

1 A bill to be entitled

2 An act relating to children and young adults in out-
3 of-home care; creating s. 39.00146, F.S.; requiring a
4 face sheet with specified information for every case
5 record of a child under certain supervision; requiring
6 the face sheet to be updated monthly; requiring the
7 Department of Children and Families to adopt rules;
8 amending s. 39.522, F.S.; requiring the court to hear
9 all parties if any party or the current caregiver
10 denies a need for a change in placement for a child;
11 amending s. 39.523, F.S.; providing legislative
12 findings; requiring the coordination of a child and
13 family team or multidisciplinary team under certain
14 circumstances; providing priority for the initial
15 placement of a child; requiring consideration of a
16 child's siblings and child care provider or school
17 when determining the initial placement of the child;
18 providing priority for a change of placement of a
19 child; providing when a child must remain in his or
20 her current placement and when the child may be moved
21 to a new placement; requiring the coordination of a
22 child and family team under certain circumstances;
23 requiring a transition plan to be created for each
24 placement of a child and notice to be given within a
25 specified time, except in cases of emergency;

26 providing requirements for the transition plan;
27 requiring the plan to be filed with the court within a
28 specified time; creating s. 39.525, F.S.; providing
29 for a child and family team under certain
30 circumstances; providing requirements for the child
31 and family team facilitator; providing membership of
32 the child and family team; providing requirements for
33 the child and family team; providing requirements for
34 the case manager after the child and family team has
35 convened; requiring the department to make certain
36 decisions if the child and family team cannot come to
37 a unanimous consensus; creating s. 39.526, F.S.;
38 requiring the department to use reasonable efforts to
39 place siblings in the same out-of-home placement
40 unless it is not in a child's best interest; requiring
41 certain documentation if siblings are not placed
42 together; providing requirements for the department or
43 community-based care lead agency relating to sibling
44 placement; amending s. 39.6035, F.S.; requiring a
45 transition plan be developed during the year after a
46 child turns 16 years of age and be updated as needed;
47 amending s. 39.701, F.S.; requiring judicial review
48 hearings within a specified time after a child's
49 specified birthday; providing the child and other
50 relevant parties the opportunity to address the court

51 at each review hearing; requiring the department to
52 provide a report with certain information; authorizing
53 the court to review the child's status on a more
54 frequent basis; amending s. 39.806, F.S.; conforming a
55 cross-reference; creating s. 39.8155, F.S.; providing
56 that parental rights may be reinstated under certain
57 conditions; requiring dismissal of the motion to
58 reinstate parental rights if certain criteria are not
59 met; providing evidence that may be considered when
60 determining a motion to reinstate parental rights;
61 requiring supervised visitation and trial home visits
62 for a specified time after a completed home study;
63 requiring the department to report to the court once a
64 month; requiring visitation to cease under certain
65 circumstances; requiring clear and convincing evidence
66 that reinstatement of parental rights is in the
67 child's best interest; requiring an in-home safety
68 plan if parental rights are reinstated; providing that
69 the court retain jurisdiction for a specified time;
70 reenacting and amending s. 409.1451, F.S.; providing
71 that aftercare services are available to certain young
72 adults in emergency situations; revising the services
73 that are included in aftercare services; providing
74 responsibilities of the department for the Road-to-
75 Independence Program; providing requirements for

76 community-based care lead agencies; removing
77 Legislative determination relating to the Independent
78 Living Services Advisory Council's ability to provide
79 valuable contributions to the department; requiring
80 certain information be reported to the Governor and
81 the Legislature; revising membership of the council;
82 authorizing the council to consult with certain youth;
83 creating s. 409.14515, F.S.; providing requirements
84 for the department to help children achieve self-
85 sufficiency; amending s. 409.1454, F.S.; providing
86 that children receiving certain services and support
87 may be eligible to have certain fees paid for them;
88 amending s. 409.988, F.S.; requiring a community-based
89 care lead agency to serve certain children; creating
90 s. 414.56, F.S.; creating the Office of Continuing
91 Care; providing duties of the office; providing
92 requirements for the Florida Institute for Child
93 Welfare; providing evaluation and analysis
94 requirements; requiring the evaluation and analysis
95 report be submitted to the Governor and Legislature by
96 specified dates; providing an effective date.

97
98 Be It Enacted by the Legislature of the State of Florida:

99
100 Section 1. Section 39.00146, Florida Statutes, is created

101 to read:

102 39.00146 Case record face sheet.-

103 (1) The case record of every child under the supervision
 104 or in the custody of the department, the department's authorized
 105 agents, or providers contracting with the department, including
 106 community-based care lead agencies and their subcontracted
 107 providers, must include a face sheet containing relevant
 108 information about the child and his or her case, including all
 109 of the following:

110 (a) General case information, including, but not limited
 111 to:

112 1. The child's full name and date of birth.

113 2. The child's current county of residence and the child's
 114 county of residence at the time of the report to the central
 115 abuse hotline.

116 3. The reason for the report to the central abuse hotline
 117 and any family safety concerns.

118 4. The personal identifying information of the parents or
 119 caregiver who had custody of the child at the time of the report
 120 to the central abuse hotline, including the full name, date of
 121 birth, and county of residence of the parents or caregivers.

122 5. The date the child was removed from the home.

123 6. The name and contact information of the attorneys
 124 assigned to the case in all capacities, including the attorney
 125 or attorneys that represent the department, the parents or

126 caregiver, and the guardian ad litem, if one is appointed to the
127 child.

128 (b) The name and contact information for all employees of
129 the department, the department's authorized agents, or providers
130 contracting with the department, including community-based care
131 lead agencies and their subcontracted providers, who have worked
132 with the child, including the child's current and previous case
133 managers, and the name and contact information for the
134 supervisor of all such employees.

135 (c) Information pertaining to all relevant family members
136 and other fictive kin, including, but not limited to, the full
137 name and contact information of:

138 1. The child's parents.

139 2. Any siblings known at the time of the child's removal
140 from the home, including the location of the current out-of-home
141 placement of such siblings, if applicable.

142 3. The child's current caregivers and any previous out-of-
143 home placements.

144 4. Any other adults who take care of the child in some
145 capacity.

146 5. Any other children who reside in the out-of-home
147 placement of the child, if applicable.

148 (d) Information pertaining to recent and upcoming court
149 hearings, including, but not limited to:

150 1. The date, subject matter, and county of court

151 jurisdiction of the most recent court hearing.

152 2. The date, subject matter, and county of court
153 jurisdiction of the next scheduled court hearing.

154 (e) Contact information for persons and organizations
155 currently providing services and support to the child.

156 (f) A description of any threats of danger that place the
157 child at imminent risk of removal, if applicable.

158 (g) An explanation of concerns that each individual parent
159 or current caregiver has for the child.

160 (h) Any concerns that exist regarding the parent or the
161 current caregiver's ability to:

162 1. Engage or bond with the child if the child is an
163 infant;

164 2. Structure daily activities that stimulate the child;

165 3. Manage the child's behavior;

166 4. Maintain a safe home; or

167 5. Make healthy decisions for the child.

168 (i) Any transitions in placement the child has experienced
169 since the child's initial placement and a description of how
170 such transitions were accomplished in accordance with s. 39.523.

171 (j) Any other information the department, the department's
172 authorized agents, or providers contracting with the department,
173 including community-based care lead agencies and their
174 subcontracted providers, deem relevant.

175 (2) The department, the department's authorized agents, or

176 providers contracting with the department, including community-
177 based care lead agencies and their subcontracted providers, must
178 ensure that the face sheet for each case record is updated
179 monthly.

180 (3) The department shall adopt rules necessary to
181 implement this section.

182 Section 2. Subsections (1) through (4) of section 39.522,
183 Florida Statutes, are renumbered as subsections (2) through (5),
184 respectively, present subsection (1) of that section is amended,
185 and a new subsection (1) is added to that section, to read:

186 39.522 Postdisposition change of custody.—

187 (1) The court may change the temporary legal custody or
188 the conditions of protective supervision at a postdisposition
189 hearing, without the necessity of another adjudicatory hearing.

190 (2) (a) ~~(1) (a)~~ At any time before a child is residing in the
191 permanent placement approved at the permanency hearing, a child
192 who has been placed in the child's own home under the protective
193 supervision of an authorized agent of the department, in the
194 home of a relative, in the home of a legal custodian, or in some
195 other place may be brought before the court by the department or
196 by any other interested person, upon the filing of a motion
197 alleging a need for a change in the conditions of protective
198 supervision or the placement. If any party or the current
199 caregiver denies ~~the parents or other legal custodians deny~~ the
200 need for a change, the court shall hear all parties in person or

201 | by counsel, or both.

