

Adoptions of Children in Florida: An Overview

Report 23-15

December 2023



OPPAGA

Office of Program Policy Analysis and Government Accountability

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EXECUTIVE SUMMARY

Adoptions of children in Florida can be public or private, depending on whether the child is in the state’s custody. Public adoptions of children in the child welfare system occur when the birth parents rights are voluntarily relinquished or the state terminates a parent’s rights due to abuse, neglect, or abandonment, as outlined in Ch. 39, *Florida Statutes*, and the Department of Children and Families (DCF) finds an adoptive home for the child. Private adoptions of minors, in which the birth parents voluntarily surrender their parental rights, are conducted by adoption agencies or private attorneys. All adoptions in Florida are regulated by the state under the Florida Adoption Act, Ch. 63, *Florida Statutes*.

In public adoptions, several steps occur to achieve permanency for a child who has been removed from their home. If the department determines that adoption is the best permanency option and the court terminates the parents’ rights, staff of community-based care lead agencies under contract with DCF provide adoption-related services to adoptive parents and children. Community-based care lead agencies provide these services using one of three service delivery models—in-house lead agency staff, subcontracted staff employed by case management organizations, or a combination of in-house and subcontracted staff.

Several barriers to timely adoption exist in the child welfare system, including systemic barriers such as frequent staff turnover and high caseloads, and child characteristics (e.g., age, sibling grouping, and behavioral, mental, and physical health needs) that may make it difficult to find suitable families.

Private adoption is primarily governed by state law, with Florida and other states regulating specific aspects such as advertising and fees for adoption services. Florida is 1 of 24 states where agencies are permitted to advertise adoption-related services. Florida is also 1 of 16 states that allow adoption attorneys to advertise their services.

Florida and other states regulate some private adoption costs. Adoption agencies and attorneys charge adoptive parents fees for various services, with the total cost of private adoptions estimated to range

REPORT SCOPE

Chapter 2023-257, Laws of Florida, directs OPPAGA to examine the adoption process for children in Florida. This examination is to include a general overview and analysis of adoptions under Ch. 63, *Florida Statutes*, including adoptions of children both in and out of the child welfare system. The law further directs OPPAGA to update a previous report on child welfare adoption processes and barriers, including information on the time to permanency by adoption. Additionally, the law directs OPPAGA to compare Florida and other states’ regulations of private adoption marketing and recruitment practices and fees, as well as, processes that allow these entities to intervene or participate in dependency cases.

from \$30,000 to \$60,000. Florida statutes and rules establish limits and requirements for the assessment of adoption-related fees, delineating the types of fees that may be assessed by adoption agencies and paid on behalf of prospective adoptive parents. While rules provide additional requirements related to fee assessment, the DCF provides limited oversight on fee amounts.

Florida also regulates a specific kind of adoption called intervention. This process allows a child-welfare involved parent to place their child for adoption with a private adoption agency while the child is under the jurisdiction of the child welfare system and receiving DCF services, as long as parental rights have not been terminated. There is not a reliable source of data on the number of intervention adoptions in Florida, but information suggests that these adoptions occur relatively infrequently. Of the six states OPPAGA interviewed, only two appear to have a process similar to intervention in Florida.

BACKGROUND

Adoption is the act of creating a legal relationship between a parent and child where it did not previously exist. In Florida, any minor or adult may be adopted. The legal process of adoption permanently relieves the birth parents of all responsibilities for the child's care and financial needs and rights of survivorship. Adoptions of minors can occur through the voluntary relinquishment of parental rights, the termination of parental rights (TPR), or a consent to adoption by a birth parent.

Chapter 63, *Florida Statutes*, the Florida Adoption Act, establishes adoption processes by specifying procedural requirements, defining the duties of adoption entities, determining what entity coordinates adoptions, and regulating adoption services, such as fees for services. Generally, adoptions in Florida can be categorized as either public or private, depending on if the child is in the custody of the state child welfare system. All adoptions in Florida are regulated by Ch. 63, *Florida Statutes*; however, public adoptions are preceded by relinquishment or TPR as outlined in Ch. 39, *Florida Statutes*, which provides the framework for the state's child protection system.¹

