

1 A bill to be entitled
2 An act relating to child welfare; amending s. 25.385,
3 F.S.; requiring the Florida Court Educational Council
4 to establish certain standards for instruction of
5 circuit and county court judges for dependency cases;
6 requiring the council to provide such instruction on a
7 periodic and timely basis; amending s. 39.301, F.S.;
8 requiring the Department of Children and Families to
9 notify the court of certain reports; authorizing the
10 department to file specified petitions under certain
11 circumstances; amending s. 39.522, F.S.; requiring the
12 court to consider specified factors when making
13 certain determinations; requiring a child's case plan
14 to be amended if the court changes the permanency
15 goal; amending s. 39.6011, F.S.; revising and
16 providing requirements for case plan descriptions;
17 amending s. 39.701, F.S.; requiring the court to
18 retain jurisdiction over a child under certain
19 circumstances; requiring specified parties to disclose
20 certain information to the court; providing for
21 certain caregiver recommendations to the court;
22 requiring the court and citizen review panel to
23 determine whether certain parties have developed a
24 productive relationship; creating s. 409.1415, F.S.;
25 providing legislative findings and intent; requiring

26 | the department and community-based care lead agencies
27 | to develop and support relationships between certain
28 | foster families and legal parents of children;
29 | providing responsibilities for foster parents, birth
30 | parents, the department, community-based care lead
31 | agency staff, and other agency staff; defining the
32 | term "excellent parenting"; requiring caregivers
33 | employed by residential group homes to meet specified
34 | requirements; requiring the department to adopt rules;
35 | amending s. 409.145, F.S.; removing certain
36 | responsibilities of caregivers, the department,
37 | community-based care lead agency staff, and other
38 | agency staff; removing requirements relating to
39 | transitions, information sharing, and certain
40 | caregivers; amending s. 409.988, F.S.; authorizing a
41 | lead agency to provide more than 35 percent of all
42 | child welfare services under certain conditions;
43 | requiring a specified local community alliance, or
44 | specified representatives in certain circumstances, to
45 | review and recommend approval or denial of the lead
46 | agency's request for a specified exemption; amending
47 | ss. 39.302, 39.6225, 393.065, and 409.1451, F.S.;
48 | conforming cross-references to changes made by the
49 | act; providing an effective date.

50

51 Be It Enacted by the Legislature of the State of Florida:

52

53 Section 1. Section 25.385, Florida Statutes, is amended to
54 read:

55 25.385 Standards for instruction of circuit and county
56 court judges ~~in handling domestic violence cases.~~

57 (1) The Florida Court Educational Council shall establish
58 standards for instruction of circuit and county court judges who
59 have responsibility for domestic violence cases, and the council
60 shall provide such instruction on a periodic and timely basis.

61 ~~(2) As used in this subsection, section:~~

62 ~~(a) the term "domestic violence" has the meaning set forth~~
63 ~~in s. 741.28.~~

64 ~~(b) "Family or household member" has the meaning set forth~~
65 ~~in s. 741.28.~~

66 (2) The Florida Court Educational Council shall establish
67 standards for instruction of circuit and county court judges who
68 have responsibility for dependency cases regarding the benefits
69 of a secure attachment with a primary caregiver, the importance
70 of a stable placement, and the impact of trauma on child
71 development. The council shall provide such instruction to the
72 circuit and county court judges handling dependency cases on a
73 periodic and timely basis.

74 Section 2. Subsection (1) and paragraph (a) of subsection
75 (9) of section 39.301, Florida Statutes, are amended to read:

76 39.301 Initiation of protective investigations.—

77 (1) (a) Upon receiving a report of known or suspected child
78 abuse, abandonment, or neglect, or that a child is in need of
79 supervision and care and has no parent, legal custodian, or
80 responsible adult relative immediately known and available to
81 provide supervision and care, the central abuse hotline shall
82 determine if the report requires an immediate onsite protective
83 investigation. For reports requiring an immediate onsite
84 protective investigation, the central abuse hotline shall
85 immediately notify the department's designated district staff
86 responsible for protective investigations to ensure that an
87 onsite investigation is promptly initiated. For reports not
88 requiring an immediate onsite protective investigation, the
89 central abuse hotline shall notify the department's designated
90 district staff responsible for protective investigations in
91 sufficient time to allow for an investigation. At the time of
92 notification, the central abuse hotline shall also provide
93 information to district staff on any previous report concerning
94 a subject of the present report or any pertinent information
95 relative to the present report or any noted earlier reports.

96 (b) The department shall promptly notify the court of any
97 report to the central abuse hotline that is accepted for a
98 protective investigation and involves a child over whom the
99 court has jurisdiction.

100 (9) (a) For each report received from the central abuse

101 hotline and accepted for investigation, the department or the
102 sheriff providing child protective investigative services under
103 s. 39.3065, shall perform the following child protective
104 investigation activities to determine child safety:

105 1. Conduct a review of all relevant, available information
106 specific to the child and family and alleged maltreatment;
107 family child welfare history; local, state, and federal criminal
108 records checks; and requests for law enforcement assistance
109 provided by the abuse hotline. Based on a review of available
110 information, including the allegations in the current report, a
111 determination shall be made as to whether immediate consultation
112 should occur with law enforcement, the Child Protection Team, a
113 domestic violence shelter or advocate, or a substance abuse or
114 mental health professional. Such consultations should include
115 discussion as to whether a joint response is necessary and
116 feasible. A determination shall be made as to whether the person
117 making the report should be contacted before the face-to-face
118 interviews with the child and family members.

119 2. Conduct face-to-face interviews with the child; other
120 siblings, if any; and the parents, legal custodians, or
121 caregivers.

122 3. Assess the child's residence, including a determination
123 of the composition of the family and household, including the
124 name, address, date of birth, social security number, sex, and
125 race of each child named in the report; any siblings or other

126 | children in the same household or in the care of the same
127 | adults; the parents, legal custodians, or caregivers; and any
128 | other adults in the same household.

129 | 4. Determine whether there is any indication that any
130 | child in the family or household has been abused, abandoned, or
131 | neglected; the nature and extent of present or prior injuries,
132 | abuse, or neglect, and any evidence thereof; and a determination
133 | as to the person or persons apparently responsible for the
134 | abuse, abandonment, or neglect, including the name, address,
135 | date of birth, social security number, sex, and race of each
136 | such person.