202 | (b) Upon the admission of a need for a change or after
203 | such hearing, the court shall enter an order changing the
204 | placement, modifying the conditions of protective supervision,
205 | or continuing the conditions of protective supervision as
206 | ordered. The standard for changing custody of the child shall be
207 | the best interests of the child. When determining whether a
208 | change of legal custody or placement is in the best interests of
209 | the child, the court shall consider:

210 | 1. The child's age.

211 | 2. The physical, mental, and emotional health benefits to
212 | the child by remaining in his or her current placement or moving
213 | to the proposed placement.

214 | 3. The stability and longevity of the child's current
215 | placement.

216 | 4. The established bonded relationship between the child
217 | and the current or proposed caregiver.

218 | 5. The reasonable preference of the child, if the court
219 | has found that the child is of sufficient intelligence,
220 | understanding, and experience to express a preference.

221 | 6. The recommendation of the child's current caregiver.

222 | 7. The recommendation of the child's guardian ad litem, if
223 | one has been appointed.

224 | 8. The child's previous and current relationship with a
225 | sibling, if the change of legal custody or placement will

226 separate or reunite siblings.

227 9. The likelihood of the child attaining permanency in the
228 current or proposed placement.

229 10. Any other relevant factors.

230 (c) ~~(b)~~ If the child is not placed in foster care, the new
231 placement for the child must meet the home study criteria and
232 court approval under this chapter.

233 Section 3. Section 39.523, Florida Statutes, is amended to
234 read:

235 39.523 Placement in out-of-home care.—

236 (1) LEGISLATIVE FINDINGS AND INTENT.—

237 (a) The Legislature finds that it is a basic tenet of
238 child welfare practice and the law that a child be placed in the
239 least restrictive, most family-like setting available in close
240 proximity to the home of his or her parents which meets the
241 needs of the child, and that a child be placed in a permanent
242 home in a timely manner.

243 (b) The Legislature ~~also~~ finds that there is an
244 association between placements that do not meet the needs of the
245 child and adverse outcomes for the child, that mismatching
246 placements to children's needs has been identified as a factor
247 that negatively impacts placement stability, and that
248 identifying the right placement for each child requires
249 effective assessment.

250 (c) The Legislature finds that an effective assessment of

251 where a child should be placed is particularly important for
252 young children who are 3 years of age or younger as evidenced by
253 research on the science of attachment and brain development.
254 Such research shows that a stable and nurturing relationship in
255 the first years of life, as well as the quality of such
256 relationships, shape a child's brain development, provide a
257 foundation for lifelong mental health and determine well-being
258 as an adult.

259 (d) ~~(e)~~ It is the intent of the Legislature that whenever a
260 child is unable to safely remain at home with a parent, the most
261 appropriate available out-of-home placement shall be chosen
262 after an assessment of the child's needs and the availability of
263 caregivers qualified to meet the child's needs.

264 (2) ASSESSMENT AND PLACEMENT.—When any child is removed
265 from a home and placed in ~~into~~ out-of-home care, a comprehensive
266 placement assessment process shall be completed to determine the
267 level of care needed by the child and match the child with the
268 most appropriate placement.

269 (a) The community-based care lead agency or subcontracted
270 agency with the responsibility for assessment and placement
271 shall ~~must~~ coordinate a child and family team if required under
272 s. 39.525, and may coordinate either a child or family team or a
273 multidisciplinary team staffing for other placement decisions.

274 (b) The multidisciplinary team staffing must be with any
275 available individual currently involved with the child,

276 including, but not limited to, a representative from the
 277 department and the case manager for the child; a therapist,
 278 attorney ad litem, guardian ad litem, teachers, coaches,
 279 Children's Medical Services; and other community providers of
 280 services to the child or stakeholders as applicable. The
 281 multidisciplinary team may also include clergy, relatives, and
 282 fictive kin if appropriate. Multidisciplinary team participants
 283 must gather data and information on the child which is known at
 284 the time including, but not limited to:

- 285 1. Mental, medical, behavioral health, and medication
 286 history.~~†~~
- 287 2. Community ties and school placement.~~†~~
- 288 3. Current placement decisions relating to any siblings.~~†~~
- 289 4. Alleged type of abuse, ~~or~~ neglect, or abandonment,
 290 including sexual abuse and trafficking history.~~†~~ ~~and~~
- 291 5. The child's age, maturity, strengths, hobbies or
 292 activities, and the child's preference for placement.

293 ~~(c)-(b)~~ (c) The comprehensive placement assessment process may
 294 also include the use of an assessment instrument or tool that is
 295 best suited for the individual child.

296 ~~(d)-(e)~~ (d) The most appropriate available out-of-home
 297 placement shall be chosen after consideration by all members of
 298 the multidisciplinary team or child and family team of all of
 299 the information and data gathered, including the results and
 300 recommendations of any evaluations conducted, and the

301 prioritization for placement under subsection (3) or subsection
302 (4).

303 (e)~~(d)~~ Placement decisions for each child in out-of-home
304 placement shall be reviewed as often as necessary to ensure
305 permanency for that child and address special issues related to
306 this population of children.

307 (f)~~(e)~~ The department, a sheriff's office acting under s.
308 39.3065, a community-based care lead agency, or a case
309 management organization must document all placement assessments
310 and placement decisions in the Florida Safe Families Network.

311 (g)~~(f)~~ If it is determined during the comprehensive
312 placement assessment process that residential treatment as
313 defined in s. 39.407 would be suitable for the child, the
314 procedures in that section must be followed.

315 (3) INITIAL PLACEMENT PRIORITY.-

316 (a) When a child cannot safely remain at home with a
317 parent, the department must consider the following options, in
318 order of priority, as the initial out-of-home placement for the
319 child:

- 320 1. The nonoffending parent.
- 321 2. A relative caregiver.
- 322 3. An adoptive parent of the child's sibling.
- 323 4. A fictive kin or nonrelative.
- 324 5. A licensed foster home.
- 325 6. A group home or congregate care.

326 (b) Siblings must be placed in the same placement if
327 possible and if placement together is in the best interest of
328 each child. A child must be placed separately from a sibling if
329 it is in that child's best interest to be separated from that
330 sibling.

331 (c) The department shall consider the child's current
332 child care provider or school and seek to maintain attendance at
333 the same child care provider or school until a review is
334 conducted to determine whether changing child care providers or
335 schools is in the child's best interest.

336 (4) SUBSEQUENT PLACEMENT PRIORITY.—When the department is
337 considering moving a child from a previous placement, it shall
338 prioritize placement options as provided in this subsection.

339 (a) A child shall remain in his or her current placement
340 if:

341 1.a. Reunification is not a permanency option for the
342 child.

343 b. The child has resided in the same out-of-home placement
344 for more than 9 months.

345 c. The current caregiver of the child in the out-of-home
346 placement requests and is eligible for consideration as an
347 adoptive parent or a permanent custodian for the child.

348 d. The child is under 6 years old or is of sufficient age
349 and understanding to express a preference and that preference is
350 to remain with the current caregiver;

351 2.a. The child is between the ages of 1 and 2 years old
352 and has been in the placement for at least 1 month.

353 b. The proposed placement is not to reunify the child with
354 a parent.

355 c. The current caregiver is willing to continue caring for
356 the child; or

357 3.a. The proposed placement is not to reunify a child with
358 a parent or intended to be a permanent placement.

359 b. The child has a strong bond with the current caregiver.

360 c. The proposed placement is to unify the child with a
361 sibling with whom the child does not have an existing
362 relationship or the child, if of sufficient age and
363 understanding, expresses a preference to remain with the current
364 caregiver.

365 d. The current caregiver is willing to continue caring for
366 the child.

367 (b) A child may be moved to a new placement when:

368 1. Circumstances do not meet the criteria in subparagraph
369 (a).

370 2. The child is separated from a sibling with whom the
371 child had a preexisting relationship with before the most recent
372 removal, and the placement would be with that sibling.

373 3. The child's placement would not be contrary to the
374 safety or well-being of any child within the group of siblings
375 placed together.

376 4. The child is of sufficient age and understanding to
377 express a preference and that preference is to be placed with
378 the child's sibling and proposed caregiver.

379 5. One or more children from the same sibling group are
380 currently placed with a foster parent or in a group home, and
381 the new placement would reunify the entire sibling group with a
382 relative or fictive kin.

383 (c) If the proposed placement would involve a child
384 meeting the criteria in paragraph (a) or paragraph (b) and the
385 proposed placement is other than the placement prioritized for
386 that child, the department shall convene a child and family team
387 meeting under s. 39.525.

388 (5) TRANSITION PLANNING.—

389 (a) An individualized transition plan must be created and
390 implemented for each placement change of a child.

391 (b)1. The transition plan shall begin as early as possible
392 before moving a child and extend as long as necessary to meet
393 the child's developmental stage and psychological needs.

