash assistance families  
985 include any families receiving cash assistance payments from the  
986 state program for temporary assistance for needy families as  
987 defined in federal law, whether such funds are from federal  
988 funds, state funds, or commingled federal and state funds. Cash  
989 assistance families may also include families receiving cash  
990 assistance through a program defined as a separate state  
991 program.

992 (1) For reporting purposes, families receiving cash  
993 assistance shall be grouped into the following categories. The  
994 department may develop additional groupings in order to comply  
995 with federal reporting requirements, to comply with the data-  
996 reporting needs of the board of directors of CareerSource  
997 Florida, Inc., or to better inform the public of program  
998 progress.

999 (b) *Child-only cases.*—Child-only cases include cases that  
1000 do not have an adult or teen head of household as defined in



1001 federal law. Such cases include:

1002 1. Children in the care of caretaker relatives, if the  
1003 caretaker relatives choose to have their needs excluded in the  
1004 calculation of the amount of cash assistance.

1005 2. Families in the Kinship Care ~~Relative Caregiver~~ Program  
1006 as provided in s. 39.5085.

1007 3. Families in which the only parent in a single-parent  
1008 family or both parents in a two-parent family receive  
1009 supplemental security income (SSI) benefits under Title XVI of  
1010 the Social Security Act, as amended. To the extent permitted by  
1011 federal law, individuals receiving SSI shall be excluded as  
1012 household members in determining the amount of cash assistance,  
1013 and such cases shall not be considered families containing an  
1014 adult. Parents or caretaker relatives who are excluded from the  
1015 cash assistance group due to receipt of SSI may choose to  
1016 participate in work activities. An individual whose ability to  
1017 participate in work activities is limited who volunteers to  
1018 participate in work activities shall be assigned to work  
1019 activities consistent with such limitations. An individual who  
1020 volunteers to participate in a work activity may receive child  
1021 care or support services consistent with such participation.

1022 4. Families in which the only parent in a single-parent  
1023 family or both parents in a two-parent family are not eligible  
1024 for cash assistance due to immigration status or other  
1025 limitation of federal law. To the extent required by federal

1026 law, such cases shall not be considered families containing an  
 1027 adult.

1028 5. To the extent permitted by federal law and subject to  
 1029 appropriations, special needs children who have been adopted  
 1030 pursuant to s. 409.166 and whose adopting family qualifies as a  
 1031 needy family under the state program for temporary assistance  
 1032 for needy families. Notwithstanding any provision to the  
 1033 contrary in s. 414.075, s. 414.085, or s. 414.095, a family  
 1034 shall be considered a needy family if:

1035 a. The family is determined by the department to have an  
 1036 income below 200 percent of the federal poverty level;

1037 b. The family meets the requirements of s. 414.095(2) and  
 1038 (3) related to residence, citizenship, or eligible noncitizen  
 1039 status; and

1040 c. The family provides any information that may be  
 1041 necessary to meet federal reporting requirements specified under  
 1042 Part A of Title IV of the Social Security Act.

1043  
 1044 Families described in subparagraph 1., subparagraph 2., or  
 1045 subparagraph 3. may receive child care assistance or other  
 1046 supports or services so that the children may continue to be  
 1047 cared for in their own homes or in the homes of relatives. Such  
 1048 assistance or services may be funded from the temporary  
 1049 assistance for needy families block grant to the extent  
 1050 permitted under federal law and to the extent funds have been

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1051 provided in the General Appropriations Act.

1052 Section 11. Paragraph (d) of subsection (1) of section  
1053 1009.25, Florida Statutes, is amended to read:

1054 1009.25 Fee exemptions.—

1055 (1) The following students are exempt from the payment of  
1056 tuition and fees, including lab fees, at a school district that  
1057 provides workforce education programs, Florida College System  
1058 institution, or state university:

1059 (d) A student who is or was at the time he or she reached 18  
1060 years of age in the custody of a kinship caregiver ~~relative or~~  
1061 ~~nonrelative~~ under s. 39.5085 or who was adopted from the  
1062 Department of Children and Families after May 5, 1997. Such  
1063 exemption includes fees associated with enrollment in applied  
1064 academics for adult education instruction. The exemption remains  
1065 valid until the student reaches 28 years of age.

1066 Section 12. Except as otherwise expressly provided in this  
1067 act, this act shall take effect July 1, 2018.