137 | 5. Complete assessment of immediate child safety for each
138 | child based on available records, interviews, and observations
139 | with all persons named in subparagraph 2. and appropriate
140 | collateral contacts, which may include other professionals. The
141 | department's child protection investigators are hereby
142 | designated a criminal justice agency for the purpose of
143 | accessing criminal justice information to be used for enforcing
144 | this state's laws concerning the crimes of child abuse,
145 | abandonment, and neglect. This information shall be used solely
146 | for purposes supporting the detection, apprehension,
147 | prosecution, pretrial release, posttrial release, or
148 | rehabilitation of criminal offenders or persons accused of the
149 | crimes of child abuse, abandonment, or neglect and may not be
150 | further disseminated or used for any other purpose.

151 6. Document the present and impending dangers to each
152 child based on the identification of inadequate protective
153 capacity through utilization of a standardized safety assessment
154 instrument. If present or impending danger is identified, the
155 child protective investigator must implement a safety plan or
156 take the child into custody. If present danger is identified and
157 the child is not removed, the child protective investigator
158 shall create and implement a safety plan before leaving the home
159 or the location where there is present danger. If impending
160 danger is identified, the child protective investigator shall
161 create and implement a safety plan as soon as necessary to
162 protect the safety of the child. The child protective
163 investigator may modify the safety plan if he or she identifies
164 additional impending danger.

165 a. If the child protective investigator implements a
166 safety plan, the plan must be specific, sufficient, feasible,
167 and sustainable in response to the realities of the present or
168 impending danger. A safety plan may be an in-home plan or an
169 out-of-home plan, or a combination of both. A safety plan may
170 include tasks or responsibilities for a parent, caregiver, or
171 legal custodian. However, a safety plan may not rely on
172 promissory commitments by the parent, caregiver, or legal
173 custodian who is currently not able to protect the child or on
174 services that are not available or will not result in the safety
175 of the child. A safety plan may not be implemented if for any

176 | reason the parents, guardian, or legal custodian lacks the
177 | capacity or ability to comply with the plan. If the department
178 | is not able to develop a plan that is specific, sufficient,
179 | feasible, and sustainable, the department shall file a shelter
180 | petition. A child protective investigator shall implement
181 | separate safety plans for the perpetrator of domestic violence,
182 | if the investigator, using reasonable efforts, can locate the
183 | perpetrator to implement a safety plan, and for the parent who
184 | is a victim of domestic violence as defined in s. 741.28.
185 | Reasonable efforts to locate a perpetrator include, but are not
186 | limited to, a diligent search pursuant to the same requirements
187 | as in s. 39.503. If the perpetrator of domestic violence is not
188 | the parent, guardian, or legal custodian of any child in the
189 | home and if the department does not intend to file a shelter
190 | petition or dependency petition that will assert allegations
191 | against the perpetrator as a parent of a child in the home, the
192 | child protective investigator shall seek issuance of an
193 | injunction authorized by s. 39.504 to implement a safety plan
194 | for the perpetrator and impose any other conditions to protect
195 | the child. The safety plan for the parent who is a victim of
196 | domestic violence may not be shared with the perpetrator. If any
197 | party to a safety plan fails to comply with the safety plan
198 | resulting in the child being unsafe, the department shall file a
199 | shelter petition.

200 | b. The child protective investigator shall collaborate

201 with the community-based care lead agency in the development of
202 the safety plan as necessary to ensure that the safety plan is
203 specific, sufficient, feasible, and sustainable. The child
204 protective investigator shall identify services necessary for
205 the successful implementation of the safety plan. The child
206 protective investigator and the community-based care lead agency
207 shall mobilize service resources to assist all parties in
208 complying with the safety plan. The community-based care lead
209 agency shall prioritize safety plan services to families who
210 have multiple risk factors, including, but not limited to, two
211 or more of the following:

- 212 (I) The parent or legal custodian is of young age;
- 213 (II) The parent or legal custodian, or an adult currently
214 living in or frequently visiting the home, has a history of
215 substance abuse, mental illness, or domestic violence;
- 216 (III) The parent or legal custodian, or an adult currently
217 living in or frequently visiting the home, has been previously
218 found to have physically or sexually abused a child;
- 219 (IV) The parent or legal custodian or an adult currently
220 living in or frequently visiting the home has been the subject
221 of multiple allegations by reputable reports of abuse or
222 neglect;
- 223 (V) The child is physically or developmentally disabled;
224 or
- 225 (VI) The child is 3 years of age or younger.

226 c. The child protective investigator shall monitor the
227 implementation of the plan to ensure the child's safety until
228 the case is transferred to the lead agency at which time the
229 lead agency shall monitor the implementation.

230 d. The department may file a petition for shelter or
231 dependency without a new child protective investigation or the
232 concurrence of the child protective investigator if the child is
233 unsafe but for the use of a safety plan and the parent or
234 caregiver has not sufficiently increased protective capacities
235 within 90 days after the transfer of the safety plan to the lead
236 agency.

237 Section 3. Subsection (1) of section 39.522, Florida
238 Statutes, is amended, and subsection (4) is added to that
239 section, to read:

240 39.522 Postdisposition change of custody.—The court may
241 change the temporary legal custody or the conditions of
242 protective supervision at a postdisposition hearing, without the
243 necessity of another adjudicatory hearing.

244 (1) (a) At any time before a child is residing in the
245 permanent placement approved at the permanency hearing, a child
246 who has been placed in the child's own home under the protective
247 supervision of an authorized agent of the department, in the
248 home of a relative, in the home of a legal custodian, or in some
249 other place may be brought before the court by the department or
250 by any other interested person, upon the filing of a motion

251 alleging a need for a change in the conditions of protective
252 supervision or the placement. If the parents or other legal
253 custodians deny the need for a change, the court shall hear all
254 parties in person or by counsel, or both. Upon the admission of
255 a need for a change or after such hearing, the court shall enter
256 an order changing the placement, modifying the conditions of
257 protective supervision, or continuing the conditions of
258 protective supervision as ordered. The standard for changing
259 custody of the child shall be the best interests ~~interest~~ of the
260 child. When determining whether a change of legal custody or
261 placement is in ~~applying this standard, the court shall consider~~
262 ~~the continuity of the child's placement in the same out-of-home~~
263 ~~residence as a factor when determining~~ the best interests of the
264 child, the court shall consider:

- 265 1. The child's age.
- 266 2. The physical, mental, and emotional health benefits to
267 the child by remaining in his or her current placement or moving
268 to the proposed placement.
- 269 3. The stability and longevity of the child's current
270 placement.
- 271 4. The established bonded relationship between the child
272 and the current or proposed caregiver.
- 273 5. The reasonable preference of the child, if the court
274 has found that the child is of sufficient intelligence,
275 understanding, and experience to express a preference.

276 6. The recommendation of the child's current caregiver.

277 7. The recommendation of the child's guardian ad litem, if
278 one has been appointed.