394 2. If a change of placement is due to an emergency which
395 precludes transition activities before the child's move, the
396 department or community-based care lead agency shall provide
397 support services immediately before, during, and after the move.
398 The department shall create a transition plan as soon as
399 possible after the move to assist the child in achieving closure
400 with the former placement and adjusting to the new placement.

401 (c) Except in an emergency, the department or community-
402 based care lead agency must provide at least 14 days' notice of
403 the planned move and must include in the notice the reason a
404 placement change is necessary. A copy of the notice must be
405 filed with the court and be provided to the parties involved in
406 the child's case and the child's current caregiver.

407 (d) The transition plan must be developed through
408 cooperation among the parties to the child's case and the case
409 manager, and such persons must share any relevant information
410 necessary to develop the transition plan.

411 (e) The transition plan must, to the extent it is in the
412 best interest for the child:

413 1. Respect the child's developmental stage and
414 psychological needs.

415 2. Ensure the child has all of his or her belongings and
416 is allowed to help pack those belongings when age appropriate.

417 3. Allow for a gradual transition from the current
418 caregiver's home with adequate overlap between the two
419 caregivers, and must permit the child to have a final visitation
420 with everyone important to the child from the current placement,
421 including, but not limited to, pets.

422 4. Allow, when possible, for continued contact with the
423 previous caregiver and others in the home after removal.

424 5. Except in an emergency, prohibit a change in placement
425 that occurs between 7 p.m. and 8 a.m.

426 (f) The department or the community-based care lead agency
 427 must file the transition plan with the court within 48 hours
 428 after the creation of such plan and provide a copy of the plan
 429 to the parties to which notice was provided under paragraph (c).

430 ~~(6)~~~~(3)~~ JUDICIAL REVIEW.—At each judicial review, the court
 431 shall consider the results of the assessment, the placement
 432 decision made for the child, and services provided to the child
 433 as required under s. 39.701.

434 ~~(7)~~~~(4)~~ DATA COLLECTION.—The department shall collect the
 435 following information by community-based care lead agencies and
 436 post it on the Department of Children and Families' website. The
 437 information is to be updated on January 1 and July 1 of each
 438 year.

439 (a) The number of children placed with relatives and
 440 nonrelatives, in family foster homes, and in residential group
 441 care.

442 (b) An inventory of available services that are necessary
 443 to maintain children in the least restrictive setting that meets
 444 the needs of the child and a plan for filling any identified gap
 445 in those services.

446 (c) The number of children who were placed based upon the
 447 assessment.

448 (d) An inventory of existing placements for children by
 449 type and by community-based care lead agency.

450 (e) The strategies being used by community-based care lead

451 agencies to recruit, train, and support an adequate number of
452 families to provide home-based family care.

453 ~~(8)-(5)~~ RULEMAKING.—The department may adopt rules to
454 implement this section.

455 Section 4. Section 39.525, Florida Statutes, is created to
456 read:

457 39.525 Child and family teams.—Child and family team
458 meetings may be held when an important decision has to be made
459 about the child's life and must be held when a proposed
460 subsequent placement is not consistent with the placement
461 prioritized for the child as required in s. 39.523(4).

462 (1) Based on the identified goal of the child and family
463 team meeting, the case manager shall determine which individuals
464 are necessary for that meeting. The team must be as diverse as
465 possible to ensure that the optimal combination of technical
466 skills, cultural knowledge, community resources, and personal
467 relationships is developed and maintained for the child and
468 family.

469 (2) The child and family team must be led by a trained,
470 skilled facilitator. The facilitator must maintain an
471 environment that is conducive to respectful, productive
472 collaboration and help team members identify the child's and
473 family's strengths.

474 (3) When possible, and subject to the ability of the
475 facilitator to carry out his or her responsibilities as provided

476 in subsection (2), a child and family team must include all of
477 the following individuals:

478 (a) The child, if of sufficient age and understanding to
479 participate.

480 (b) The child's family members and other individuals
481 identified by the family as being important to the child,
482 provided that a parent who has a no contact order or injunction,
483 is alleged to have sexually abused the child, or is subject to a
484 termination of parental rights may not participate.

485 (c) The child's current caregiver.

486 (d) The child's case manager.

487 (e) The child's therapist or other behavioral health
488 professional, when applicable.

489 (4) The child and family team may also include other
490 professionals, including, but not limited to:

491 (a) A representative from Children's Medical Services, if
492 Children's Medical Services is involved with the family;

493 (b) A guardian ad litem, if one is appointed;

494 (c) The parent's attorney, if applicable.

495 (d) A representative from the child's school or child care
496 provider who personally knows the child; or

497 (e) Other community providers of services to the child or
498 parents, when applicable.

499 (5) The child and family team may also include other
500 individuals associated with and supportive of the child and

501 family, including, but not limited to, relatives, friends,
502 neighbors, coaches or other adult leaders of the child's
503 extracurricular activities, clergy or other members of the
504 family's religious community, coworkers of the parents, or other
505 individuals whom the family identifies as a potential source of
506 support.

507 (6) When a child and family team has been convened, the
508 case manager must make every effort to engage extended family
509 and individuals who provide community-based support who will
510 continue supporting the family after the department is no longer
511 involved.

512 (7) Child and family team meetings must be structured to
513 accomplish the identified goal of the meeting. When developing a
514 plan to implement the identified goal of the meeting, team
515 members must consider all of the following:

516 (a) Ensuring that a child is safe and is in the least
517 restrictive placement that can meet the child's needs.

518 (b) Minimizing the trauma associated with separation from
519 the child's family and helping the child maintain meaningful
520 connections with family members and other individuals who are
521 important to the child.

522 (c) Providing input into the placement decision made by
523 the community-based care lead agency and the services to be
524 provided in order to support the child.

525 (d) Providing input into the decision to preserve or

526 maintain the placement, including necessary placement
527 preservation strategies.

528 (e) Contributing to an ongoing assessment of the child and
529 the family's strengths and needs.

530 (f) Facilitating the timely achievement of permanency for
531 the child.

532 (8) After a child and family team meeting has occurred,
533 the child's case manager must:

534 (a) Document in the child's case plan a description of
535 roles, responsibilities, and tasks of team members in carrying
536 out the plan to address the identified goal.

537 (b) Monitor the plan for progress and ensure that plans
538 are revised or updated as the child's or family's circumstances
539 change.

540 (c) Notify the court of the reason for the child and
541 family team meeting and action steps to carry out the team's
542 plan to address the identified goal for the child and family.

543 (9) If the child and family team cannot come to a
544 unanimous consensus on a plan to address the identified goal,
545 the facilitator shall notify the court and the department within
546 48 hours after the conclusion of the team meeting. The
547 department shall then determine how to address the identified
548 goal of the meeting by what is in the child's best interest.

549 (10) The identified goal of a child and family team that
550 is convened under s. 39.523(4)(c) must be to recommend what

551 placement would be in the best interest of the child.

552 (a) At the conclusion of the team meeting, the case
553 manager shall provide a report to the department on the
554 recommended placement and why it is in the best interest of the
555 child.

556 (b) If the child and family team cannot come to a
557 unanimous consensus on a placement for the child, the
558 facilitator shall provide a report to the court and department
559 of the concerns and disagreements raised during the team
560 meeting. The department shall determine what placement is in the
561 best interest of the child by considering the concerns raised in
562 the facilitator's report and the factors provided in s. 39.522.

563 (11) The Florida Institute for Child Welfare established
564 under s. 1004.615 shall provide recommendations to the
565 department on the effective use of child and family teams.

566 Section 5. Section 39.526, Florida Statutes, is created to
567 read:

568 39.526 Siblings in out-of-home care.-

569 (1) Except as provided in s. 39.523(3) and (4), the
570 department or community-based care lead agency shall make
571 reasonable efforts to place siblings with an existing
572 relationship in the same out-of-home placement. Such placement
573 is not required if it is not in the best interest of one of the
574 siblings. The department or community-based care lead agency
575 must document in the child's case file and in the case record

576 face sheet required under s. 39.00146 the reasons that joint
577 placement for the siblings was not able to occur and the
578 reasonable efforts the department will make to provide frequent
579 visitation or other ongoing interaction between the siblings. If
580 the court finds that visitation or interaction is not in the
581 best interest of one of the siblings, the court shall limit or
582 restrict visitation or interaction between the siblings.

583 (2) The department or the community-based care lead agency
584 shall, to the extent that it is in each sibling's best interest:

585 (a) Assign siblings to the same case manager, regardless
586 of when a child enters care.

587 (b) Provide training to case managers on the importance of
588 preserving sibling connections.

589 (c) Periodically reassess sibling placement, visitation,
590 and other sibling interaction in cases where siblings are
591 separated, not visiting, or not interacting to determine if a
592 change in placement is warranted, subject to s. 39.523(4).