Public Adoptions. Public adoptions occur when birth parents' parental rights are voluntarily relinquished to or terminated by the state after their child was removed from their care due to abuse, neglect, or abandonment. The Department of Children and Families (DCF) and 19 DCF subcontracted community-based care lead agencies (CBCs) throughout Florida provide child welfare services, including adoption services for children in state care. Such adoption services include locating potential adoptive families, conducting home and child studies to determine the child's needs and the ability of the prospective adoptive family to meet those needs, providing pre- and post-adoption services such as counseling, and administering maintenance subsidies that provide ongoing financial support for difficult-to-place children adopted out of the foster care system.^{2,3}

Private Adoptions. Private adoptions occur when birth parents voluntarily surrender their parental rights. These adoptions typically occur when a child was not previously known to the adoptive family and the child and prospective family were brought together by a private adoption entity. However, private adoptions also may include stepparent adoptions, relative adoptions, and adult adoptions. In addition, Florida has a specific type of private adoption called intervening adoption, where a private adoption entity intervenes in a child welfare case to place a child with prospective adoptive parents chosen by the child's parent or a private adoption entity. Florida statutes identify entities authorized to provide adoptive services, including those that recruit adoptive families, place minors for adoption, and provide adoption services.⁴ These entities are licensed child-placing agencies, attorneys licensed or authorized to practice in Florida, a child-caring agency registered under s. 409.176, *Florida Statutes*, or a child-placing agency licensed in another state that is licensed by DCF to place children in Florida.

¹ Chapters 39 and 63, *F.S.*

² A difficult-to-place child, as defined in s. 409.166, *F.S.*, is a child whose permanent custody has been awarded to DCF or to a licensed child-placing agency; who has established significant emotional ties with their foster parents; or who is not likely to be adopted because they are eight years of age or older, developmentally disabled, physically or emotionally handicapped, a member of a racial group that is disproportionately represented among children in care, or a member of a sibling group of any age when two or more siblings remain together for the purpose of adoption.

³ A maintenance subsidy is a monthly payment for the support of a difficult-to-place child until the child's 18th birthday. An extension of the maintenance subsidy, if approved, extends these monthly payments until the child's 21st birthday. The need for the subsidy must be determined prior to the adoptive placement. The purpose of maintenance subsidies is to assist the adoptive parent with extra costs associated with adopting a difficult-to-place child and is not intended to cover the complete cost of the child's care.

⁴ Section 63.032, *F.S.*

There are key differences between public and private adoptions

The path to adoption varies between public and private adoptions. (See Exhibit 1.) Part of this variation is due to the parameters set in Ch. 39, *Florida Statutes*, which establish processes and timelines for DCF and court actions in child welfare cases. For example, in public adoptions, a permanency hearing is held to determine if adoption is the best goal for the child. If DCF determines that adoption is the best goal, the department then moves to terminate parental rights. Attorneys from the DCF's Children's Legal Services (CLS) represent the state through the child welfare legal or dependency proceedings governed by Ch. 39, *Florida Statutes*. CLS attorneys work with DCF investigators and lead agency case managers to gather the evidence necessary to support the recommendation the state makes in each case. When reunification is not possible, CLS attorneys represent the state in petitioning the court for a TPR.

In private adoptions, there is no permanency hearing because the parents voluntarily give up their parental rights. Other differences include the level of birth parent involvement in the adoption process. In most child welfare adoptions, since the biological parents' rights are terminated by the state, the biological parents are not involved in the adoption process. In private adoptions, the biological parents relinquish their rights voluntarily and may be involved in choosing the adoptive parents.

Exhibit 1
The Steps in Public and Private Adoptions Differ

Public Adoptions	Permanency Hearing	Private Adoptions
<ul style="list-style-type: none"> ✓ Within <u>12 months</u> of child's removal or within <u>30 days</u> after a court determines that reasonable efforts to return a child are not required, whichever comes first ✓ Adoption set as goal at permanency hearing (s. 39.621, <i>F.S.</i>) 		<ul style="list-style-type: none"> ✓ No permanency hearing in private adoptions
<ul style="list-style-type: none"> ✓ Within 60 days of a permanency hearing, the DCF must start the TPR process ✓ If TPR is appealed, additional time will be required for court to resolve the appeal (ss. 39.8055 and 39.815, <i>F.S.</i>) 	Termination of Parental Rights	<ul style="list-style-type: none"> ✓ Private adoption begins at this stage for birth parents who voluntarily surrender their parental rights ✓ Consent to the adoption may be executed by the birth mother 48 hours after the birth or the discharge date from birthing facility, whichever is sooner ✓ If the child is older than six months, consent is valid upon execution, subject to a three-day revocation period during which time the birth mother may withdraw consent (s. 63.082, <i>F.S.</i>)
<ul style="list-style-type: none"> ✓ DCF places child with the matched adoptive family who has completed required activities such as an adoption preparation course, background checks, and a home study ✓ A child may already be in the home of the adoptive family (s.63.092, <i>F.S.</i>) 	Child Placement	<ul style="list-style-type: none"> ✓ A child can be placed in the adoptive home with which they have been matched after a licensed child-placing agency, registered child-caring agency, or licensed professional conducts a home study ✓ Infants may leave the hospital with the adoptive parents, even if termination is not complete. Adoption entity must notify the court of the intended placement (s. 63.092, <i>F.S.</i>)

