

# FLORIDA STATE PAGE

---

<u>Main Telephone #</u>	(850) 487-2760
<u>FAX #</u>	(850) 487-4337
<u>Mailing Address</u>	Florida Department of Children and Families Interstate Compact on the Placement of Children 1317 Winewood Boulevard, Building 6, Room 112 Tallahassee, FL 32399-0700
<u>ICPC Office Hours</u>	Monday – Friday, 8:00 a.m. to 5:00 p.m. Eastern Time

## **COMPACT ADMINISTRATOR**

Elizabeth Wynn                      850-922-0743

## **DEPUTY COMPACT ADMINISTRATORS:**

Laura Kirksey	850-922-6339	NEW CASES & Private Adoptions:	A – G
Kevin Askew	850-921-6995	NEW CASES & Private Adoptions:	H – Q
Sandy Erickson	850-922-6176	NEW CASES & Private Adoptions:	R – Z
Caryl Jefferson	850-414-7780	ONGOING	A – G
Lena Moye	850-922-6386	ONGOING	H – Q
Shirley Hodge	850-922-8893	ONGOING	R – Z

Cases remain in the “new” category until a “complete” incoming packet has been received and forwarded to the Florida locals for further processing.

## **ICAMA ADMINISTRATOR**

Josette Marquis                      850-922-6232

## **GENERAL INFORMATION**

ICPC Code Citation. Sections 409.401–409.405 Florida Statutes.

Statutory Penalties Under Article IV. Child Placing/Child Caring agencies which violate the statute may face revocation of their license to provide placement services.

Age of Majority. 18 years. Foster care services to children already in the department’s custody may be continued beyond the 18<sup>th</sup> birthday as per c. 39, F.S. and c. 409, F.S.

Court Jurisdiction. Circuit Court: Dependency [c. 39, F.S.]; Delinquency [c. 985, F.S.]; and Adoption [c. 63, F.S.]

## **SPECIAL INFORMATION**

Child Custody Investigations. Pursuant to s. 61.20, F.S. child custody investigations and studies shall be conducted by qualified staff of the court, a licensed child-placing agency (409.175, F.S.), a licensed psychologist (490, F.S.) or a clinical social worker, marriage and family therapist or a licensed mental health counselor (491, F.S.) Such providers may be found in the yellow pages of the local telephone book under one of the following headings: marriage, family, child and individual counselors; marriage and family therapists; psychologists; and adoption agencies. Arrangements for payment for custody investigations will need to be worked out in advance between the parties involved. The Florida ICPC office will return any requests for custody investigations to the sending

## FLORIDA STATE PAGE

---

agency or court. The responsibility for obtaining a custody investigation should be the responsibility of the person to be investigated, subject to the court's final approval. However, if the court issues a certification of indigence, per 57.081, F.S., the court may request the Department to conduct the child custody investigation and study.

Abuse and Neglect Reports. Abuse and neglect complaints should be directed to the Florida Abuse Hotline at: (800) 962-2873; FAX # (800) 914-0004

The mailing address is:                   The Florida Abuse Hotline  
Florida Department of Children and Families  
1317 Winewood Blvd.  
Tallahassee, FL 32399-0700

Community Based Care. The Department has entered into contracts with local agencies to provide child welfare services in efforts to more effectively serve our families. These, private, non-profit agencies act on behalf of the Department to provide services to dependent children and needy families.

### REQUIREMENTS

Requests. Requests received from other states for home studies/placements in Florida must contain as a minimum: a completed 100A form, a social summary, detailed child information and a current court order signed by a judge showing court jurisdiction of the child(ren). Petitions, referee/master reports, and voluntary agreements are not accepted as court orders. Also, a cover letter from the local case manager detailing the services that are needed for the child/family, any special concerns about child or family any medical, psychological/social or other factors related to the child and/or the proposed placement in Florida. Medical and financial plans of care are needed. For adoptive placement requests, see additional requirements listed below, under PLACEMENTS. Additional requirements may be in effect for some types of requests. Please contact this office if you have questions about requirements.

Reports. Monthly face to face visits and quarterly written reports are required unless otherwise specified. Florida adoptive placements require a minimum of two (2) supervisory visits - with the minor and the minor's adoptive parent or parents, one of which visits must be in the home - and 90 days supervision prior to finalization [s. 63.125, F.S.].

Licensing Requirements. Licensing includes successful completion of an approved training curriculum, a home inspection, home study and records checks (Florida Statutes 409.175). Therefore, requests for licensing of a resource will take additional time than other types of home studies. Licensing is required for board payment purposes.