593 (d) Place siblings geographically near each other, such as
594 in the same neighborhood or school district, to make it easier
595 for the siblings to see each other regularly, when possible.

596 (e) Work with caregivers to help maintain or strengthen
597 relationships among separated siblings by:

598 1. Creating opportunities for siblings to engage in
599 frequent and regular visitation, to be actively involved in each
600 other's lives, and to participate in celebrations, including,

601 but not limited to, birthdays, graduations, holidays, school and
602 extracurricular activities, cultural customs, and other
603 milestones.

604 2. Utilizing other forms of interaction when regular in-
605 person meetings are not possible or are not sufficient to meet
606 the needs or desires of the siblings, including but not limited
607 to electronic communication, letters and cards, social media, or
608 telephone calls.

609 3. Coordinating joint outings or summer or weekend camp
610 experiences to facilitate time together, including, but not
611 limited to, activities or camps specifically designed for
612 siblings residing in out-of-home care.

613 4. Utilizing joint respite care to assist the caregivers
614 who are caring for separated siblings to have needed breaks
615 while also facilitating interaction among the siblings,
616 including, but not limited to, providing babysitting or respite
617 care for each other.

618 5. Prohibiting withholding visitation or interaction among
619 the siblings as a form of punishment.

620 6. Providing a caregiver with information, guidance,
621 training, and support necessary to maintain or strengthen
622 relationships among separated siblings.

623 7. Promptly providing a child with information as to the
624 location of and contact information for his or her siblings who
625 are under the supervision of the department. If the existence or

626 location of, or contact information for, a child's siblings is
627 not known, the department or community-based care lead agency
628 must make reasonable efforts to ascertain such information.

629 (3) If it becomes known that a child in out-of-home care
630 has a sibling of whom the child was previously unaware, the
631 department or community-based care lead agency must determine
632 whether the child's current placement or permanency plan
633 requires modification and whether contact between the siblings
634 would be in the best interests of each child, subject to s.
635 39.523(4).

636 Section 6. Subsection (1) of section 39.6035, Florida
637 Statutes, is amended to read:

638 39.6035 Transition plan.—

639 (1) During the year ~~180-day period~~ after a child reaches
640 16 ~~17~~ years of age, the department and the community-based care
641 provider, in collaboration with the caregiver and any other
642 individual whom the child would like to include, shall assist
643 the child in developing a transition plan. The required
644 transition plan is in addition to standard case management
645 requirements. The transition plan must address specific options
646 for the child to use in obtaining services, including housing,
647 health insurance, education, financial literacy, a driver
648 license, and workforce support and employment services. The plan
649 must also include tasks to establish and maintain ~~consider~~
650 ~~establishing and maintaining~~ naturally occurring mentoring

651 relationships and other personal support services. The
652 transition plan may be as detailed as the child chooses. This
653 plan shall be updated as needed before the child reaches 18
654 years of age. In developing and updating the transition plan,
655 the department and the community-based care lead agency ~~provider~~
656 shall:

657 (a) Provide the child with the documentation required
658 under ~~pursuant to~~ s. 39.701(3).~~†~~

659 (b) Coordinate the transition plan with the independent
660 living provisions in the case plan and, for a child with
661 disabilities, the Individuals with Disabilities Education Act
662 transition plan.~~†~~ ~~and~~

663 (c) Provide information for the financial literacy
664 curriculum for youth offered by the Department of Financial
665 Services.

666 Section 7. Subsection (3) of section 39.701, Florida
667 Statutes, is amended to read:

668 39.701 Judicial review.—

669 (3) REVIEW HEARINGS FOR CHILDREN 16 AND 17 YEARS OF AGE.—

670 At each review hearing held under this subsection, the court
671 shall give the child the opportunity to address the court and
672 provide any information relevant to the child's best interest,
673 particularly in relation to independent living transition
674 services. The foster parent, legal custodian, or guardian ad
675 litem may also provide any information relevant to the child's

676 best interest to the court.

677 ~~(a)~~ In addition to the review and report required under
678 paragraphs (1) (a) and (2) (a), respectively, the court shall:

679 (a) Inquire about the life skills the child has acquired
680 and whether those services are age appropriate, at the first
681 judicial review hearing held subsequent to the child's 16th
682 birthday. At the ~~Hold a~~ judicial review hearing, the department
683 shall provide the court with a report that includes specific
684 information related to the life skills that the child has
685 acquired since the child's 13th birthday, or since the date the
686 child came into foster care, whichever came later ~~within 90 days~~
687 after a child's 17th birthday. For any child who may meet the
688 requirements for appointment of a guardian advocate under s.
689 393.12, or a guardian under chapter 744, the updated case plan
690 must be developed in a face-to-face conference with the child,
691 if appropriate; the child's attorney; any court-appointed
692 guardian ad litem; the temporary custodian of the child; and the
693 parent of the child, if the parent's rights have not been
694 terminated. The court shall also issue an order, separate from
695 the order on judicial review, that the disability of nonage of
696 the child has been removed pursuant to ss. 743.044, 743.045,
697 743.046, and 743.047, and for any of these disabilities that the
698 court finds is in the child's best interest to remove. The court
699 shall continue to hold timely judicial review hearings. If
700 necessary, the court may review the status of the child more

701 ~~frequently during the year before the child's 18th birthday. At~~
702 ~~each review hearing held under this subsection, in addition to~~
703 ~~any information or report provided to the court by the foster~~
704 ~~parent, legal custodian, or guardian ad litem, the child shall~~
705 ~~be given the opportunity to address the court with any~~
706 ~~information relevant to the child's best interest, particularly~~
707 ~~in relation to independent living transition services.~~

708 (b) The court shall hold a judicial review hearing within
709 90 days after a child's 17th birthday. The court shall issue an
710 order, separate from the order on judicial review, that the
711 disability of nonage of the child has been removed under ss.
712 743.044, 743.045, 743.046, and 743.047, for any disability that
713 the court finds is in the child's best interest to remove. The
714 department shall include in the social study report for the
715 first judicial review that occurs after the child's 17th
716 birthday written verification that the child has:

717 1. A current Medicaid card and all necessary information
718 concerning the Medicaid program sufficient to prepare the child
719 to apply for coverage upon reaching the age of 18, if such
720 application is appropriate.

721 2. A certified copy of the child's birth certificate and,
722 if the child does not have a valid driver license, a Florida
723 identification card issued under s. 322.051.

724 3. A social security card and information relating to
725 social security insurance benefits if the child is eligible for

726 those benefits. If the child has received such benefits and they
727 are being held in trust for the child, a full accounting of
728 these funds must be provided and the child must be informed as
729 to how to access those funds.

730 4. All relevant information related to the Road-to-
731 Independence Program under s. 409.1451, including, but not
732 limited to, eligibility requirements, information on
733 participation, and assistance in gaining admission to the
734 program. If the child is eligible for the Road-to-Independence
735 Program, he or she must be advised that he or she may continue
736 to reside with the licensed family home or group care provider
737 with whom the child was residing at the time the child attained
738 his or her 18th birthday, in another licensed family home, or
739 with a group care provider arranged by the department.

740 5. An open bank account or the identification necessary to
741 open a bank account and to acquire essential banking and
742 budgeting skills.

743 6. Information on public assistance and how to apply for
744 public assistance.

745 7. A clear understanding of where he or she will be living
746 on his or her 18th birthday, how living expenses will be paid,
747 and the educational program or school in which he or she will be
748 enrolled.

749 8. Information related to the ability of the child to
750 remain in care until he or she reaches 21 years of age under s.

751 39.013.

752 9. A letter providing the dates that the child is under
753 the jurisdiction of the court.

754 10. A letter stating that the child is in compliance with
755 financial aid documentation requirements.

756 11. The child's educational records.

757 12. The child's entire health and mental health records.

758 13. The process for accessing the child's ~~his or her~~ case
759 file.

760 14. A statement encouraging the child to attend all
761 judicial review hearings ~~occurring after the child's 17th~~
762 ~~birthday.~~

763 15. Information on how to obtain a driver license or
764 learner's driver license.

765 (c) ~~(b)~~ At the first judicial review hearing held
766 subsequent to the child's 17th birthday, ~~the department shall~~
767 ~~provide the court with an updated case plan that includes~~
768 ~~specific information related to the independent living skills~~
769 ~~that the child has acquired since the child's 13th birthday, or~~
770 ~~since the date the child came into foster care, whichever came~~
771 ~~later.~~

772 ~~1. For any child who may meet the requirements for~~
773 ~~appointment of a guardian pursuant to chapter 744, or a guardian~~
774 ~~advocate pursuant to s. 393.12, the updated case plan must be~~
775 ~~developed in a face-to-face conference with the child, if~~

776 ~~appropriate; the child's attorney; any court-appointed guardian~~
777 ~~ad litem; the temporary custodian of the child; and the parent,~~
778 ~~if the parent's rights have not been terminated.~~

779 ~~2. At the judicial review hearing,~~ if the court determines
780 pursuant to chapter 744 that there is a good faith basis to
781 believe that the child qualifies for appointment of a guardian
782 advocate, limited guardian, or plenary guardian for the child
783 and that no less restrictive decisionmaking assistance will meet
784 the child's needs:

785 ~~1.a.~~ The department shall complete a multidisciplinary
786 report which must include, but is not limited to, a psychosocial
787 evaluation and educational report if such a report has not been
788 completed within the previous 2 years.

