

2008 INDEPENDENT LIVING SERVICES

ADVISORY COUNCIL REPORT

Department of Children and Families Response

December 31, 2008

George H. Sheldon

Secretary

Charlie Crist

Governor

2008 Independent Living Advisory Council Report

Department of Children and Families Response

Statutory Authority:

409.1451

(7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.--The Secretary of Children and Family Services shall establish the Independent Living Services Advisory Council for the purpose of reviewing and making recommendations concerning the implementation and operation of the independent living transition services. This advisory council shall continue to function as specified in this subsection until the Legislature determines that the advisory council can no longer provide a valuable contribution to the department's efforts to achieve the goals of the independent living transition services.

(a) Specifically, the advisory council shall assess the implementation and operation of the system of independent living transition services and advise the department on actions that would improve the ability of the independent living transition services to meet the established goals. The advisory council shall keep the department informed of problems being experienced with the services, barriers to the effective and efficient integration of services and support across systems, and successes that the system of independent living transition services has achieved. The department shall consider, but is not required to implement, the recommendations of the advisory council.

(b) The advisory council shall report to the appropriate substantive committees of the Senate and the House of Representatives on the status of the implementation of the system of independent living transition services; efforts to publicize the availability of aftercare support services, the Road-to-Independence Program, and transitional support services; the success of the services; problems identified; recommendations for department or legislative action; and the department's implementation of the recommendations contained in the Independent Living Services Integration Workgroup Report submitted to the Senate and the House substantive committees December 31, 2002. This **advisory council report shall be submitted by December 31 of each year that the council is in existence and shall be accompanied by a report from the department which identifies the recommendations of the advisory council and either describes the department's actions to implement these recommendations or provides the department's rationale for not implementing the recommendations.**

(c) Members of the advisory council shall be appointed by the secretary of the department. The membership of the advisory council must include, at a

minimum, representatives from the headquarters and district offices of the Department of Children and Family Services, Community-Based Care lead agencies, the Agency for Workforce Innovation, the Department of Education, the Agency for Health Care Administration, the State Youth Advisory Board, Workforce Florida, Inc., the Statewide Guardian Ad Litem Office, foster parents, recipients of Road-to-Independence Program funding, and advocates for foster children. The secretary shall determine the length of the term to be served by each member appointed to the advisory council, which may not exceed 4 years.

(d) The Department of Children and Family Services shall provide administrative support to the Independent Living Services Advisory Council to accomplish its assigned tasks. The advisory council shall be afforded access to all appropriate data from the department, each Community-Based Care lead agency, and other relevant agencies in order to accomplish the tasks set forth in this section. The data collected may not include any information that would identify a specific child or young adult.

(e) The advisory council report required under paragraph (b) to be submitted to the substantive committees of the Senate and the House of Representatives by December 31, 2008, shall include an analysis of the system of independent living transition services for young adults who attain 18 years of age while in foster care prior to completing high school or its equivalent and recommendations for department or legislative action. The council shall assess and report on the most effective method of assisting these young adults to complete high school or its equivalent by examining the practices of other states.

Recommendations by the Council for the Florida Legislature

The Legislature should:

Support the Department of Children and Families legislative budget request for \$6.9 million in funds and make these reoccurring funds. The legislature should insure at least the minimum match to maximize federal funding and not to endanger the Federal Title IV E waiver status.

Department Response: The Department appreciates the support of the Independent Living Services Advisory Council.

Strengthen existing laws to ensure youth and their attorneys can obtain their records. Youth call their lack of access to their own records “identity theft.” Records from time in custody must be provided to the youth and when permanency is achieved to the family, biological or adoptive family.

Department Response: The Department supports strengthening laws to ensure youth have access to their records.

Establish presumptive Medicaid eligibility for any youth as long as they are in the dependency system regardless of placement type or geographic location.

Department Response: The Department supports efforts to provide Medicaid services to youth formerly in foster care.

The Department plans to convene a group of state agencies and stakeholders to address health care planning for youth in foster care as required by the new federal law, Fostering Connections to Success and Increasing Adoptions Act of 2008. The 2008 Report by the Independent Living Services Advisory Council and the recommendations related to Medicaid will be considered by this planning group. The federal law specifically requires the Department to, "Develop a plan for the ongoing oversight and coordination of health care services for any child in a foster care placement, which ensures a coordinated strategy to identify and respond to the health care needs of children in foster care placements, including mental health and dental health needs."

