September 4, 2010

Honorable Jeff Atwater
President
Florida Senate
Capitol Building
Tallahassee, Florida 32399-1100

Honorable Mike Haridopolos
President-Designate
Florida Senate
3270 Suntree Boulevard, Suite 122
Melbourne, FL 32940

Dear Senators Atwater and Haridopolos:

Florida faces great challenges with the Independent Living Program in the year ahead. The program has grown significantly over the past year and resources for FY 2010-2011 are limited. It is clear that we must take additional steps to strengthen accountability in the program if we are to control costs and improve outcomes for young adults. We must also recognize that without the current Independent Living payments many young adults who were formerly in the foster care system would be homeless and destitute.

The Department continues to consult with our partners and stakeholders to develop short term and longer term strategies to manage and strengthen the program. Our goal is to promote the best possible transition to adulthood for young people, as well as ensure accountability at all levels through policies, financial regulation and legislative guidance. We are committed to developing a more structured system for our young adults that emphasizes the importance of education while providing educational mentors and life skills training to ensure a successful transition to adulthood.

For the short term utilizing rule authority recently granted to the Department at the 2010 regular legislative session, we have taken steps to file an emergency rule that specifies obligations and accountability for the young adult, as well as the service providers and the Department. Requirements on school attendance and proof of adequate progress are strengthened for young adults participating in a General Educational Development (GED) program to ensure timely completion. Greater responsibility is placed on the community based care providers to assist the young adult in accessing other benefits and achieving their goals. The rule also strengthens fiscal accountability by requiring the Community Based Care Lead Agencies to provide detailed spending plans that provide transparency on expenditures and available funds. The Department will be required to review and approve the initial spending plans and to review the plans throughout the year for any material changes as well as validation of expenditures.
Since the emergency rule expires in 90 days, we are also developing permanent rules that will codify the provisions of the emergency rule and include additional recommendations that address development and quarterly review of self sufficiency plans and guidelines to evaluate adequate educational progress.

The statutory framework for the redesign of the Independent Living Program is being developed for consideration in the 2011 session. We recommend that the Legislature take advantage of service options available through the federal Fostering Connections to Success and Increasing Adoptions Act of 2008. In order to maximize federal funding on a cost-neutral basis, our recommended redesign will focus on a balanced approach that includes youth incentives and fiscal accountability for both youth and community based care providers and will include the following levels of service:

- Foster care services would be available to youth seeking their high school diploma or equivalent up to age 21, a move which would allow us to access additional federal funds;

- Young adults seeking their high school diploma or equivalent would receive continued case management and live in a supervised setting, while receiving a small stipend;

- The Road to Independence program would be restricted to young adults up to age 23 enrolled in post secondary education. This group would be eligible for direct payments while receiving continued case management and enhanced educational mentoring;

- Youth not pursuing continued education would have access to support services and time-limited or emergency assistance;

- Relatives who pursue legal guardianship of their young kin would be eligible for a monthly assistance payment comparable to the foster care board rate, thus encouraging permanent connections for more children.

Implementing these new federal options will result in millions of additional federal dollars without additional cost to the state. There may be additional measures we will offer that may require action by the Legislature or the Legislative Budget Commission.

In closing, our goal is to provide an array of services balanced with expectations and requirements for both the youth and providers. With your support and guidance, we can attain this goal.

I look forward to discussing our recommendations with you in greater detail. If your staff has questions, please contact Alan Abramowitz, State Director, Office of Family Safety at 850-922-2298 or alan_abramowitz@dfc.state.fl.us.

Sincerely,

George A. Sheldon
Secretary

cc: Senator J. D. Alexander
Senator Durell Peaden, Jr.
Senator Ronda Storms
Senator Nan Rich