789 ~~2.b.~~ The department shall identify one or more individuals
790 who are willing to serve as the guardian advocate under ~~pursuant~~
791 ~~to~~ s. 393.12 or as the plenary or limited guardian under
792 ~~pursuant to~~ chapter 744. Any other interested parties or
793 participants may make efforts to identify such a guardian
794 advocate, limited guardian, or plenary guardian. The child's
795 biological or adoptive family members, including the child's
796 parents if the parents' rights have not been terminated, may not
797 be considered for service as the plenary or limited guardian
798 unless the court enters a written order finding that such an
799 appointment is in the child's best interests.

800 ~~3.e.~~ Proceedings may be initiated within 180 days after

801 the child's 17th birthday for the appointment of a guardian
802 advocate, plenary guardian, or limited guardian for the child in
803 a separate proceeding in the court division with jurisdiction
804 over guardianship matters and pursuant to chapter 744. The
805 Legislature encourages the use of pro bono representation to
806 initiate proceedings under this section.

807 ~~4.3.~~ In the event another interested party or participant
808 initiates proceedings for the appointment of a guardian
809 advocate, plenary guardian, or limited guardian for the child,
810 the department shall provide all necessary documentation and
811 information to the petitioner to complete a petition under s.
812 393.12 or chapter 744 within 45 days after the first judicial
813 review hearing after the child's 17th birthday.

814 ~~5.4.~~ Any proceedings seeking appointment of a guardian
815 advocate or a determination of incapacity and the appointment of
816 a guardian must be conducted in a separate proceeding in the
817 court division with jurisdiction over guardianship matters and
818 pursuant to chapter 744.

819 ~~(d)(e)~~ If the court finds at the judicial review hearing
820 after the child's 17th birthday that the department has not met
821 its obligations to the child as stated in this part, in the
822 written case plan, or in the provision of independent living
823 services, the court may issue an order directing the department
824 to show cause as to why it has not done so. If the department
825 cannot justify its noncompliance, the court may give the

826 department 30 days within which to comply. If the department
827 fails to comply within 30 days, the court may hold the
828 department in contempt.

829 (e)-(d) If necessary, the court may review the status of
830 the child more frequently during the year before the child's
831 18th birthday. At the last review hearing before the child
832 reaches 18 years of age, and in addition to the requirements of
833 subsection (2), the court shall:

834 1. Address whether the child plans to remain in foster
835 care, and, if so, ensure that the child's transition plan
836 includes a plan for meeting one or more of the criteria
837 specified in s. 39.6251.

838 2. Ensure that the transition plan includes a supervised
839 living arrangement under s. 39.6251.

840 3. Ensure the child has been informed of:

841 a. The right to continued support and services from the
842 department and the community-based care lead agency.

843 b. The right to request termination of dependency
844 jurisdiction and be discharged from foster care.

845 c. The opportunity to reenter foster care under ~~pursuant~~
846 ~~to~~ s. 39.6251.

847 4. Ensure that the child ~~young adult~~, if he or she
848 requests termination of dependency jurisdiction and discharge
849 from foster care, has been informed of:

850 a. Services or benefits for which the child ~~young adult~~

851 may be eligible based on his or her former placement in foster
852 care, including, but not limited to, the assistance of the
853 Office of Continuing Care under s. 414.56.~~†~~

854 b. Services or benefits that may be lost through
855 termination of dependency jurisdiction.~~†~~~~and~~

856 c. Other federal, state, local, or community-based
857 services or supports available to him or her.

858 Section 8. Paragraph (e) of subsection (1) of section
859 39.806, Florida Statutes, is amended to read:

860 39.806 Grounds for termination of parental rights.—

861 (1) Grounds for the termination of parental rights may be
862 established under any of the following circumstances:

863 (e) When a child has been adjudicated dependent, a case
864 plan has been filed with the court, and:

865 1. The child continues to be abused, neglected, or
866 abandoned by the parent or parents. The failure of the parent or
867 parents to substantially comply with the case plan for a period
868 of 12 months after an adjudication of the child as a dependent
869 child or the child's placement into shelter care, whichever
870 occurs first, constitutes evidence of continuing abuse, neglect,
871 or abandonment unless the failure to substantially comply with
872 the case plan was due to the parent's lack of financial
873 resources or to the failure of the department to make reasonable
874 efforts to reunify the parent and child. The 12-month period
875 begins to run only after the child's placement into shelter care

876 or the entry of a disposition order placing the custody of the
 877 child with the department or a person other than the parent and
 878 the court's approval of a case plan having the goal of
 879 reunification with the parent, whichever occurs first; ~~or~~

880 2. The parent or parents have materially breached the case
 881 plan by their action or inaction. Time is of the essence for
 882 permanency of children in the dependency system. In order to
 883 prove the parent or parents have materially breached the case
 884 plan, the court must find by clear and convincing evidence that
 885 the parent or parents are unlikely or unable to substantially
 886 comply with the case plan before time to comply with the case
 887 plan expires; or-

888 3. The child has been in care for any 12 of the last 22
 889 months and the parents have not substantially complied with the
 890 case plan so as to permit reunification under s. 39.522(3) ~~s.~~
 891 ~~39.522(2)~~ unless the failure to substantially comply with the
 892 case plan was due to the parent's lack of financial resources or
 893 to the failure of the department to make reasonable efforts to
 894 reunify the parent and child.

895 Section 9. Section 39.8155, Florida Statutes, is created
 896 to read:

897 39.8155 Reinstatement of parental rights.-

898 (1) After parental rights have been terminated in
 899 accordance with this part, the department, the parent whose
 900 rights were terminated, or the child may file a motion to

901 reinstate the parent's parental rights. The court may consider a
902 motion to reinstate parental rights if:

903 (a) The grounds for termination of parental rights were
904 based on s. 39.806(1) (a) or (e)1.-3.

905 (b) The parent was not the verified perpetrator of sexual
906 or physical abuse of the child.

907 (c) The parent has not been a perpetrator involved in any
908 verified reports of abuse, neglect, or abandonment since his or
909 her parental rights for the child were terminated.

910 (d) The parent has not had his or her parental rights
911 terminated for any other child, under any grounds, in this state
912 or any other jurisdiction, since his or her parental rights for
913 the child were terminated.

914 (e) The child is at least 13 years of age.

915 (f) The child has not achieved permanency and is not in a
916 preadoptive placement, and at least 36 months have passed since
917 the termination of parental rights.

918 (2) The court shall dismiss a motion to reinstate parental
919 rights if the criteria are not met in subsection (1).

920 (3) If a motion to reinstate parental rights is filed, the
921 court shall consider all relevant evidence, including whether:

922 (a) The child possesses sufficient maturity to express a
923 preference regarding the reinstatement of parental rights.

924 (b) The child is not in a preadoptive home or under
925 permanent guardianship.

926 (c) The parent has a documented change in behavior such
927 that, given the current age and maturity of the child, the
928 circumstances that brought the child into care are remedied.

929 (d) The parent demonstrates sufficient protective
930 capacities, given the child's age, physical and behavioral
931 health, and any other specific characteristics and needs, such
932 that the risk of the child reentering care is low.

933 (e) Both the parent and child wish to reinstate parental
934 rights.

935 (f) A multidisciplinary team was convened under s. 39.525
936 and recommends the reinstatement of parental rights and has
937 developed a plan to transition the child to the former parent's
938 care.

939 (4) Upon finding that the criteria in subsection (3) are
940 established by clear and convincing evidence, the court shall
941 order the department to conduct supervised visitation and trial
942 home visits between the child and former parent for at least 3
943 consecutive months after the completion of a home study. The
944 court shall consider the plan developed by the child's
945 multidisciplinary team. The department shall report to the court
946 at least once every 30 days regarding the former parent's
947 interactions with the child and recommend whether the court
948 should reinstate parental rights. The department shall
949 immediately cease the visitation with the former parent if there
950 is an allegation of abuse, neglect, or abandonment of the child

951 by the parent; if the department determines that the child's
952 safety or well-being is threatened; or that such visitation is
953 not in the child's best interest. The department shall
954 immediately notify the court if it ceases visitation between the
955 child and former parent.