279 8. The child's previous and current relationship with a
280 sibling, if the change of legal custody or placement will
281 separate or reunite siblings.

282 9. The likelihood of the child attaining permanency in the
283 current or proposed placement.

284 10. Any other relevant factors.

285 (b) If the child is not placed in foster care, ~~then~~ the
286 new placement for the child must meet the home study criteria
287 and court approval under ~~pursuant to~~ this chapter.

288 (4) In cases in which the issue before the court is
289 whether to place a child in out-of-home care after the child was
290 placed in the child's own home with an in-home safety plan or
291 the child was reunified with a parent or caregiver with an in-
292 home safety plan, the court must consider the factors in
293 paragraph (1) (a) and, at a minimum, the following additional
294 factors in making its determination whether to place the child
295 in out-of-home care:

296 (a) The circumstances that caused the child's dependency
297 and other subsequently identified issues.

298 (b) The length of time the child has been placed in the
299 home with an in-home safety plan.

300 (c) The parent's or caregiver's current level of

301 protective capacities.

302 (d) The level of increase, if any, in the parent's or
 303 caregiver's protective capacities since the child's placement in
 304 the home based on the length of time the child has been placed
 305 in the home.

306
 307 The court shall additionally evaluate the child's permanency
 308 goal and change the permanency goal as needed if doing so would
 309 be in the best interests of the child. If the court changes the
 310 permanency goal, the case plan must be amended pursuant to s.
 311 39.6013(5).

312 Section 4. Subsection (5) of section 39.6011, Florida
 313 Statutes, is amended to read:

314 39.6011 Case plan development.—

315 (5) The case plan must describe all of the following:

316 (a) The role of the foster parents or caregivers ~~legal~~
 317 ~~eustodians~~ when developing the services that are to be provided
 318 to the child, foster parents, or caregivers. ~~legal eustodians;~~

319 (b) The responsibility of the parents and caregivers to
 320 work together to successfully implement the case plan, how the
 321 case manager will assist the parents and caregivers in
 322 developing a productive relationship that includes meaningful
 323 communication and mutual support, and the ability of the parents
 324 or caregivers to notify the court or the case manager if
 325 ineffective communication takes place that negatively impacts

326 | the child.

327 | ~~(c)~~ ~~(b)~~ The responsibility of the case manager to forward a
 328 | relative's request to receive notification of all proceedings
 329 | and hearings submitted under ~~pursuant to~~ s. 39.301(14)(b) to the
 330 | attorney for the department.~~;~~

331 | ~~(d)~~ ~~(e)~~ The minimum number of face-to-face meetings to be
 332 | held each month between the parents and the department's family
 333 | services counselors to review the progress of the plan, to
 334 | eliminate barriers to progress, and to resolve conflicts or
 335 | disagreements between parents and caregivers, service providers,
 336 | or any other professional assisting the parents in the
 337 | completion of the case plan.~~;~~ and

338 | ~~(e)~~ ~~(d)~~ The parent's responsibility for financial support
 339 | of the child, including, but not limited to, health insurance
 340 | and child support. The case plan must list the costs associated
 341 | with any services or treatment that the parent and child are
 342 | expected to receive which are the financial responsibility of
 343 | the parent. The determination of child support and other
 344 | financial support shall be made independently of any
 345 | determination of indigency under s. 39.013.

346 | Section 5. Paragraph (b) of subsection (1) and paragraphs
 347 | (a) and (c) of subsection (2) of section 39.701, Florida
 348 | Statutes, are amended to read:

349 | 39.701 Judicial review.—

350 | (1) GENERAL PROVISIONS.—

351 (b)1. The court shall retain jurisdiction over a child
352 returned to his or her parents for a minimum period of 6 months
353 following the reunification, but, at that time, based on a
354 report of the social service agency and the guardian ad litem,
355 if one has been appointed, and any other relevant factors, the
356 court shall make a determination as to whether supervision by
357 the department and the court's jurisdiction shall continue or be
358 terminated.

359 2. Notwithstanding subparagraph 1., the court must retain
360 jurisdiction over a child if the child is placed in the home
361 with a parent or caregiver with an in-home safety plan and such
362 safety plan remains necessary for the child to reside safely in
363 the home.

364 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
365 AGE.—

366 (a) Social study report for judicial review.—Before every
367 judicial review hearing or citizen review panel hearing, the
368 social service agency shall make an investigation and social
369 study concerning all pertinent details relating to the child and
370 shall furnish to the court or citizen review panel a written
371 report that includes, but is not limited to:

372 1. A description of the type of placement the child is in
373 at the time of the hearing, including the safety of the child
374 and the continuing necessity for and appropriateness of the
375 placement.

376 2. Documentation of the diligent efforts made by all
 377 parties to the case plan to comply with each applicable
 378 provision of the plan.

379 3. The amount of fees assessed and collected during the
 380 period of time being reported.

381 4. The services provided to the foster family or caregiver
 382 ~~legal custodian~~ in an effort to address the needs of the child
 383 as indicated in the case plan.

384 5. A statement that either:

385 a. The parent, though able to do so, did not comply
 386 substantially with the case plan, and the agency
 387 recommendations;

388 b. The parent did substantially comply with the case plan;
 389 or

390 c. The parent has partially complied with the case plan,
 391 with a summary of additional progress needed and the agency
 392 recommendations.

393 6. A statement from the foster parent or caregiver ~~legal~~
 394 ~~custodian~~ providing any material evidence concerning the well-
 395 being of the child, the impact of any services provided to the
 396 child, the working relationship between the parents and
 397 caregivers, and the return of the child to the ~~parent or~~
 398 parents.

399 7. A statement concerning the frequency, duration, and
 400 results of the parent-child visitation, if any, and the agency

401 and caregiver recommendations for an expansion or restriction of
402 future visitation.

403 8. The number of times a child has been removed from his
404 or her home and placed elsewhere, the number and types of
405 placements that have occurred, and the reason for the changes in
406 placement.

407 9. The number of times a child's educational placement has
408 been changed, the number and types of educational placements
409 which have occurred, and the reason for any change in placement.

410 10. If the child has reached 13 years of age but is not
411 yet 18 years of age, a statement from the caregiver on the
412 progress the child has made in acquiring independent living
413 skills.

414 11. Copies of all medical, psychological, and educational
415 records that support the terms of the case plan and that have
416 been produced concerning the parents or any caregiver since the
417 last judicial review hearing.

418 12. Copies of the child's current health, mental health,
419 and education records as identified in s. 39.6012.