Adoption Finalization

For both public and private adoptions:

- ✓ No sooner than 30 days after termination or 90 days after placement the court holds a hearing on a petition for adoption
- ✓ At the conclusion of the hearing, after the court determines that the date for appeal from a TPR has passed, no appeal is pending, and adoption is in the best interest of the child, the court enters judgement for adoption. The motion must be filed within a reasonable time, but not later than 1 year from the TPR judgment.
(ss. 63.122 and 63.142, *F.S.*)

Source: OPPAGA analysis of Florida statutes and related documents.

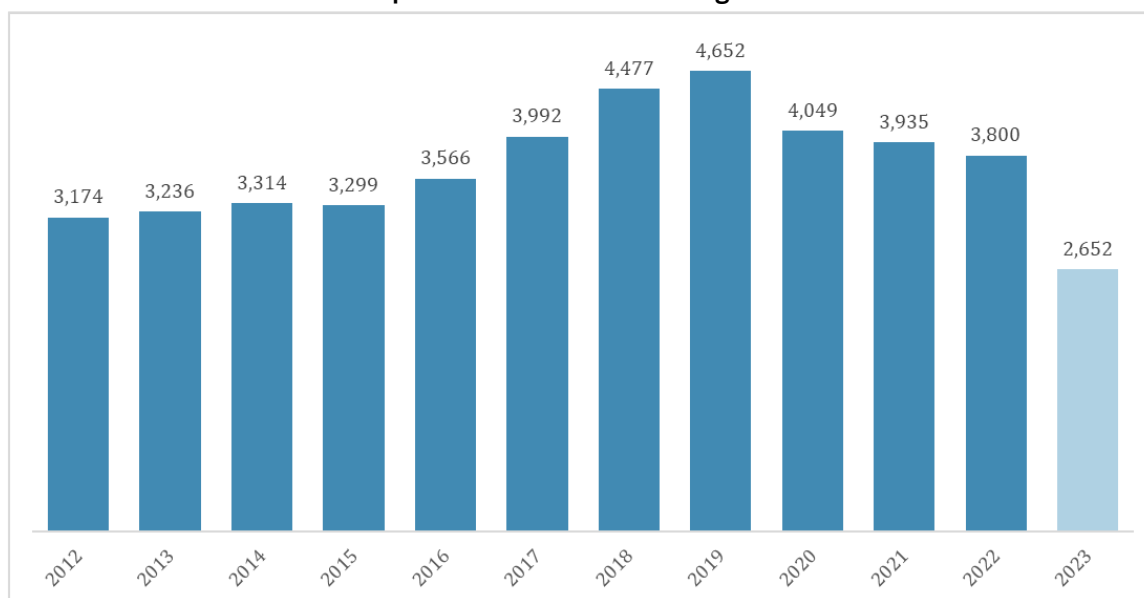
In Florida, the number of public adoptions has increased during the last decade, while the number of private adoptions has decreased in recent years

OPPAGA used data from several sources to examine recent trends in adoption in Florida. Data on the number of public adoptions in Florida are maintained by DCF. For data on private adoptions, several entities collect data on specific elements or types of adoptions. For example, the U.S. Department of State tracks international adoption data, the Florida Office of the State Courts Administrator maintains court data on adoption cases, and the Florida Department of Health (DOH) maintains birth certificate records and data.

Over 11 years, public adoptions in Florida increased 20% from 3,174 in 2012 to 3,800 in 2022. (See Exhibit 2.) Public adoptions represent the largest proportion of adoptions overall. Using court case filing data and public adoption data, the National Council for Adoption estimated that in 2020, roughly 68% of all children adopted in Florida were placed via public adoptions.

Exhibit 2

The Annual Number of Public Adoptions From Child Welfare Agencies in Florida has Increased Over Time¹



¹ The adoption numbers for 2023 are not for a complete year (i.e., the numbers represent the period of January 1, 2023 - September 30, 2023).