956 (5) The court may reinstate parental rights upon a finding
957 of clear and convincing evidence that it is in the best interest
958 of the child. Upon ordering reinstatement of parental rights,
959 the court shall place the child in the custody of the former
960 parent with an in-home safety plan. The court shall retain
961 jurisdiction for at least 6 months, during which the department
962 shall supervise the placement and report to the court on the
963 stability of the placement. The court may continue jurisdiction
964 for up to 12 months after it reinstates parental rights.

965 Section 10. Subsections (3), (5), and (7) of section
966 409.1451, Florida Statutes, are amended, and subsections (1),
967 (2), (4), (6), and (8) through (11) of that section are
968 reenacted, to read:

969 409.1451 The Road-to-Independence Program.—

970 (1) LEGISLATIVE FINDINGS AND INTENT.—

971 (a) The Legislature recognizes that most children and
972 young adults are resilient and, with adequate support, can
973 expect to be successful as independent adults. Not unlike many
974 young adults, some young adults who have lived in foster care
975 need additional support and resources for a period of time after

976 | reaching 18 years of age.

977 | (b) The Legislature finds that while it is important to
 978 | provide young adults who have lived in foster care with
 979 | education and independent living skills, there is also a need to
 980 | focus more broadly on creating and preserving family
 981 | relationships so that young adults have a permanent connection
 982 | with at least one committed adult who provides a safe and stable
 983 | parenting relationship.

984 | (c) It is the intent of the Legislature that young adults
 985 | who choose to participate in the program receive the skills,
 986 | education, and support necessary to become self-sufficient and
 987 | leave foster care with a lifelong connection to a supportive
 988 | adult through the Road-to-Independence Program, either through
 989 | postsecondary education services and support, as provided in
 990 | subsection (2), or aftercare services.

991 | (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

992 | (a) A young adult is eligible for services and support
 993 | under this subsection if he or she:

994 | 1. Was living in licensed care on his or her 18th birthday
 995 | or is currently living in licensed care; or was at least 16
 996 | years of age and was adopted from foster care or placed with a
 997 | court-approved dependency guardian after spending at least 6
 998 | months in licensed care within the 12 months immediately
 999 | preceding such placement or adoption;

1000 | 2. Spent at least 6 months in licensed care before

1001 reaching his or her 18th birthday;

1002 3. Earned a standard high school diploma pursuant to s.
1003 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent
1004 pursuant to s. 1003.435;

1005 4. Has been admitted for enrollment as a full-time student
1006 or its equivalent in an eligible postsecondary educational
1007 institution as provided in s. 1009.533. For purposes of this
1008 section, the term "full-time" means 9 credit hours or the
1009 vocational school equivalent. A student may enroll part-time if
1010 he or she has a recognized disability or is faced with another
1011 challenge or circumstance that would prevent full-time
1012 attendance. A student needing to enroll part-time for any reason
1013 other than having a recognized disability must get approval from
1014 his or her academic advisor;

1015 5. Has reached 18 years of age but is not yet 23 years of
1016 age;

1017 6. Has applied, with assistance from the young adult's
1018 caregiver and the community-based lead agency, for any other
1019 grants and scholarships for which he or she may qualify;

1020 7. Submitted a Free Application for Federal Student Aid
1021 which is complete and error free; and

1022 8. Signed an agreement to allow the department and the
1023 community-based care lead agency access to school records.

1024 (b) The amount of the financial assistance shall be as
1025 follows:

1026 1. For a young adult who does not remain in foster care
 1027 and is attending a postsecondary school as provided in s.
 1028 1009.533, the amount is \$1,256 monthly.

1029 2. For a young adult who remains in foster care, is
 1030 attending a postsecondary school, as provided in s. 1009.533,
 1031 and continues to reside in a licensed foster home, the amount is
 1032 the established room and board rate for foster parents. This
 1033 takes the place of the payment provided for in s. 409.145(3).

1034 3. For a young adult who remains in foster care, but
 1035 temporarily resides away from a licensed foster home for
 1036 purposes of attending a postsecondary school as provided in s.
 1037 1009.533, the amount is \$1,256 monthly. This takes the place of
 1038 the payment provided for in s. 409.145(3).

1039 4. For a young adult who remains in foster care, is
 1040 attending a postsecondary school as provided in s. 1009.533, and
 1041 continues to reside in a licensed group home, the amount is
 1042 negotiated between the community-based care lead agency and the
 1043 licensed group home provider.

1044 5. For a young adult who remains in foster care, but
 1045 temporarily resides away from a licensed group home for purposes
 1046 of attending a postsecondary school as provided in s. 1009.533,
 1047 the amount is \$1,256 monthly. This takes the place of a
 1048 negotiated room and board rate.

1049 6. A young adult is eligible to receive financial
 1050 assistance during the months when he or she is enrolled in a

1051 | postsecondary educational institution.

1052 | (c) Payment of financial assistance for a young adult who:

1053 | 1. Has chosen not to remain in foster care and is
 1054 | attending a postsecondary school as provided in s. 1009.533,
 1055 | shall be made to the community-based care lead agency in order
 1056 | to secure housing and utilities, with the balance being paid
 1057 | directly to the young adult until such time the lead agency and
 1058 | the young adult determine that the young adult can successfully
 1059 | manage the full amount of the assistance.

1060 | 2. Has remained in foster care under s. 39.6251 and who is
 1061 | attending postsecondary school as provided in s. 1009.533, shall
 1062 | be made directly to the foster parent or group home provider.

1063 | 3. Community-based care lead agencies or other contracted
 1064 | providers are prohibited from charging a fee associated with
 1065 | administering the Road-to-Independence payments.

1066 | (d)1. The department must advertise the availability of
 1067 | the stipend and must provide notification of the criteria and
 1068 | application procedures for the stipend to children and young
 1069 | adults leaving, or who were formerly in, foster care;
 1070 | caregivers; case managers; guidance and family services
 1071 | counselors; principals or other relevant school administrators;
 1072 | and guardians ad litem.

1073 | 2. If the award recipient transfers from one eligible
 1074 | institution to another and continues to meet eligibility
 1075 | requirements, the award shall be transferred with the recipient.

1076 3. The department, or an agency under contract with the
1077 department, shall evaluate each Road-to-Independence award for
1078 renewal eligibility on an annual basis. In order to be eligible
1079 for a renewal award for the subsequent year, the young adult
1080 must:

1081 a. Be enrolled for or have completed the number of hours,
1082 or the equivalent, to be considered a full-time student under
1083 subparagraph (a)4., unless the young adult qualifies for an
1084 exception under subparagraph (a)4.

1085 b. Maintain standards of academic progress as defined by
1086 the education institution, except that if the young adult's
1087 progress is insufficient to renew the award at any time during
1088 the eligibility period, the young adult may continue to be
1089 enrolled for additional terms while attempting to restore
1090 eligibility as long as progress towards the required level is
1091 maintained.

1092 4. Funds may be terminated during the interim between an
1093 award and the evaluation for a renewal award if the department,
1094 or an agency under contract with the department, determines that
1095 the award recipient is no longer enrolled in an educational
1096 institution as described in subparagraph (a)4. or is no longer a
1097 resident of this state.

1098 5. The department, or an agency under contract with the
1099 department, shall notify a recipient who is terminated and
1100 inform the recipient of his or her right to appeal.

1101 6. An award recipient who does not qualify for a renewal
1102 award or who chooses not to renew the award may apply for
1103 reinstatement. An application for reinstatement must be made
1104 before the young adult reaches 23 years of age. In order to be
1105 eligible for reinstatement, the young adult must meet the
1106 eligibility criteria and the criteria for award renewal for the
1107 program.

1108 (3) AFTERCARE SERVICES.—

1109 (a) 1. Aftercare services are available to a young adult
1110 who has reached 18 years of age but is not yet 23 years of age
1111 and is:

1112 a.1. Not in foster care.

1113 b.2. Temporarily not receiving financial assistance under
1114 subsection (2) to pursue postsecondary education.

1115 2. Subject to available funding, aftercare services as
1116 specified in subparagraph (b)8. are also available to a young
1117 adult who is between the ages of 18 and 22, is receiving
1118 financial assistance under subsection (2), is experiencing an
1119 emergency situation, and whose resources are insufficient to
1120 meet the emergency situation. Such assistance shall be in
1121 addition to any amount specified in paragraph (2) (b).

1122 (b) Aftercare services include, but are not limited to,
1123 the following:

1124 1. Mentoring and tutoring.

1125 2. Mental health services and substance abuse counseling.

1126 3. Life skills classes, including credit management and
 1127 preventive health activities.

1128 4. Parenting classes.

1129 5. Job and career skills training.

1130 6. Counselor consultations.

1131 7. Temporary financial assistance for necessities,
 1132 including, but not limited to, education supplies,
 1133 transportation expenses, security deposits for rent and
 1134 utilities, furnishings, household goods, and other basic living
 1135 expenses.