420 (c) Review determinations.—The court and any citizen
421 review panel shall take into consideration the information
422 contained in the social services study and investigation and all
423 medical, psychological, and educational records that support the
424 terms of the case plan; testimony by the social services agency,
425 the parent, the foster parent or caregiver ~~legal custodian~~, the

426 guardian ad litem or surrogate parent for educational
427 decisionmaking if one has been appointed for the child, and any
428 other person deemed appropriate; and any relevant and material
429 evidence submitted to the court, including written and oral
430 reports to the extent of their probative value. These reports
431 and evidence may be received by the court in its effort to
432 determine the action to be taken with regard to the child and
433 may be relied upon to the extent of their probative value, even
434 though not competent in an adjudicatory hearing. In its
435 deliberations, the court and any citizen review panel shall seek
436 to determine:

437 1. If the parent was advised of the right to receive
438 assistance from any person or social service agency in the
439 preparation of the case plan.

440 2. If the parent has been advised of the right to have
441 counsel present at the judicial review or citizen review
442 hearings. If not so advised, the court or citizen review panel
443 shall advise the parent of such right.

444 3. If a guardian ad litem needs to be appointed for the
445 child in a case in which a guardian ad litem has not previously
446 been appointed or if there is a need to continue a guardian ad
447 litem in a case in which a guardian ad litem has been appointed.

448 4. Who holds the rights to make educational decisions for
449 the child. If appropriate, the court may refer the child to the
450 district school superintendent for appointment of a surrogate

451 parent or may itself appoint a surrogate parent under the
452 Individuals with Disabilities Education Act and s. 39.0016.

453 5. The compliance or lack of compliance of all parties
454 with applicable items of the case plan, including the parents'
455 compliance with child support orders.

456 6. The compliance or lack of compliance with a visitation
457 contract between the parent and the social service agency for
458 contact with the child, including the frequency, duration, and
459 results of the parent-child visitation and the reason for any
460 noncompliance.

461 7. The frequency, kind, and duration of contacts among
462 siblings who have been separated during placement, as well as
463 any efforts undertaken to reunite separated siblings if doing so
464 is in the best interests ~~interest~~ of the child.

465 8. The compliance or lack of compliance of the parent in
466 meeting specified financial obligations pertaining to the care
467 of the child, including the reason for failure to comply, if
468 applicable.

469 9. Whether the child is receiving safe and proper care
470 according to s. 39.6012, including, but not limited to, the
471 appropriateness of the child's current placement, including
472 whether the child is in a setting that is as family-like and as
473 close to the parent's home as possible, consistent with the
474 child's best interests and special needs, and including
475 maintaining stability in the child's educational placement, as

476 documented by assurances from the community-based care lead
477 agency ~~provider~~ that:

478 a. The placement of the child takes into account the
479 appropriateness of the current educational setting and the
480 proximity to the school in which the child is enrolled at the
481 time of placement.

482 b. The community-based care lead agency has coordinated
483 with appropriate local educational agencies to ensure that the
484 child remains in the school in which the child is enrolled at
485 the time of placement.

486 10. A projected date likely for the child's return home or
487 other permanent placement.

488 11. When appropriate, the basis for the unwillingness or
489 inability of the parent to become a party to a case plan. The
490 court and the citizen review panel shall determine if the
491 efforts of the social service agency to secure party
492 participation in a case plan were sufficient.

493 12. For a child who has reached 13 years of age but is not
494 yet 18 years of age, the adequacy of the child's preparation for
495 adulthood and independent living. For a child who is 15 years of
496 age or older, the court shall determine if appropriate steps are
497 being taken for the child to obtain a driver license or
498 learner's driver license.

499 13. If amendments to the case plan are required.

500 Amendments to the case plan must be made under s. 39.6013.

501 14. If the parents and caregivers have developed a
502 productive relationship that includes meaningful communication
503 and mutual support.

504 Section 6. Section 409.1415, Florida Statutes, is created
505 to read:

506 409.1415 Parenting partnerships for children in out-of-
507 home care.—

508 (1) LEGISLATIVE FINDINGS AND INTENT.—

509 (a) The Legislature finds that reunification is the most
510 common outcome for children in out-of-home care and that foster
511 parents are one of the most important resources to help children
512 reunify with their families.

513 (b) The Legislature further finds that the most successful
514 foster parents understand that their role goes beyond supporting
515 the children in their care to supporting the children's
516 families, as a whole, and that children and their families
517 benefit when foster and birth parents are supported by an agency
518 culture that encourages a meaningful partnership between them
519 and provides quality support.

520 (c) Therefore, in keeping with national trends, it is the
521 intent of the Legislature to bring birth parents and foster
522 parents together in order to build strong relationships that
523 lead to more successful reunifications and more stability for
524 children being fostered in out-of-home care.

525 (2) PARENTING PARTNERSHIPS.—

526 (a) General provisions.—In order to ensure that children
527 in out-of-home care achieve legal permanency as soon as
528 possible, to reduce the likelihood that they will reenter care
529 or that other children in the family are abused or neglected or
530 enter out-of-home care, and to ensure that families are fully
531 prepared to resume custody of their children, the department and
532 community-based care lead agencies shall develop and support
533 relationships between foster families and the legal parents of
534 children in out-of-home care, to the extent that it is safe and
535 in the child's best interest, by:

536 1. Facilitating telephone communication between the foster
537 parent and the birth or legal parent as soon as possible after
538 the child is placed in the home.

539 2. Facilitating and attending an in-person meeting between
540 the foster parent and the birth or legal parent within 2 weeks
541 after placement.

542 3. Developing and supporting a plan for birth or legal
543 parents to participate in medical appointments, educational and
544 extracurricular activities, and other events involving the
545 child.

546 4. Facilitating participation by the foster parent in
547 visitation between the birth parent and child.

548 5. Involving the foster parent in planning meetings with
549 the birth parent.

550 6. Developing and implementing effective transition plans
551 for the child's return home or placement in any other living
552 environment.

553 7. Supporting continued contact between the foster family
554 and the child after the child returns home or moves to another
555 permanent living arrangement.

556 8. Supporting continued connection with the birth parent
557 after adoption.

558 (b) Responsibilities.—To ensure that a child in out-of-
559 home care receives support for healthy development which gives
560 him or her the best possible opportunity for success, foster
561 parents, birth parents, the department, community-based care
562 lead agency staff, and other agency staff, as applicable, shall
563 work cooperatively in a respectful partnership by adhering to
564 the following requirements:

565 1. All members of the partnership must interact and
566 communicate professionally with one another, must share all
567 relevant information promptly, and must respect the
568 confidentiality of all information related to a child and his or
569 her family.