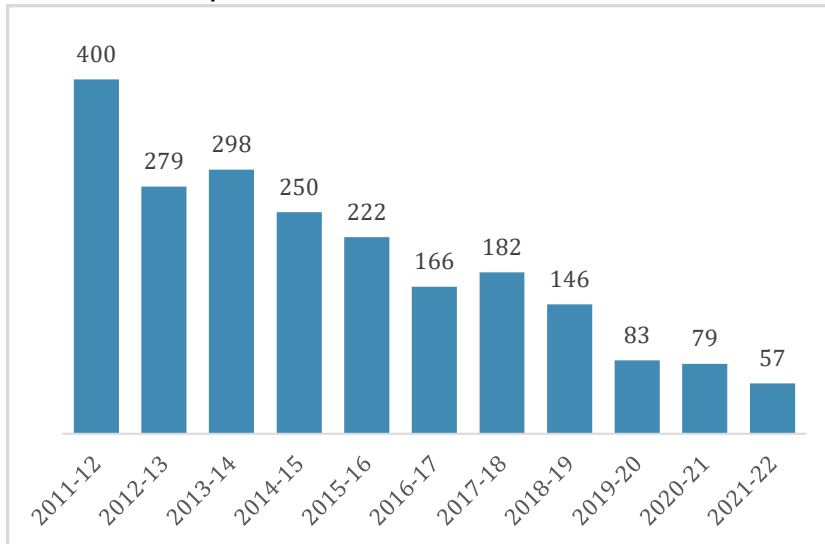
Source: Analysis of data from the Florida Department of Children and Families.

Conversely, based on available data, the number of private adoptions of children in Florida, both international and domestic, has declined in recent years. The U.S. Department of State tracks data on intercountry adoptions, and such adoptions declined in Florida by 86% in the past 11 years. (See Exhibit 3.) The decline in international adoptions by adoptive families in Florida is similar to the decline in international adoptions by adoptive families in the U.S. as a whole, with such international adoptions declining 82% during the same period. The U.S. Department of State attributed the recent decline in international adoptions to policy shifts in three countries—China, Russia, and Guatemala—that accounted for 80% of the decline.⁵

⁵ Russia officially enacted a law that prohibited the adoption of Russian children by U.S. families in 2013. Over the past 10 years, China began making concerted efforts to promote domestic adoptions. Since 2007, Guatemala has periodically suspended the practice of intercountry adoption in an effort to address concerns of fraud and corruption.

Exhibit 3

International Adoptions of Children to Florida Have Declined Over the Past 11 Years



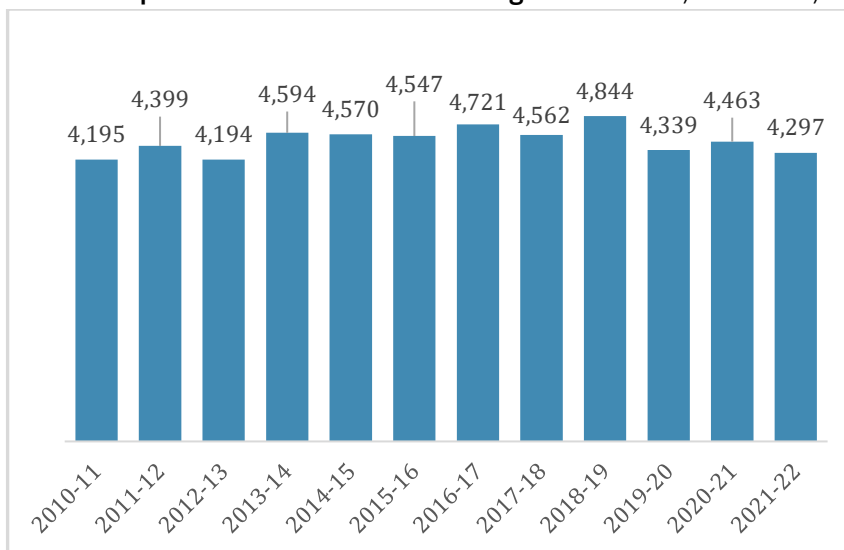
Note: The counts correspond with the federal fiscal year, which begins on October 1 and ends on September 30.

Source: OPPAGA analysis of U.S. Department of State data on intercountry adoptions.

