




State of Florida
Department of Children and Families



DATE: October 2, 2015

TO: Children's Legal Services (CLS) Regional Directors, CLS Managing Attorneys, Regional Managing Directors, Community-Based Care (CBC) Lead Agency Chief Executive Officers, and Agency for Persons with Disabilities (APD) Regional Operations Managers

FROM: Mike Carroll, Secretary of Department of Children and Families (DCF)
Barbara Palmer, Director of Agency for Persons with Disabilities (APD) 

SUBJECT: APD Medicaid Waiver Enrollment Procedures for Young Adults Ages 18-22 in the DCF Extended Foster Care Program

PURPOSE: This memorandum provides Region, Circuit and CBC Lead Agency staff notice of a recent statutory change effective July 1, 2015, in section 20 of SB 2502A (Chapter 2015-222, Laws of Florida) that addresses young adults, ages 18-22, who are eligible for both extended foster care services, as well as services that may be provided by APD. This memorandum outlines the process for:

- Identifying young adults who are nearing the age of 18 who are in the foster care system and are eligible for APD services.
- Providing interagency coordination and transition planning in order to address the young adults' needs for Extended Foster Care and other state programs such as Medicaid services and APD services.
- Communicating among the CBC Lead Agency, CLS, and APD the relevant information for each young adult who will be accessing services provided through APD and other state programs.

BACKGROUND: During the 2015 Special Session A, the Legislature passed the implementing bill (Chapter 2015-222, Laws of Florida) that provided direction regarding future implementation of the waiting list category number 2 in Chapter 393, Florida Statutes, to include young adults who are 18-22 years of age, who are on the APD waiting list and who have an open case with DCF. Many dependent young adults have reached or are nearing the age of 18 and may be in need of services provided through APD, as well as the services of Extended Foster Care. In these cases transition planning must occur that includes the identification of a plenary guardian or legal guardian to assist the young adult when they reach age 18 to understand the services available through the extended foster care system, as well as the other resources available through Medicaid and the APD waiver. The CBC Lead Agency has the lead to ensure this transition planning is initiated with the appropriate state agencies.

ACTION: DCF and APD agree that a uniform statewide process for timely identification of potentially eligible dependent young adults needs to be developed to assist APD and DCF in determining eligibility and making Extended Foster Care services and APD services available as

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a part of the young adult's transition plan. The current APD/DCF monthly match report initiated by DCF, lists young adults who are currently on the APD waiting list. The results of this report will be shared with the DCF Regional Managing Directors, CBC representatives, CLS Regional Directors, and APD Regional Operations Managers who will be responsible for reviewing the list for accuracy. In addition, the following steps must take place.

- The CBC Lead Agency will make diligent efforts to obtain a plenary guardian or legal guardianship for these young adults as needed, so that informed decisions can be made when the young adult reaches age 18. For all young adults age 17 or older who are identified on the APD/DCF match report, DCF and the CBC Lead Agency, in collaboration with the caregiver, identified plenary and or legal guardian APD and any individual that the young adult would like to include, shall assist in developing the young adult's transition plan as required by s.39.6035, Florida Statutes. The potential guardian will be informed of the court hearing and encouraged to attend. The decision to remain in Extended Foster Care or to opt out of Extended Foster Care must be documented in the transition plan. Diligent efforts must be made to conduct a staffing prior to the young adult reaching age 18. Waiver enrollment can occur once the young adult has reached age 18.
- An interagency staffing at the local level will be held to ensure the young adult's needs and preferences are documented and that all available resources from DCF, Medicaid State Plan, DOE (local school system), APD, and other sources are identified. The CBC Lead Agency will make diligent efforts to obtain a plenary guardian or legal guardianship for these young adults as needed, so that informed decisions can be made when the young adult reaches the age of 18.
- The interagency staffing shall include the young adult in foster care, representatives from the CBC Lead Agency, CLS, local school system, and APD. The information obtained as a result of each staffing shall be added to the young adult's transition plan. The CBC Lead Agency, CLS and APD local representative will identify the resources needed to provide the services identified in the transition plan to include the CBC, Medicaid State Plan and APD.

For youth that remain in extended foster care, the CBC Lead Agency shall continue to provide those services as defined in section 20 of SB 2502A (Chapter 2015-222, Laws of Florida), with the exception of residential habilitation which shall be provided by the APD waiver. The APD waiver may also provide other services that are not covered under Medicaid or section 20 of SB 2502A (Chapter 2015-222, Laws of Florida).

The CBC Lead Agency, CLS and the APD local representative will determine if enrollment in the APD Medicaid waiver is needed and will designate a transition date to enroll the young adult in the APD waiver program. Once the effective date for enrollment in the APD Medicaid waiver has been identified for a young adult, the APD Regional Operations Manager (ROM) will notify the CLS Regional Director and the DCF Regional Managing Director (RMD).

The APD ROM or designee will identify the services that will be requested under the waiver to the APD state office for priority enrollment in the APD Medicaid waiver. The APD state office will enroll the young adult with an effective date that coincides with his/her transition date for enrollment in the APD Medicaid waiver. The APD and DCF Regional offices will then proceed as follows:

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- APD will send out the Notice of Approval of Waiver Enrollment for Services (Notice #1) to the CBC Lead Agency with attachments (Waiver Support Coordinator Selection Package and iBudget information brochure); and
- APD will provide DCF a copy of the Notice of Approval of Waiver Enrollment for Services.

Please disseminate this memorandum to all Region, Circuit and CBC Lead Agency staff and subcontracted agencies.

CONTACT INFORMATION: If you have any questions, please contact Tory Wilson, Office of Child Welfare, at (850) 717-4056 or e-mail tory.wilson@myffamilies.com or Lorena Fulcher, APD Programs and Services at lorena.fulcher@apdcares.org

Attachment

cc: David Fairbanks, DCF Deputy Secretary
Vicki Abrams, DCF Assistant Secretary for Operations
Janice Thomas, DCF Assistant Secretary for Child Welfare
Tom Rankin, APD Deputy Director of Operations
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