Recommendations by the Council for the Department of Children and Families

The Department should:

Review the recommendations of the 2006 and 2007 Reports by the Independent Living Services Advisory Council and continue work as identified to implement these recommendations made in previous years. A status report is provided under the Accountability Section on pages 6-7 of this year's 2008 Independent Living Services Council Report.

Department Response: The Department of Children and Families will review the recommendations from the 2006 and 2007 Independent Living Services Advisory Council reports and the status of each of these eighteen recommendations contained on pages 6-7 of this year's (2008) report of the Council. In order to continue making progress on these recommendations, the Department of Children and Families will work with the Chair of the Council to determine priorities and schedule appropriate Department staff to be present at the first meeting of the Council scheduled in 2009. The first meeting date is February 13, 2009 in Tampa, Florida. During and after this Council meeting, the Department will

establish a plan for implementing previous year's recommendations in coordination with the Council Chair.

In addition, the Department will collaborate with YouthSHINE (a group of youth formerly in foster care advocating for child welfare system improvements) and the Council to develop quality assurance tools and/or protocols. YouthSHINE has recently identified quality and accountability issues consistent with Council recommendations for improvement. The Department will work with the Council Chair to coordinate this collaboration to ensure a cohesive statewide approach. A status report will be provided at the first Council meeting on February 13, 2009.

New Recommendations:

Require that Department of Children and Families (DCF) and Agency for Health Care Administration (ACHA) establish a system to check eligibility of children on a daily or at least weekly basis to assure continuity of care and prevent inappropriate disenrollment or changes in physical or behavioral health plans.

Children and youth who have been abused, neglected or abandoned should be presumptively identified as being in crisis and should receive immediate physical, behavioral or development disability assessment and services.

Department of Children and Families, Agency for Persons with Disabilities (APD), and the Community-Based Care lead Agencies (CBCs) need to develop and implement specific procedures to transitioning youth who have developmental disabilities and are aging out of foster care in order to receive timely services through APD or the Early Periodic Screening Diagnosis and Treatment provisions of the Medicaid program.

Department Response: The Department will convene the executive agencies specified in the above recommendations to develop an implementation plan. Interagency coordination has been established as a top priority for the Department. On September 29, 2008, the Department of Children and Families entered into an Interagency Agreement with the Department of Juvenile Justice (DJJ), the Agency for Persons with Disabilities (APD), the Agency for Health Care Administration (AHCA), and the Department of Health (DOH). Section V. of the Interagency Agreement requires the participating agencies to meet on a regular basis to develop strategies to enhance services for children served by multiple agencies. Additionally, two other initiatives underway will provide a means for addressing these three recommendations including the

reconstituted Child Protection Task Force and the federally required Child and Family Services Review Quality Improvement Plan.

Department of Children and Families needs to work collaboratively with Department of Education (DOE) to implement the actions recommended by Florida's Children First in "FCF Recommendations for Inter-Agency Actions to Improve Educational Opportunities for Florida's Foster Youth."

Department Response: The Department plans to address this recommendation through the already established Child Welfare Educational Technical Assistance Workgroup. It was convened on November 20, 2008 to address educational issues for children in the child welfare system. Participating members with the Department include: Florida's Children First, Community-Based Care lead agencies, provider agencies, and other stakeholders, to review and implement the recommendations of the Florida's Children First (FCF) white paper entitled, "FCF Recommendations for Inter-Agency Actions to Improve Educational Opportunities for Florida's Foster Youth." This initiative is one of the Department's Major Issues identified in the Strategic Direction 2009-2011 available at:

<http://www.dcf.state.fl.us/opengov/docs/strategicIntent.pdf>. Mary Cagle, the Department's Director for Children's Legal Services is the champion for this workgroup established to implement practices to improve educational outcomes for children and youth.

Require Community-Based Care lead agencies (CBCs) to establish a statewide system of *portability* of any services and funds so that youth over the age of 18 may access the supports they need in the counties in which they live. At a minimum this should be required for transition and aftercare funds and services; which often require immediate attention to prevent homelessness.

Department Response: The Department's Offices of the Assistant Secretary for Programs and the Assistant Secretary for Administrative Services will convene a meeting of key members of the Florida Coalition for Children (FCC), Community-Based Care lead Agencies, and members of the Council to review this recommendation to determine the feasibility and determine next steps. The Department will work with the Council Chair to determine the most appropriate time to agenda this item for the full Council's review.