Less standardized data is available on private domestic adoptions. The federal government does not track state-level data on private adoptions of children, and Florida is among many states that do not routinely report this information. The Florida courts and DOH are two sources for this data, but both sources have limitations. Court case data includes all private adoption case filings. However, the court case data comingles different types of private adoptions, including relative and stepparent adoptions, adult adoptions, and adoptions where the adoptive family is not a relative to the child. According to court summary data, from Fiscal Years 2010-11 to 2021-22, the number of private adoption cases closed (excluding adoptions from the child welfare system) varied from a low of 4,194 in Fiscal Year 2012-13 to a high of 4,844 in Fiscal Year 2018-19. (See Exhibit 4).

Exhibit 4

Private Adoption Cases in Florida Have Ranged Between 4,000 and 5,000 Over the Past 12 Years

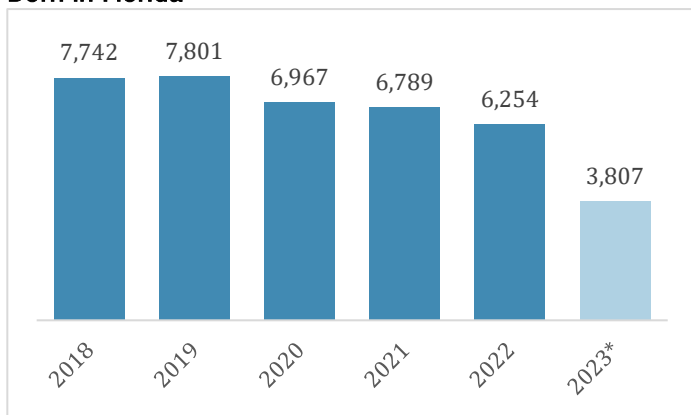


Source: OPPAGA analysis of Office of the State Courts Administrator Summary Reporting System data.

Birth records collected by the DOH Bureau of Vital Statistics provide another source of information on state adoption trends. Statute requires the clerk of court or adoption entity to send a certified statement to DOH’s State Registrar of Vital Statistics within 30 days after the court enters a judgment of adoption to create a new birth record and provide information to issue a new birth certificate to the adoptive parents.⁶ This data is limited to adoptees born in Florida and includes both public and private adoptions.

These DOH birth records contain information about the child, the parents, and the relationship between the adoptee and the adoptive family. Using information about the adoptee’s age at the time of adoption allows for differentiation between child and adult adoptions. This data indicates that the overall number of adoptions of children under the age of 18 who were born in Florida has decreased every year since 2019. (See Exhibit 5.) These adoptions include public and private adoptions, including family and stepparent adoptions. Similarly, the number of infants under age one born in Florida and adopted in Florida by a non-relative or non-stepparent has declined 40% from 2018 to 2022. (See Exhibit 6.)

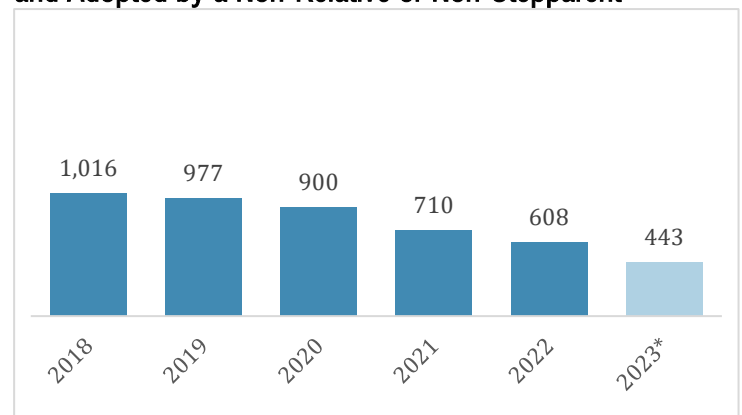
Exhibit 5
Annual Number of Adoptions of Children Under Age 18 Born in Florida¹



¹ Adoption numbers for 2023 are not for a complete year (i.e., the numbers represent the period of January 1, 2023 - September 14, 2023).

Source: Florida Department of Health, Bureau of Vital Statistics.

Exhibit 6
Annual Number of Infants Under Age One Born in Florida and Adopted by a Non-Relative or Non-Stepparent¹



¹ Adoption numbers for 2023 are not for a complete year (i.e., the numbers represent the period of January 1, 2023 - September 14, 2023).

Source: Florida Department of Health, Bureau of Vital Statistics.