# FLORIDA STATE PAGE

---

## PLACEMENTS

Adoption. Chapter 63, Florida Statutes, means the act of creating the legal relationship between parent and child where it did not exist, thereby declaring the child to be legally the child of the adoptive parents and their heir at law and includes all actions by any adoption entity participating in the process.

An “adoption entity”, as defined in s. 63.032, F.S means the Department, a licensed child-placing agency, a child-caring agency registered under s. 409.176, or an intermediary (Florida attorney); or a child placing agency licensed in another state which is qualified by the department to place children in the state of Florida.

Adoptive home studies must include a completed department Adoptive Home Application Form (CF 5071, located at <http://www.dcf.state.fl.us/publications/eforms/fsp5071>), completed and signed by the Florida prospective adoptive parent(s). No substitution can be accepted. Child placement into Florida cannot be approved without this form.

Birth parents wishing to place their child outside of the state must surrender their child to a Florida adoption entity willing to provide this service, pursuant to s. 63.207, F.S., and may require signing an affidavit indicating that they choose to place their child outside of the state of Florida and giving the reasons therefore.

It is unlawful:

- for an individual to accept fees for making a referral in connection with an adoption;
- for someone not licensed in Florida to advertise that a child is available for adoption or that a child is sought for adoption;
- for an attorney to counsel a natural mother to leave the state of Florida for the purposes of giving birth elsewhere in order for the attorney to secure a fee in excess of the amount permitted under Florida law.

Attorney fees and costs are limited by law and must be reported to the court at the point of finalization in Florida. Prospective adoptive parents are permitted to pay the costs of prenatal care, the birth parent(s) living expenses, hospital fees and delivery costs, and the postnatal medical and living expenses for a birth parent for a period not to exceed six weeks after the birth of the child. Payment of these costs does not obligate the birth parent to consent to the adoptive placement of the child.

Consent of the birth mother to the adoption cannot be executed prior to the birth of the infant; nor be executed prior to 48 hours after birth of child; if the child to be adopted is six months old or older, the consents are valid upon execution, but are subject to a three-day revocation period or may be revoked at any time prior to placement. (Section 63.082 F.S.,)

Legally at-risk placements are permissible in Florida. The ICPC office requires a copy of the birth/delivery information from the hospital and a copy of the birth parents surrenders if termination of parental rights has not occurred. The hospital report on the infant must not be disguised and the child’s name must match the name used in the surrenders. The prospective adoptive parents must acknowledge in writing that they understand that parental rights have not been terminated and that the placement is legally at risk until further court action occurs.

A person violating the provisions of the Florida Adoption Act is guilty of a felony of the third degree, punishable as provided in s 775.082, s 775.083 or s 775.084, F.S.

## FLORIDA STATE PAGE

---

Residential Placements. All residential placements of nonresident children require Compact approval. Approval is given after the child has been accepted by the residential facility. A copy of the letter of acceptance from the facility must be included with the ICPC 100A Form. All placements must be in accordance with the provisions of the Compact and must be in the best interest of the child.

The department is responsible for licensure/regulation of child-caring/child-placing agencies in the state.

Supervisory responsibility for children in residential placement rests with the facility and the sending agency. The department does not supervise child placements in such licensed Florida facilities.

### **PAYMENTS**

TANF Payments. TANF child only grants (also known as temporary cash assistance) may be made on behalf of non-resident children placed with specified relatives in Florida. Florida ICPC reserves the right to request that foster care board payments be made if this appears to be in the best interest of the child or is requested by the eligible caretaker.

Medicaid Payments. Florida Medicaid cards will be issued to IV-E eligible children placed within the state, provided that eligibility certification from the sending state is included with the request. Medicaid benefits are also available to eligible children in TANF households and to children meeting ICAMA eligibility requirements. Pursuant to the Florida Medicaid State Plan, a child's eligibility for ongoing Medicaid is reviewed annually.

Foster Care Payments. Foster care payments made by the state of Florida for children placed out of the state and may be flexible within the limits of the budget of the individual local regions or circuits. Typically, the receiving state's rates are paid. Negotiations must occur prior to placement and be fully explained to the caregiver.

Adoption Subsidy. Adoption subsidies are limited by law and cannot exceed the board payment which would have been made for the child in his foster home during that same period.

### **Florida Interstate Compact on Juveniles Office**

Return of non-delinquent and delinquent runaways, absconders from aftercare/parole/probation, escapees from residential/institutional care and interstate placement of delinquent children who still need supervision while on aftercare, probation or parole fall under the jurisdiction of this compact. Phone number: (850) 488-3795.

Mailing Address: Interstate Compact on Juveniles  
Florida Department of Juvenile Justice  
2737 Centerview Drive  
Tallahassee, FL 32399-3100