1136 8. Temporary financial assistance to address emergency
 1137 situations, including, but not limited to, automobile repairs or
 1138 large medical expenses.

1139 ~~9.8.~~ Financial literacy skills training under ~~pursuant to~~
 1140 s. 39.6035(1)(c).

1141
 1142 The specific services to be provided under this paragraph shall
 1143 be determined by an assessment of the young adult and may be
 1144 provided by the community-based care provider or through
 1145 referrals in the community.

1146 (c) Temporary assistance provided to prevent homelessness
 1147 shall be provided as expeditiously as possible and within the
 1148 limitations defined by the department.

1149 (4) APPEALS PROCESS.—

1150 (a) The department shall have a procedure by which a young

1151 adult may appeal the department's refusal to provide Road-to-
 1152 Independence Program services or support, or the termination of
 1153 such services or support if funds for such services or support
 1154 are available.

1155 (b) The appeal procedure must be readily accessible to
 1156 young adults, must provide for timely decisions, and must
 1157 provide for an appeal to the department. The decision of the
 1158 department constitutes final agency action and is reviewable by
 1159 the court as provided in s. 120.68.

1160 (5) DEPARTMENT RESPONSIBILITIES ~~PORTABILITY~~.—

1161 (a) The services provided under this section are portable
 1162 across county lines and between community-based care lead
 1163 agencies.

1164 ~~1.(a)~~ The service needs that are identified in the
 1165 original or updated transition plan under, ~~pursuant to~~ s.
 1166 39.6035 must, ~~shall~~ be provided by the lead agency where the
 1167 young adult is currently residing but shall be funded by the
 1168 lead agency that ~~who~~ initiated the transition plan.

1169 ~~2.(b)~~ The lead agency with primary case management
 1170 responsibilities shall provide maintenance payments, case
 1171 planning, including a written description of all services that
 1172 will assist a child 16 years of age or older in preparing for
 1173 the transition from care to independence, as well as regular
 1174 case reviews that conform with all federal scheduling and
 1175 content requirements, for all children in foster care who are

1176 placed or visiting out-of-state.

1177 (b) Each community-based care lead agency shall at least
1178 annually attempt to contact each young adult who has aged out of
1179 foster care, who is potentially eligible for continuing care
1180 under s. 39.6251 or for the services available under this
1181 section, and who is not participating in any of these services.
1182 Through this contact, the lead agency shall communicate the
1183 continued availability of these programs and the services of the
1184 Office of Continuing Care established under s. 414.56. The lead
1185 agency shall also inquire into the young adult's needs and refer
1186 him or her to other programs that may be of assistance.

1187 (c) Each community-based care lead agency must offer
1188 services for intensive independent living development for young
1189 adults who have aged out of foster care and have the greatest
1190 deficits in life skills.

1191 (6) ACCOUNTABILITY.—The department shall develop outcome
1192 measures for the program and other performance measures in order
1193 to maintain oversight of the program. No later than January 31
1194 of each year, the department shall prepare a report on the
1195 outcome measures and the department's oversight activities and
1196 submit the report to the President of the Senate, the Speaker of
1197 the House of Representatives, and the committees with
1198 jurisdiction over issues relating to children and families in
1199 the Senate and the House of Representatives. The report must
1200 include:

1201 (a) An analysis of performance on the outcome measures
1202 developed under this section reported for each community-based
1203 care lead agency and compared with the performance of the
1204 department on the same measures.

1205 (b) A description of the department's oversight of the
1206 program, including, by lead agency, any programmatic or fiscal
1207 deficiencies found, corrective actions required, and current
1208 status of compliance.

1209 (c) Any rules adopted or proposed under this section since
1210 the last report. For the purposes of the first report, any rules
1211 adopted or proposed under this section must be included.

1212 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
1213 secretary shall establish the Independent Living Services
1214 Advisory Council for the purpose of reviewing and making
1215 recommendations concerning the implementation and operation of
1216 ~~the provisions of s. 39.6251 and the Road-to-Independence~~
1217 ~~Program. The advisory council shall function as specified in~~
1218 ~~this subsection until the Legislature determines that the~~
1219 ~~advisory council can no longer provide a valuable contribution~~
1220 ~~to the department's efforts to achieve the goals of the services~~
1221 ~~designed to enable a young adult to live independently.~~

1222 (a) The advisory council shall assess the implementation
1223 and operation of the Road-to-Independence Program and advise the
1224 department on actions that would improve the ability of the
1225 ~~these~~ Road-to-Independence Program services to meet the

1226 established goals. The advisory council shall keep the
1227 department informed of problems being experienced with the
1228 services, barriers to the effective and efficient integration of
1229 services and support across systems, and successes that the
1230 system of services has achieved. The department shall consider,
1231 but is not required to implement, the recommendations of the
1232 advisory council.

1233 (b)1. The advisory council shall report to the secretary
1234 on the status of the implementation of the Road-to-Independence
1235 Program, efforts to publicize the availability of the Road-to-
1236 Independence Program, the success of the services under the
1237 program, problems identified with the program, and
1238 recommendations for department or legislative action,~~and the~~
1239 ~~department's implementation of the recommendations contained in~~
1240 ~~the Independent Living Services Integration Workgroup Report~~
1241 ~~submitted to the appropriate substantive committees of the~~
1242 ~~Legislature by December 31, 2013.~~

1243 2. The department shall submit a report by December 31 of
1244 each year to the Governor, the President of the Senate, and the
1245 Speaker of the House of Representatives which includes ~~a summary~~
1246 ~~of the factors reported on by the council and identifies the~~
1247 recommendations of the advisory council and the department's
1248 response ~~either describes the department's actions to implement~~
1249 ~~the recommendations or provides the department's rationale for~~
1250 ~~not implementing the recommendations.~~ The report must also

1251 include the most recent data regarding the status of and
1252 outcomes for young adults who turned 18 years of age while in
1253 foster care, relating to education, employment, housing,
1254 financial, transportation, health and well-being, and
1255 connections, and an analysis of such data and outcomes.

1256 (c) Members of the advisory council shall be appointed by
1257 the secretary of the department. The membership of the advisory
1258 council must include, at a minimum, young adults who receive
1259 services and funding through the Road-to-Independence Program,
1260 representatives from the headquarters and regional offices of
1261 the department ~~of Children and Families~~, community-based care
1262 lead agencies, the Department of Juvenile Justice, the
1263 Department of Economic Opportunity, the Department of Education,
1264 the Agency for Health Care Administration, the State Youth
1265 Advisory Board, CareerSource Florida, Inc., the Statewide
1266 Guardian Ad Litem Office, foster parents, ~~recipients of services~~
1267 ~~and funding through the Road-to-Independence Program,~~ and
1268 advocates for children in care. The secretary shall determine
1269 the length of the term to be served by each member appointed to
1270 the advisory council, which may not exceed 4 years.

1271 (d) The advisory council may consult with children
1272 currently in care and young adults who aged out of care
1273 regarding their needs, preferences, and concerns related to
1274 preparation for, transition to, and support during independent
1275 living.

1276 (e)~~(d)~~ The department shall provide administrative support
1277 to the ~~Independent Living Services~~ advisory council to
1278 accomplish its assigned tasks. The advisory council shall be
1279 afforded access to all appropriate data from the department,
1280 each community-based care lead agency, and other relevant
1281 agencies in order to accomplish the tasks set forth in this
1282 section. The data collected may not include any information that
1283 would identify a specific child or young adult.

1284 ~~(e) The advisory council report required under paragraph~~
1285 ~~(b) must include an analysis of the system of independent living~~
1286 ~~transition services for young adults who reach 18 years of age~~
1287 ~~while in foster care before completing high school or its~~
1288 ~~equivalent and recommendations for department or legislative~~
1289 ~~action. The council shall assess and report on the most~~
1290 ~~effective method of assisting these young adults to complete~~
1291 ~~high school or its equivalent by examining the practices of~~
1292 ~~other states.~~

1293 (8) PERSONAL PROPERTY.—Property acquired on behalf of a
1294 young adult in this program shall become the personal property
1295 of the young adult and is not subject to the requirements of
1296 chapter 273 relating to state-owned tangible personal property.
1297 Such property continues to be subject to applicable federal
1298 laws.

1299 (9) FINANCIAL ASSISTANCE FOR YOUNG ADULTS RECEIVING
1300 SERVICES.—Financial awards to young adults receiving services

1301 under subsections (2) and (3) and s. 39.6251 may be disregarded
 1302 for purposes of determining the eligibility for, or the amount
 1303 of, any other federal or federally supported assistance for
 1304 which the department is required to determine eligibility for
 1305 the program.

1306 (10) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN
 1307 CARE.—The department or community-based care lead agency shall
 1308 document that eligible young adults are enrolled in Medicaid
 1309 under s. 409.903(4).