570 2. Caregivers, the family, the department, community-based
571 care lead agency staff, and other agency staff must participate
572 in developing a case plan for the child and family, and all
573 members of the team must work together to implement the plan.
574 Caregivers must participate in all team meetings or court

575 hearings related to the child's care and future plans. The
576 department, community-based care lead agency staff, and other
577 agency staff must support and facilitate caregiver participation
578 through timely notification of such meetings and hearings and an
579 inclusive process, and by providing alternative methods for
580 participation for caregivers who cannot be physically present at
581 a meeting or hearing.

582 3. Excellent parenting is a reasonable expectation of
583 caregivers. Caregivers must provide, and the department,
584 community-based care lead agency staff, and other agency staff
585 must support, excellent parenting. "Excellent parenting" means a
586 loving commitment to the child and the child's safety and well-
587 being; appropriate supervision and positive methods of
588 discipline; encouragement of the child's strengths; respect for
589 the child's individuality and likes and dislikes; providing
590 opportunities to develop the child's interests and skills; being
591 aware of the impact of trauma on behavior; facilitating equal
592 participation of the child in family life; involving the child
593 within his or her community; and a commitment to enable the
594 child to lead a normal life.

595 4. Children in out-of-home care may be placed only with a
596 caregiver who has the ability to care for the child, is willing
597 to accept responsibility for providing care, and is willing and
598 able to learn about and be respectful of the child's culture,
599 religion, and ethnicity; special physical or psychological

600 needs; any circumstances unique to the child; and family
601 relationships. The department, the community-based care lead
602 agency, and other agencies must provide a caregiver with all
603 available information necessary to assist the caregiver in
604 determining whether he or she is able to appropriately care for
605 a particular child.

606 5. A caregiver must have access to and take advantage of
607 all training that he or she needs to improve his or her skills
608 in parenting a child who has experienced trauma due to neglect,
609 abuse, or separation from home; to meet the child's special
610 needs; and to work effectively with child welfare agencies, the
611 courts, the schools, and other community and governmental
612 agencies.

613 6. The department, community-based care lead agency staff,
614 and other agency staff must provide caregivers with the services
615 and support they need to enable them to provide quality care for
616 the child.

617 7. Once a family accepts the responsibility of caring for
618 a child, the child may be removed from that family only if the
619 family is clearly unable to care for him or her safely or
620 legally, when the child and his or her biological family are
621 reunified, when the child is being placed in a legally permanent
622 home in accordance with a case plan or court order, or when the
623 removal is demonstrably in the best interests of the child.

624 8. If a child must leave the caregiver's home for one of
625 the reasons stated in subparagraph 7., and in the absence of an
626 unforeseeable emergency, the transition must be accomplished
627 according to a plan that involves cooperation and sharing of
628 information among all persons involved, respects the child's
629 developmental stage and psychological needs, ensures the child
630 has all of his or her belongings, allows for a gradual
631 transition from the caregiver's home, and, if possible, allows
632 for continued contact with the caregiver after the child leaves.

633 9. When the plan for a child includes reunification,
634 caregivers and agency staff must work together to assist the
635 biological parents in improving their ability to care for and
636 protect their children and to provide continuity for the child.

637 10. A caregiver must respect and support the child's ties
638 to his or her biological family including parents, siblings, and
639 extended family members and must assist the child in visitation
640 and other forms of communication. The department, community-
641 based care lead agency staff, and other agency staff must
642 provide caregivers with the information, guidance, training, and
643 support necessary for fulfilling this responsibility.

644 11. A caregiver must work in partnership with the
645 department, community-based care lead agency staff, and other
646 agency staff to obtain and maintain records that are important
647 to the child's well-being including, but not limited to, child

648 resource records, medical records, school records, photographs,
649 and records of special events and achievements.

650 12. A caregiver must effectively advocate for a child in
651 his or her care with the child welfare system, the court, and
652 community agencies, including schools, child care providers,
653 health and mental health providers, and employers. The
654 department, community-based care lead agency staff, and other
655 agency staff must support a caregiver in effectively advocating
656 for a child and may not retaliate against the caregiver as a
657 result of this advocacy.

658 13. A caregiver must be as fully involved in the child's
659 medical, psychological, and dental care as he or she would be
660 for his or her biological child. Agency staff must support and
661 facilitate such participation. Caregivers, the department,
662 community-based care lead agency staff, and other agency staff
663 must share information with each other about the child's health
664 and well-being.

665 14. A caregiver must support a child's school success,
666 including, when possible, maintaining school stability by
667 participating in school activities and meetings, including
668 individual education plan meetings; assisting with school
669 assignments; supporting tutoring programs; meeting with teachers
670 and working with an educational surrogate, if one has been
671 appointed; and encouraging the child's participation in
672 extracurricular activities. Agency staff must facilitate this

673 participation and must be kept informed of the child's progress
674 and needs.

675 15. Caseworkers and caseworker supervisors must mediate
676 disagreements that occur between foster parents and birth
677 parents.

678 (c) Residential group homes.—All caregivers employed by
679 residential group homes must meet the same education, training,
680 and background and other screening requirements as foster
681 parents and must adhere to the requirements in paragraph (b).

682 (3) RULEMAKING.—The department shall adopt by rule
683 procedures to administer this section.

684 Section 7. Section 409.145, Florida Statutes, is amended
685 to read:

686 409.145 Care of children; ~~quality parenting~~; "reasonable
687 and prudent parent" standard.—The child welfare system of the
688 department shall operate as a coordinated community-based system
689 of care which empowers all caregivers for children in foster
690 care to provide quality parenting, including approving or
691 disapproving a child's participation in activities based on the
692 caregiver's assessment using the "reasonable and prudent parent"
693 standard.

694 (1) SYSTEM OF CARE.—The department shall develop,
695 implement, and administer a coordinated community-based system
696 of care for children who are found to be dependent and their
697 families. This system of care must be directed toward the

698 following goals:

699 (a) Prevention of separation of children from their
700 families.

701 (b) Intervention to allow children to remain safely in
702 their own homes.

703 (c) Reunification of families who have had children
704 removed from their care.

705 (d) Safety for children who are separated from their
706 families by providing alternative emergency or longer-term
707 parenting arrangements.

708 (e) Focus on the well-being of children through emphasis
709 on maintaining educational stability and providing timely health
710 care.

711 (f) Permanency for children for whom reunification with
712 their families is not possible or is not in the best interest of
713 the child.

714 (g) The transition to independence and self-sufficiency
715 for older children who remain in foster care through
716 adolescence.

