

## **INDEPENDENT LIVING SERVICES CHECKLIST**

**The Department shall provide transition to independence services to children in foster care who meet prescribed conditions and are determined to be eligible by the Department. §§ 39.701(6)(a), 409.1451.**

**The service categories available to children in foster care which facilitate transition into adulthood are:**

### **Information and judicial inquiries to be used at judicial reviews of youth ages 13-15**

A child who has reached 13 years of age but is not yet 15 years of age who is in foster care is eligible for pre-independent living services. § 409.1451(4)(a)2.

- Has the child been provided with pre-independent living services that may include, but are not limited to, life skills training, educational field trips, and conferences? (The specific services to be provided to a child shall be determined using a pre-independent living assessment. § 409.1451(4)(a)1.)
- Has the Department conducted an annual staffing for each child who has reached 13 years of age but is not yet 15 years of age to ensure that the pre-independent living training and services to be provided as determined by the pre-independent living assessment are being received and to evaluate the progress of the child in developing the needed independent living skills? § 409.1451(4)(a)3.
- Starting with the first annual staffing that occurs following a child's 14th birthday, and at each subsequent staffing, has the Department or community-based provider ensured that the child's case plan includes an educational and career path based upon both the abilities and interests of each child and provided to each child detailed personalized information on services provided by the Road-to-Independence Program, including requirements for eligibility; on other grants, scholarships, and waivers that are available and should be sought by the child with assistance from the Department, including , but not limited to, the Bright Futures Scholarship Program, as provided in §§ 1009.53-1009.538; on application deadlines; and on grade requirements for such programs? § 409.1451(4)(a)4.
- Has the Department reduced to writing the information related to both the pre-independent living assessment and all staffings, so it can be signed by the child participant? (This is required to be included as a part of the written report required to be provided to the court at each judicial review held pursuant to § 39.701. § 409.1451(4)(a)5.)

### **Information and judicial inquiries to be used at judicial reviews of youth ages 15-18**

A child who has reached 15 years of age but is not yet 18 years of age who is in foster care is eligible for life skills services. § 409.1451(4)(b)2.

- Has the child been provided with life skills services that include, but are not limited to, independent living skills training, including training to develop banking and budgeting skills, interviewing skills, parenting skills, and time management or organizational skills, educational support, employment training, and counseling? The specific services to be provided to a child shall be determined using an independent life skills assessment. § 409.1451(4)(b)1.
- Has the child been provided with information about social security, insurance benefits, and public assistance? § 409.1451(4)(b)1.
- Has the Department conducted a staffing at least once every 6 months for each child who has reached 15 years of age but is not yet 18 years of age to ensure that the appropriate independent living training and services as determined by the independent life skills assessment are being received and to evaluate the progress of the child in developing the needed independent living skills? § 409.1451(4)(b)3.
- Has the Department provided to each child in foster care during the calendar month following the child's 17th birthday an independent living assessment to determine the child's skills and abilities to live independently and become self-sufficient? (Based on the results of the independent living assessment, services and training are required to be provided in order for the child to develop the necessary skills and abilities prior to the child's 18th birthday. § 409.1451(4)(b)4.)
- Has the Department reduced to writing the information related to both the independent life skills assessment and all staffings, so it can be signed by the child participant? (This is required to be included as a part of the written report required to be provided to the child at each judicial review held pursuant to § 39.701. § 409.1451(4)(b)5.)

**Information and judicial inquiries to be used at judicial reviews within 90 days after a youth's 17th birthday**

- The court shall hold a judicial review hearing within 90 days after a child's 17th birthday. The court shall also issue an order, separate from the order on judicial review, that the disability of nonage of the youth has been removed pursuant to § 743.045. The court shall continue to hold timely judicial review hearings thereafter. In addition, the court may review the status of the child more frequently during the year prior to the child's 18th birthday if necessary. At each review held under § 39.701(6)(a), in addition to any information or report provided to the court, the foster parent, legal custodian, Guardian ad Litem, and *the child shall be given the opportunity to address the court* with any information

relevant to the child's best interests, particularly as it relates to independent living transition services.

- In addition to any information or report provided to the court, the Department shall include in its judicial review social study report written verification that the child has been provided with the following information:
  - Does the written report indicate that the child has been provided with a current Medicaid card and has been provided all necessary information concerning the Medicaid program sufficient to prepare the youth to apply for coverage upon reaching age 18, if such application would be appropriate? § 39.701(6)(a)1.
  - Does the written report indicate that the child has been provided with a certified copy of his or her birth certificate and, if the child does not have a valid driver's license, a Florida identification card issued under § 322.051? § 39.701(6)(a)2.
  - Does the written report indicate that the child has been provided information relating to Social Security Insurance benefits if the child is eligible for these benefits? If the child has received these benefits and they are being held in trust for the child, a full accounting of those funds must be provided and the child must be informed about how to access those funds. § 39.701(6)(a)3.
  - Does the written report indicate that the child has been provided with information and training related to budgeting skills, interviewing skills, and parenting skills? § 39.701(6)(a)4.
  - Does the written report indicate that the child has been provided with all relevant information related to the Road-to-Independence Program, including, but not limited to, eligibility requirements, forms necessary to apply, and assistance in completing the forms? The child shall also be informed that, if he or she is eligible for the Road-to-Independence Program, he or she may reside with the licensed foster family or group care provider with whom the child was residing at the time of attaining his or her 18th birthday or may reside in another licensed foster home or with a group care provider arranged by the Department. § 39.701(6)(a)5.
  - Does the written report indicate that the child has an open bank account, or has identification necessary to open an account, and has been provided with essential banking skills? § 39.701(6)(a)6.
  - Does the written report indicate that the child has been provided with information on public assistance and how to apply? § 39.701(6)(a)7.