1310 (11) RULEMAKING.—The department shall adopt rules to
 1311 administer this section.

1312 Section 11. Section 409.14515, Florida Statutes, is
 1313 created to read:

1314 409.14515 Independent living preparation.—The department
 1315 shall assist children who are in foster care in making the
 1316 transition to independent living and self-sufficiency as adults.
 1317 To support opportunities for participation in age-appropriate
 1318 life skills activities, the department shall:

1319 (1) Identify important life skills that children in out-
 1320 of-home care should acquire.

1321 (2) Develop a list of age-appropriate activities and
 1322 responsibilities useful for the development of specific life
 1323 skills for use by children and their caregivers. The age-
 1324 appropriate activities must address specific topics tailored to
 1325 the needs of each child's developmental stage. For older youth,

1326 the list of age-appropriate activities must include, but is not
1327 limited to, informing the youth of available independent living
1328 services and community resources and how to apply for such
1329 services.

1330 (3) Design and disseminate training for caregivers related
1331 to building needed life skills. The training must include
1332 components that address the challenges of children in foster
1333 care in transitioning to adulthood and information on programs
1334 for children who are aging out of care under ss. 414.56 and
1335 409.1451, high school completion, applications for financial
1336 assistance for higher education, vocational school
1337 opportunities, supporting education, and employment
1338 opportunities.

1339 (4) Beginning after the child's 13th birthday, regularly
1340 assess the degree of life skills acquisition by each child. The
1341 department shall share the results of the assessments with the
1342 caregiver and support the caregiver in creating, implementing,
1343 monitoring, and revising plans as necessary to address the
1344 child's life skills deficits, if any.

1345 (5) Provide opportunities for children in foster care to
1346 interact with qualified, trained mentors who are committed to
1347 engaging reliably with the child long-term.

1348 (6) Develop and implement procedures for children of
1349 sufficient age and understanding to directly access and manage
1350 the personal allowance they receive from the department.

1351 Section 12. Subsection (4) of section 409.1454, Florida
 1352 Statutes, is amended to read:

1353 409.1454 Motor vehicle insurance and driver licenses for
 1354 children in care.—

1355 (4) Payment shall be made to eligible recipients in the
 1356 order of eligibility until available funds are exhausted. If a
 1357 child determined to be eligible reaches permanency status or
 1358 turns 18 years of age, the program may pay for that child to
 1359 complete a driver education program and obtain a driver license
 1360 for up to 6 months after the date the child reaches permanency
 1361 status or 6 months after the date the child turns 18 years of
 1362 age. A child continuing in care under s. 39.6251, or who was in
 1363 licensed care when the child reached 18 years of age and is
 1364 currently receiving postsecondary education services and support
 1365 under s. 409.1451(2), may be eligible to have the costs of
 1366 licensure and costs incidental to licensure paid if the child
 1367 demonstrates that such costs are creating barriers for obtaining
 1368 employment or completing educational goals.

1369 Section 13. Paragraph (a) of subsection (1) of section
 1370 409.988, Florida Statutes, is amended to read:

1371 409.988 Community-based care lead agency duties; general
 1372 provisions.—

1373 (1) DUTIES.—A lead agency:

1374 (a) 1. Shall serve:

1375 a. All children referred as a result of a report of abuse,

1376 neglect, or abandonment to the department's central abuse
1377 hotline, including, but not limited to, children who are the
1378 subject of verified reports and children who are not the subject
1379 of verified reports but who are at moderate to extremely high
1380 risk of abuse, neglect, or abandonment, as determined using the
1381 department's risk assessment instrument, regardless of the level
1382 of funding allocated to the lead agency by the state if all
1383 related funding is transferred.

1384 b. Children who were adopted from the child welfare system
1385 and whose families require post-adoption supports.

1386 2. ~~The lead agency~~ May also serve children who have not
1387 been the subject of reports of abuse, neglect, or abandonment,
1388 but who are at risk of abuse, neglect, or abandonment, to
1389 prevent their entry into the child protection and child welfare
1390 system.

1391 Section 14. Section 414.56, Florida Statutes, is created
1392 to read:

1393 414.56 Office of Continuing Care.—The department shall
1394 establish an Office of Continuing Care to ensure young adults
1395 who age out of the foster care system between 18 and 21 years of
1396 age, or 22 years of age with a documented disability, have a
1397 point of contact until the young adult reaches the age of 26 in
1398 order to receive ongoing support and care coordination needed to
1399 achieve self-sufficiency. Duties of the office include, but are
1400 not limited to:

1401 (1) Informing young adults who age out of the foster care
 1402 system of the purpose of the office, the types of support the
 1403 office provides, and how to contact the office.

1404 (2) Serving as a direct contact to the young adult in
 1405 order to provide information on how to access services to
 1406 support the young adult's self-sufficiency, including, but not
 1407 limited to, food assistance, behavioral health services,
 1408 housing, Medicaid, and educational services.

1409 (3) Assisting in accessing services and supports for the
 1410 young adult to attain self-sufficiency, including, but not
 1411 limited to, completing documentation required to apply for
 1412 services.

1413 (4) Collaborating with community-based care lead agencies
 1414 to identify local resources that can provide support to young
 1415 adults served by the office and to assist young adults in
 1416 accessing these supports.

1417 Section 15. The Florida Institute for Child Welfare
 1418 established under s. 1004.615 shall:

1419 (1) (a) Evaluate the effectiveness of the state's efforts
 1420 to assist youth in foster care in developing life skills to
 1421 become self-sufficient adults. The Florida Institute for Child
 1422 Welfare shall consult with the Institute for Food and
 1423 Agricultural Services Extension Program at the University of
 1424 Florida in conducting its evaluation.

1425 (b) The evaluation shall, at a minimum:

1426 1. Describe current requirements for caregivers to assist
1427 youth in acquiring life skills, the information and available
1428 supports provided to caregivers for doing so, and the actual
1429 level of engagement in these efforts by caregivers.

1430 2. Specify methods and measures used to determine if youth
1431 have acquired or developed adequate life skills and how that
1432 information is used to support life skills development for
1433 individual youth.

1434 3. Describe outcomes on a statewide basis, as well as by
1435 individual community-based care lead agency, and describe how
1436 this information is currently being used to improve performance.

1437 4. Identify best practices for helping youth in foster
1438 care develop life skills and compare the state's current
1439 approach to the best practices.

1440 5. Specify any barriers that may prevent youth from
1441 becoming self-sufficient.

1442 6. Evaluate whether the state's current approach to
1443 helping youth in foster care develop life skills is adequate,
1444 and recommend any changes to enhance the effectiveness of the
1445 state's approach to prepare youth for self-sufficiency. Any
1446 recommendations must prioritize maintaining the state's current
1447 approach of primarily relying on caregivers to assist youth in
1448 developing life skills, and recommend that such efforts be part
1449 of everyday life experiences to the extent possible. However,
1450 such recommendations may also include additional options for

1451 achieving the goal of effectively preparing youth for self-
1452 sufficiency.

1453 7. Include the input of youth who are currently in foster
1454 care and youth who were previously in foster care. The Florida
1455 Institute for Child Welfare shall attempt to interview youth who
1456 are currently in foster care and youth who were previously in
1457 foster care on their experiences with the state's approach to
1458 preparing them for adulthood, whether the life skills provided
1459 were age appropriate or helpful, and what recommendations they
1460 have to improve the state's approach in preparing youth in
1461 foster care for adulthood.

1462 (c) The Florida Institute for Child Welfare shall submit
1463 its evaluation by November 1, 2022, to the Governor, the
1464 President of the Senate, and the Speaker of the House of
1465 Representatives.

1466 (2) (a) Analyze permanency outcomes in the state. The
1467 analysis shall include, at a minimum, all of the following:

1468 1. The frequency of permanency outcomes, both long-term
1469 and within 2 years of entering foster care, and the differences
1470 observed when data are disaggregated by the child's age at entry
1471 into foster care.

1472 2. The length of time before parental rights are
1473 terminated, disaggregated by the child's age at entry into
1474 foster care.

1475 3. The frequency of permanency outcomes for children whose

1476 parents have had their parental rights terminated, the length of
1477 time before permanency is achieved, and the differences in the
1478 type of permanency and length of time it took to achieve
1479 permanency, disaggregated by age of the child when parental
1480 rights were terminated.

1481 4. The patterns, indicated by the analysis, regarding the
1482 length of time it took to achieve permanency, the types of
1483 permanency outcomes experienced by children entering foster care
1484 at different ages, and how the types of permanency vary based on
1485 the status of the rights of the parents' of the children.

1486 (b) The Florida Institute for Child Welfare shall submit
1487 its report by October 1, 2022, to the Governor, the President of
1488 the Senate, and the Speaker of the House of Representatives.

1489 Section 16. This act shall take effect October 1, 2021.