717 ~~(2) QUALITY PARENTING. A child in foster care shall be~~
718 ~~placed only with a caregiver who has the ability to care for the~~
719 ~~child, is willing to accept responsibility for providing care,~~
720 ~~and is willing and able to learn about and be respectful of the~~
721 ~~child's culture, religion and ethnicity, special physical or~~
722 ~~psychological needs, any circumstances unique to the child, and~~

723 ~~family relationships. The department, the community-based care~~
724 ~~lead agency, and other agencies shall provide such caregiver~~
725 ~~with all available information necessary to assist the caregiver~~
726 ~~in determining whether he or she is able to appropriately care~~
727 ~~for a particular child.~~

728 ~~(a) Roles and responsibilities of caregivers. A caregiver~~
729 ~~shall:~~

730 ~~1. Participate in developing the case plan for the child~~
731 ~~and his or her family and work with others involved in his or~~
732 ~~her care to implement this plan. This participation includes the~~
733 ~~caregiver's involvement in all team meetings or court hearings~~
734 ~~related to the child's care.~~

735 ~~2. Complete all training needed to improve skills in~~
736 ~~parenting a child who has experienced trauma due to neglect,~~
737 ~~abuse, or separation from home, to meet the child's special~~
738 ~~needs, and to work effectively with child welfare agencies, the~~
739 ~~court, the schools, and other community and governmental~~
740 ~~agencies.~~

741 ~~3. Respect and support the child's ties to members of his~~
742 ~~or her biological family and assist the child in maintaining~~
743 ~~allowable visitation and other forms of communication.~~

744 ~~4. Effectively advocate for the child in the caregiver's~~
745 ~~care with the child welfare system, the court, and community~~
746 ~~agencies, including the school, child care, health and mental~~
747 ~~health providers, and employers.~~

748 ~~5. Participate fully in the child's medical,~~
749 ~~psychological, and dental care as the caregiver would for his or~~
750 ~~her biological child.~~

751 ~~6. Support the child's educational success by~~
752 ~~participating in activities and meetings associated with the~~
753 ~~child's school or other educational setting, including~~
754 ~~Individual Education Plan meetings and meetings with an~~
755 ~~educational surrogate if one has been appointed, assisting with~~
756 ~~assignments, supporting tutoring programs, and encouraging the~~
757 ~~child's participation in extracurricular activities.~~

758 ~~a. Maintaining educational stability for a child while in~~
759 ~~out-of-home care by allowing the child to remain in the school~~
760 ~~or educational setting that he or she attended before entry into~~
761 ~~out-of-home care is the first priority, unless not in the best~~
762 ~~interest of the child.~~

763 ~~b. If it is not in the best interest of the child to~~
764 ~~remain in his or her school or educational setting upon entry~~
765 ~~into out-of-home care, the caregiver must work with the case~~
766 ~~manager, guardian ad litem, teachers and guidance counselors,~~
767 ~~and educational surrogate if one has been appointed to determine~~
768 ~~the best educational setting for the child. Such setting may~~
769 ~~include a public school that is not the school of origin, a~~
770 ~~private school pursuant to s. 1002.42, a virtual instruction~~
771 ~~program pursuant to s. 1002.45, or a home education program~~
772 ~~pursuant to s. 1002.41.~~

773 ~~7. Work in partnership with other stakeholders to obtain~~
774 ~~and maintain records that are important to the child's well-~~
775 ~~being, including child resource records, medical records, school~~
776 ~~records, photographs, and records of special events and~~
777 ~~achievements.~~

778 ~~8. Ensure that the child in the caregiver's care who is~~
779 ~~between 13 and 17 years of age learns and masters independent~~
780 ~~living skills.~~

781 ~~9. Ensure that the child in the caregiver's care is aware~~
782 ~~of the requirements and benefits of the Road to Independence~~
783 ~~Program.~~

784 ~~10. Work to enable the child in the caregiver's care to~~
785 ~~establish and maintain naturally occurring mentoring~~
786 ~~relationships.~~

787 ~~(b) Roles and responsibilities of the department, the~~
788 ~~community-based care lead agency, and other agency staff. The~~
789 ~~department, the community-based care lead agency, and other~~
790 ~~agency staff shall:~~

791 ~~1. Include a caregiver in the development and~~
792 ~~implementation of the case plan for the child and his or her~~
793 ~~family. The caregiver shall be authorized to participate in all~~
794 ~~team meetings or court hearings related to the child's care and~~
795 ~~future plans. The caregiver's participation shall be facilitated~~
796 ~~through timely notification, an inclusive process, and~~
797 ~~alternative methods for participation for a caregiver who cannot~~

798 ~~be physically present.~~

799 ~~2. Develop and make available to the caregiver the~~
800 ~~information, services, training, and support that the caregiver~~
801 ~~needs to improve his or her skills in parenting children who~~
802 ~~have experienced trauma due to neglect, abuse, or separation~~
803 ~~from home, to meet these children's special needs, and to~~
804 ~~advocate effectively with child welfare agencies, the courts,~~
805 ~~schools, and other community and governmental agencies.~~

806 ~~3. Provide the caregiver with all information related to~~
807 ~~services and other benefits that are available to the child.~~

808 ~~4. Show no prejudice against a caregiver who desires to~~
809 ~~educate at home a child placed in his or her home through the~~
810 ~~child welfare system.~~

811 ~~(c) Transitions.—~~

812 ~~1. Once a caregiver accepts the responsibility of caring~~
813 ~~for a child, the child will be removed from the home of that~~
814 ~~caregiver only if:~~

815 ~~a. The caregiver is clearly unable to safely or legally~~
816 ~~care for the child;~~

817 ~~b. The child and his or her biological family are~~
818 ~~reunified;~~

819 ~~c. The child is being placed in a legally permanent home~~
820 ~~pursuant to the case plan or a court order; or~~

821 ~~d. The removal is demonstrably in the child's best~~
822 ~~interest.~~

823 ~~2. In the absence of an emergency, if a child leaves the~~
824 ~~caregiver's home for a reason provided under subparagraph 1.,~~
825 ~~the transition must be accomplished according to a plan that~~
826 ~~involves cooperation and sharing of information among all~~
827 ~~persons involved, respects the child's developmental stage and~~
828 ~~psychological needs, ensures the child has all of his or her~~
829 ~~belongings, allows for a gradual transition from the caregiver's~~
830 ~~home and, if possible, for continued contact with the caregiver~~
831 ~~after the child leaves.~~

832 ~~(d) Information sharing. Whenever a foster home or~~
833 ~~residential group home assumes responsibility for the care of a~~
834 ~~child, the department and any additional providers shall make~~
835 ~~available to the caregiver as soon as is practicable all~~
836 ~~relevant information concerning the child. Records and~~
837 ~~information that are required to be shared with caregivers~~
838 ~~include, but are not limited to:~~

