

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

Date: April 13, 1998 Revised: _____

Subject: Relative-Caregiver Program

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Barnes</u>	<u>Whiddon</u>	<u>CF</u>	<u>Favorable/CS</u>
2.	<u>Hardy</u>	<u>Smith</u>	<u>WM</u>	<u>Favorable</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

Committee Substitute for Senate Bill 1540 creates a program of financial assistance and support services to relatives who are caring for children placed with them under chapter 39, F.S., as a result of a departmental determination of child abuse, neglect, or abandonment and placement with the relative pursuant to chapter 39, F.S.

The new service center building at the Lee Davis Complex in Tampa would be designated as the "James T. Hargrett, Jr. Building."

This bill creates section 39.5085, Florida Statutes.

II. Present Situation:

Under s. 39.41(2)(a)3., F.S., the court may place a child who has been abused, neglected, or abandoned in the home of a relative approved by the court under the protective supervision of an authorized agent of the department. Under s. 39.41(2)(a)4., F.S., the court may place the child in the temporary legal custody of an adult relative approved by the court who is willing to care for the child.

Approximately 8,126 children under protective supervision who were removed from their homes as a result of a court and department determination of abuse, neglect, or abandonment are residing with relatives. Of these children, 6,257 are recipients of child-only Temporary Assistance for Needy Families (TANF) cash assistance benefits of \$180/month. However, if the relative becomes a licensed foster parent and complies with the licensing requirements contained in s. 409.175, F.S., the monthly minimum foster care maintenance payment for a child under the age of 12 years is \$296-\$332. The amount of the monthly foster care maintenance payment increases substantially

when additional children are placed with a relative unlike the TANF cash assistance payment that increases only slightly. Whether financial support is provided by TANF or foster care maintenance payment, the child's medical care is covered by Medicaid.

The department reports that through the federal grant funds provided under the Federal Preservation and Support Services Act of 1993, district offices purchase a variety of community-based family support services for children and their caretakers. These services vary by district according to the needs identified in the local target populations. Access to these services is not means-tested but is defined by membership in a target population. Like many Floridians, caretaker relatives may be unaware of the availability of local community-based support services.

III. Effect of Proposed Changes:

Committee Substitute for Senate Bill 1540 creates s. 39.5085, F.S., and directs the department to establish and operate a Relative-Caregiver Program for relatives who are within the fifth degree by blood or marriage to the parent or stepparent of a child. The relative would act as a substitute parent as a result of a departmental determination of child abuse, neglect or abandonment and placement with the relative pursuant to chapter 39, F.S. Relative caretakers who receive assistance under this program must be capable, as determined by a home study, of providing a physically safe environment and a stable supportive home for the children under their care assuring that the child's well-being is met including immunizations, education, and mental health services as needed.

Relatives who qualify for the Relative-Caregiver Program would be exempt from foster care licensing requirements under s. 409.175, F.S., but would receive a special monthly relative-caregiver benefit payment. The department is directed to promulgate an administrative rule for the special benefit payment schedule that is based on the child's age. The bill specifies that the statewide average monthly rate for children placed with relatives who are not licensed as foster homes may be no more than 82 percent of the statewide average foster care rate. The bill allows the relative caretaker to be reimbursed up to the foster care rate if the needs of the child are extensive as long as the cost of the Relative-Caregiver Program does not exceed 82 percent of the statewide average foster care rate.

The bill specifies that children who receive cash benefits under the relative-caregiver program may not receive WAGES cash benefits under chapter 414, F.S.

The bill specifies services that the Relative-Caregiver Program will provide to the caregivers within available funds in order to support the child's safety, growth, and healthy development. These services include subsidized child care and other family support and family preservation services available to children in foster care. The bill specifies that children living with relative caregivers who are receiving assistance under the Relative-Caregiver Program will be eligible for medicaid coverage.

The bill specifies that the new service center building for the Department of Children and Family Services at the Lee Davis Complex in Tampa, Florida, is designated as the “James T. Hargrett, Jr. Building.”

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Relatives providing care for children under the conditions specified in Committee Substitute for SB 1540 will be eligible to receive an enhanced cash assistance benefit.

C. Government Sector Impact:

The department reports that the Relative-Caregiver Program would be fully eligible to be funded from TANF because children who are abused, neglected, or abandoned and are placed with relatives are eligible to receive TANF funds. The current annual cost to the WAGES program for “child-only” cash assistance benefits is \$15,316,385 for 6,257 children who would also be eligible for the Relative-Caregiver Program as defined in this bill. CS/SB 1540 would increase the annual cost of the WAGES program by \$11,381,047 to serve an additional 1,869 children and to provide a higher rate of payment as provided in the bill. The unencumbered balance of TANF block grant funds on June 30, 1999 is estimated to be \$250 million. All children placed with relatives by the child protection system currently have access to available services provided under s. 409.165(1), F.S., alternate care for children; therefore, no additional funds for family support and preservation services are needed.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