- Does the written report indicate that the child has been provided a clear understanding of where he or she will be living on his or her 18th birthday, how living expenses will be paid, and what educational program or school he or she will be enrolled in? § 39.701(6)(a)8.
- Does the written report indicate that the child has been provided with notice of the youth's right to petition for the court's continuing jurisdiction for 1 year after the youth's 18th birthday as specified in § 39.013(2) and with information on how to obtain access to the court? § 39.701(6)(a)9.
- Does the written report indicate that the child has been encouraged to attend all judicial review hearings occurring after his or her 17<sup>th</sup> birthday? § 39.701(6)(a)10.

**Additional considerations:**

- Does the youth have information regarding how to apply for public assistance including but not limited to Medicaid, food stamps, temporary assistance for needy families (TANF), emergency financial and housing assistance?
- What is the youth's mode of transportation?
- Does the youth have adequate furniture, kitchen utensils, and other household supplies?
- Does the youth's residence have working utilities and running water?
- Has extension of jurisdiction been explained to the youth and the option to extend jurisdiction of the court been provided?
- What are the youth's educational and/or career plans?
- Has the youth been informed of how to receive medical care upon discharge from the foster care system?
- Is the youth aware of the requirements needed to remain eligible for the Road-to-Independence Program?
- Has the youth been offered the opportunity to register to vote?
- If there has been a legal name change for the youth at any time, do all personal and legal documents now contain the same name?
- Does the youth have an identified support person to contact with questions once jurisdiction has been terminated or lost?
- Has the Department reviewed the apartment lease to ensure that the rent is not too high for the youth to afford?
- If the youth is receiving SSI for a disability, has the youth applied for continuation of SSI prior to the youth's 18<sup>th</sup> birthday?
- If the youth is in need of a guardian under Chapter 744, has one been appointed prior to the youth's 18<sup>th</sup> birthday?

### **Subsidized independent living services:**

- Subsidized independent living services are living arrangements that allow the child to live independently of the daily care and supervision of an adult in a setting that is not required to be licensed under § 409.175. § 409.1451(4)(c)1.
- A child who has reached 16 years of age but is not yet 18 years of age is eligible for such services and shall be formally evaluated for placement in a subsidized independent living arrangement, if he or she:
  - Is adjudicated dependent under chapter 39; has been placed in a licensed out-of-home care for at least 6 months prior to entering subsidized independent living; and has a permanency goal of adoption, independent living, or long-term licensed care; and § 409.1451(4)(c)2a.
  - Is able to demonstrate independent living skills, as determined by the Department, using established procedures and assessments. § 409.1451(4)(c)2b.
- Independent living arrangements established for a child must be part of an overall plan leading to the total independence of the child from the Department's supervision. The plan must include, but need not be limited to, a description of the skills of the child and a plan for learning additional identified skills; the behavior that the child has exhibited, which indicates an ability to be responsible and a plan for developing additional responsibilities, as appropriate; a plan for future educational vocational, and training skills; present financial and budgeting capabilities and a plan for improving resources and ability; a description of the proposed residence; documentation that the child understands the specific consequence of his or her conduct in the independent living program; documentation of proposed services to be provided by the Department and other agencies, including the type of service and the nature and frequency of contact; and a plan for maintaining or developing relationship with the family, other adults, friends, and the community, as appropriate. § 409.1451(4)(c)3
- Subsidy payments in an amount established by the Department may be made directly to a child under the direct supervision of a caseworker or other responsible adult approved by the Department. § 409.1451(4)(c)4.

### **SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER CARE**

Note: based on the availability of funds, the Department shall provide or arrange for the following services to young adults formerly in foster care who meet the prescribed conditions and are determined eligible by the Department. The Department, or a community-based care lead agency when the agency is under contract with the Department to provide the services described under this subsection, shall develop a plan to implement those services. A plan shall be developed for each community-based care

service area in the state. Each plan that is developed by a community-based care lead agency shall be submitted to the Department. Each plan shall include the number of young adults to be served each month of the fiscal year and specify the number of young adults who will reach 18 years of age who will be eligible for the plan and the number of young adults who will reach 23 years of age and will be ineligible for the plan or who are otherwise ineligible during each month of the fiscal year; staffing requirements and all related costs to administer the services and program; expenditures to or on behalf of the eligible recipients; costs of services provided to young adults through an approved plan for housing, transportation, and employment; reconciliation of these expenses and any additional related costs with the funds allocated for these services; and an explanation of and a plan to resolve any shortages or surpluses in order to end the fiscal year with a balanced budget.

**The categories of services available upon request by the young adult, to assist a young adult formerly in foster care to achieve independence are:**

- Aftercare Support Services § 409.1451(5)(a)
- Road-to-Independence Program § 409.1451(5)(b)
- Transitional Support Services § 409.1451(5)(c)