839 ~~1. Medical, dental, psychological, psychiatric, and~~
840 ~~behavioral history, as well as ongoing evaluation or treatment~~
841 ~~needs;~~

842 ~~2. School records;~~

843 ~~3. Copies of his or her birth certificate and, if~~
844 ~~appropriate, immigration status documents;~~

845 ~~4. Consents signed by parents;~~

846 ~~5. Comprehensive behavioral assessments and other social~~
847 ~~assessments;~~

848 ~~6. Court orders;~~
 849 ~~7. Visitation and case plans;~~
 850 ~~8. Guardian ad litem reports;~~
 851 ~~9. Staffing forms; and~~
 852 ~~10. Judicial or citizen review panel reports and~~
 853 ~~attachments filed with the court, except confidential medical,~~
 854 ~~psychiatric, and psychological information regarding any party~~
 855 ~~or participant other than the child.~~

856 ~~(c) Caregivers employed by residential group homes. All~~
 857 ~~caregivers in residential group homes shall meet the same~~
 858 ~~education, training, and background and other screening~~
 859 ~~requirements as foster parents.~~

860 (2) ~~(3)~~ REASONABLE AND PRUDENT PARENT STANDARD.—

861 (a) Definitions.—As used in this subsection, the term:

862 1. "Age-appropriate" means an activity or item that is
 863 generally accepted as suitable for a child of the same
 864 chronological age or level of maturity. Age appropriateness is
 865 based on the development of cognitive, emotional, physical, and
 866 behavioral capacity which is typical for an age or age group.

867 2. "Caregiver" means a person with whom the child is
 868 placed in out-of-home care, or a designated official for a group
 869 care facility licensed by the department under s. 409.175.

870 3. "Reasonable and prudent parent" standard means the
 871 standard of care used by a caregiver in determining whether to
 872 allow a child in his or her care to participate in

873 extracurricular, enrichment, and social activities. This
874 standard is characterized by careful and thoughtful parental
875 decisionmaking that is intended to maintain a child's health,
876 safety, and best interest while encouraging the child's
877 emotional and developmental growth.

878 (b) Application of standard of care.—

879 1. Every child who comes into out-of-home care pursuant to
880 this chapter is entitled to participate in age-appropriate
881 extracurricular, enrichment, and social activities.

882 2. Each caregiver shall use the reasonable and prudent
883 parent standard in determining whether to give permission for a
884 child living in out-of-home care to participate in
885 extracurricular, enrichment, or social activities. When using
886 the reasonable and prudent parent standard, the caregiver must
887 consider:

888 a. The child's age, maturity, and developmental level to
889 maintain the overall health and safety of the child.

890 b. The potential risk factors and the appropriateness of
891 the extracurricular, enrichment, or social activity.

892 c. The best interest of the child, based on information
893 known by the caregiver.

894 d. The importance of encouraging the child's emotional and
895 developmental growth.

896 e. The importance of providing the child with the most
897 family-like living experience possible.

898 f. The behavioral history of the child and the child's
 899 ability to safely participate in the proposed activity.

900 (c) Verification of services delivered.—The department and
 901 each community-based care lead agency shall verify that private
 902 agencies providing out-of-home care services to dependent
 903 children have policies in place which are consistent with this
 904 section and that these agencies promote and protect the ability
 905 of dependent children to participate in age-appropriate
 906 extracurricular, enrichment, and social activities.

907 (d) Limitation of liability.—A caregiver is not liable for
 908 harm caused to a child who participates in an activity approved
 909 by the caregiver, provided that the caregiver has acted in
 910 accordance with the reasonable and prudent parent standard. This
 911 paragraph may not be interpreted as removing or limiting any
 912 existing liability protection afforded by law.

913 (3)~~(4)~~ FOSTER CARE ROOM AND BOARD RATES.—

914 (a) Effective July 1, 2018, room and board rates shall be
 915 paid to foster parents as follows:

916

Monthly Foster Care Rate

917

0-5 Years	6-12 Years	13-21 Years
Age	Age	Age
\$457.95	\$469.68	\$549.74

918

919
920 (b) Each January, foster parents shall receive an annual
921 cost of living increase. The department shall calculate the new
922 room and board rate increase equal to the percentage change in
923 the Consumer Price Index for All Urban Consumers, U.S. City
924 Average, All Items, not seasonally adjusted, or successor
925 reports, for the preceding December compared to the prior
926 December as initially reported by the United States Department
927 of Labor, Bureau of Labor Statistics. The department shall make
928 available the adjusted room and board rates annually.

929 (c) Effective July 1, 2019, foster parents of level I
930 family foster homes, as defined in s. 409.175(5) (a) shall
931 receive a room and board rate of \$333.

932 (d) Effective July 1, 2019, the foster care room and board
933 rate for level II family foster homes as defined in s.
934 409.175(5) (a) shall be the same as the new rate established for
935 family foster homes as of January 1, 2019.

936 (e) Effective January 1, 2020, paragraph (b) shall only
937 apply to level II through level V family foster homes, as
938 defined in s. 409.175(5) (a).

939 (f) The amount of the monthly foster care room and board
940 rate may be increased upon agreement among the department, the
941 community-based care lead agency, and the foster parent.

942 (g) From July 1, 2018, through June 30, 2019, community-
943 based care lead agencies providing care under contract with the

944 department shall pay a supplemental room and board payment to
945 foster care parents of all family foster homes, on a per-child
946 basis, for providing independent life skills and normalcy
947 supports to children who are 13 through 17 years of age placed
948 in their care. The supplemental payment shall be paid monthly to
949 the foster care parents in addition to the current monthly room
950 and board rate payment. The supplemental monthly payment shall
951 be based on 10 percent of the monthly room and board rate for
952 children 13 through 21 years of age as provided under this
953 section and adjusted annually. Effective July 1, 2019, such
954 supplemental payments shall only be paid to foster parents of
955 level II through level V family foster homes.

956 (4)~~(5)~~ RULEMAKING.—The department shall adopt by rule
957 procedures to administer this section.

958 Section 8. Paragraph (j) of subsection (1) of section
959 409.988, Florida Statutes, is amended to read:

960 409.988 Lead agency duties; general provisions.—

961 (1) DUTIES.—A lead agency:

962 (j) May subcontract for the provision of services required
963 by the contract with the lead agency and the department;
964 however, the subcontracts must specify how the provider will
965 contribute to the lead agency meeting the performance standards
966 established pursuant to the child welfare results-oriented
967 accountability system required by s. 409.997. The lead agency
968 shall directly provide no more than 35 percent of all child

969 welfare services provided unless it can demonstrate a need,
 970 within the lead agency's geographic service area, to exceed this
 971 threshold. The local community alliance in the geographic
 972 service area in which the lead agency is seeking to exceed the
 973 threshold shall review the lead agency's justification for need
 974 and recommend to the department whether the department should
 975 approve or deny the lead agency's request for an exemption from
 976 the services threshold. If there is not a community alliance
 977 operating in the geographic service area in which the lead
 978 agency is seeking to exceed the threshold, such review and
 979 recommendation shall be made by representatives of local
 980 stakeholders, including at least one representative from each of
 981 the following:

- 982 1. The department.
- 983 2. The county government.
- 984 3. The school district.
- 985 4. The county United Way.
- 986 5. The county sheriff's office.
- 987 6. The circuit court corresponding to the county.
- 988 7. The county children's board, if one exists.

989 Section 9. Paragraph (b) of subsection (7) of section
 990 39.302, Florida Statutes, is amended to read:

991 39.302 Protective investigations of institutional child
 992 abuse, abandonment, or neglect.—

993 (7) When an investigation of institutional abuse, neglect,

994 or abandonment is closed and a person is not identified as a
 995 caregiver responsible for the abuse, neglect, or abandonment
 996 alleged in the report, the fact that the person is named in some
 997 capacity in the report may not be used in any way to adversely
 998 affect the interests of that person. This prohibition applies to
 999 any use of the information in employment screening, licensing,
 1000 child placement, adoption, or any other decisions by a private
 1001 adoption agency or a state agency or its contracted providers.

1002 (b) Likewise, if a person is employed as a caregiver in a
 1003 residential group home licensed under ~~pursuant to~~ s. 409.175 and
 1004 is named in any capacity in three or more reports within a 5-
 1005 year period, the department may review all reports for the
 1006 purposes of the employment screening required under s.
 1007 409.1415(2)(c) ~~pursuant to s. 409.145(2)(c)~~.

1008 Section 10. Paragraph (d) of subsection (5) of section
 1009 39.6225, Florida Statutes, is amended to read:

1010 39.6225 Guardianship Assistance Program.—

1011 (5) A guardian with an application approved pursuant to
 1012 subsection (2) who is caring for a child placed with the
 1013 guardian by the court pursuant to this part may receive
 1014 guardianship assistance payments based on the following
 1015 criteria:

1016 (d) The department shall provide guardianship assistance
 1017 payments in the amount of \$4,000 annually, paid on a monthly
 1018 basis, or in an amount other than \$4,000 annually as determined

1019 by the guardian and the department and memorialized in a written
1020 agreement between the guardian and the department. The agreement
1021 shall take into consideration the circumstances of the guardian
1022 and the needs of the child. Changes may not be made without the
1023 concurrence of the guardian. However, ~~in no case shall~~ the
1024 amount of the monthly payment may not exceed the foster care
1025 maintenance payment that would have been paid during the same
1026 period if the child had been in licensed care at his or her
1027 designated level of care at the rate established in s.
1028 409.145(3) ~~s. 409.145(4)~~.

1029 Section 11. Paragraph (b) of subsection (5) of section
1030 393.065, Florida Statutes, is amended to read:

1031 393.065 Application and eligibility determination.—

1032 (5) The agency shall assign and provide priority to
1033 clients waiting for waiver services in the following order:

1034 (b) Category 2, which includes individuals on the waiting
1035 list who are:

1036 1. From the child welfare system with an open case in the
1037 Department of Children and Families' statewide automated child
1038 welfare information system and who are either:

1039 a. Transitioning out of the child welfare system at the
1040 finalization of an adoption, a reunification with family
1041 members, a permanent placement with a relative, or a
1042 guardianship with a nonrelative; or

1043 b. At least 18 years but not yet 22 years of age and who

1044 need both waiver services and extended foster care services; or
 1045 2. At least 18 years but not yet 22 years of age and who
 1046 withdrew consent pursuant to s. 39.6251(5)(c) to remain in the
 1047 extended foster care system.

1048
 1049 For individuals who are at least 18 years but not yet 22 years
 1050 of age and who are eligible under sub-subparagraph 1.b., the
 1051 agency shall provide waiver services, including residential
 1052 habilitation, and the community-based care lead agency shall
 1053 fund room and board at the rate established in s. 409.145(3) ~~s.~~
 1054 ~~409.145(4)~~ and provide case management and related services as
 1055 defined in s. 409.986(3)(e). Individuals may receive both waiver
 1056 services and services under s. 39.6251. Services may not
 1057 duplicate services available through the Medicaid state plan.

1058
 1059 Within categories 3, 4, 5, 6, and 7, the agency shall maintain a
 1060 waiting list of clients placed in the order of the date that the
 1061 client is determined eligible for waiver services.

1062 Section 12. Paragraph (b) of subsection (2) of section
 1063 409.1451, Florida Statutes, is amended to read:

1064 409.1451 The Road-to-Independence Program.—

1065 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

1066 (b) The amount of the financial assistance shall be as
 1067 follows:

1068 1. For a young adult who does not remain in foster care

1069 and is attending a postsecondary school as provided in s.
 1070 1009.533, the amount is \$1,256 monthly.

1071 2. For a young adult who remains in foster care, is
 1072 attending a postsecondary school, as provided in s. 1009.533,
 1073 and continues to reside in a licensed foster home, the amount is
 1074 the established room and board rate for foster parents. This
 1075 takes the place of the payment provided for in s. 409.145(3) ~~s.~~
 1076 ~~409.145(4)~~.

1077 3. For a young adult who remains in foster care, but
 1078 temporarily resides away from a licensed foster home for
 1079 purposes of attending a postsecondary school as provided in s.
 1080 1009.533, the amount is \$1,256 monthly. This takes the place of
 1081 the payment provided for in s. 409.145(3) ~~s. 409.145(4)~~.

1082 4. For a young adult who remains in foster care, is
 1083 attending a postsecondary school as provided in s. 1009.533, and
 1084 continues to reside in a licensed group home, the amount is
 1085 negotiated between the community-based care lead agency and the
 1086 licensed group home provider.

1087 5. For a young adult who remains in foster care, but
 1088 temporarily resides away from a licensed group home for purposes
 1089 of attending a postsecondary school as provided in s. 1009.533,
 1090 the amount is \$1,256 monthly. This takes the place of a
 1091 negotiated room and board rate.

1092 6. A young adult is eligible to receive financial
 1093 assistance during the months when he or she is enrolled in a

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1094 | postsecondary educational institution.

1095 | Section 13. This act shall take effect July 1, 2020.