The cause of these recent declines in the number of private domestic adoptions of children is unclear. Some evidence suggests that Florida’s adoption trends are similar to national trends. Moreover, national declines in domestic infant adoptions are part of a longer-term trend since the 1970s. According to a 2009 Centers for Disease Control and Prevention data brief, the percentage of infants given up for adoption has declined from 9% of those born before 1973 to 1% of those born between 1996 and 2002.⁷

⁶ Section 63.152, F.S.

⁷ Centers for Disease Control and Prevention. *Who Adopts? Characteristics of Women and Men Who Have Adopted Children*. Jones, Jo. NCHS Data Brief No. 12. January 2009. <https://www.cdc.gov/nchs/data/databriefs/db12.pdf>.

QUESTIONS AND ANSWERS

How do children in the child welfare system become available for adoption?

There are several steps in the dependency process to establish permanency for a child, which can include placement in an adoptive home

Typically, a child who is removed from their parents by the Department of Children and Families is not available for adoption until they proceed through the dependency court system. Dependency court processes begin when there is a report to the child abuse hotline that alleges child abuse, neglect, or abandonment. A child protective investigator visits the child's home to determine if the child is in danger.⁸ If the home environment is considered unsafe, the child may be removed from the home. Several court-related events occur once a child has been removed from their home due to allegations of abuse, neglect, or abandonment to determine if a child can remain safely in the home or if they must be removed from their parents' care. (See Exhibit 7.)

If a child is removed and the court adjudicates the child dependent and places them in the custody of DCF, the goal is to ensure permanent placement with the biological parents, an adoptive family, or another permanent placement as quickly as possible. Reunification with a parent is the state's first preference; however, if reunification is not possible, adoption is the second preference for permanency, followed by permanent guardianship, permanent placement with a relative, or placement in another planned permanent living arrangement.^{9,10} Concurrent planning occurs in some cases, during which a permanency goal of reunification with the child's parent and another permanency goal are pursued simultaneously.¹¹

The state is responsible for ensuring that the factors that led to dependency system involvement are addressed through case planning. Dependency case managers are responsible for developing and revising case plans that include permanency and placement goals and enumerate services for the parents that are needed to meet the child's needs. The case plan also lists the services provided to the child and the child's caregiver. In addition to case planning responsibilities, the case manager maintains contact with the child and their parents, assists parents in maintaining contact with their child, and helps ensure parents and the child are provided with services.

⁸ Prior to 2023, seven counties (Broward, Hillsborough, Manatee, Pasco, Pinellas, Seminole, and Walton counties) had the sheriff's office perform child protective investigations. In 2023, the Legislature passed Ch. [2023-77, Laws of Florida](#), which directed all child protective investigative functions back to DCF. The transition was completed in mid-August 2023.

⁹ Conditions for additional permanency options can be found in Ch. [39, F.S.](#) Permanent guardianship is outlined in s. [39.6221, F.S.](#), permanent placement with a relative is outlined in s. [39.6231, F.S.](#), and placement in another planned permanent living arrangement is outlined in s. [39.6241, F.S.](#)

¹⁰ Placement in another planned permanent living arrangement is pursued when there are compelling reasons that a permanent placement (e.g., adoption, permanent guardianship, or placement with a relative) is not in the child's best interest. DCF must show how the proposed placement will be more secure and stable than traditional foster care, and the court must find that the proposed placement does not jeopardize the child's health, safety, or well-being.

¹¹ Rule [65C-30, F.A.C.](#), requires each case involving children in out-of-home care to be evaluated to determine the appropriateness of concurrent case planning.

Exhibit 7

There Are Several Steps in the Child Welfare Dependency Court Process



Source: OPPAGA analysis of Florida statutes and documents from the Department of Children and Families.

During the legal process, the judge reviews the case plan that contains specific goals for the parents and steps needed to accomplish those goals to address the behavior that created the risk for the child. The parents then start to work on their case plan and receive recommended services. At the judicial review, the court receives updates on the parents' case plan progress as well as updates to the child's needs and services. A permanency hearing is held no longer than 12 months after the child was

removed from their home. At the permanency hearing, the court considers the permanency options of reunification, adoption, permanent guardianship, permanent placement with a relative, and placement in another planned permanent living arrangement. The state may determine that it is not in the child's best interest to be reunified with their family and may petition the court to terminate parental rights. This can occur when parents engage in egregious conduct that threatens the child's safety or when parents have not substantially complied with their case plan for 12 months after the child was adjudicated dependent or placed in care.¹² If a parent's rights are terminated by the court and the time for appeals has passed, a child becomes legally available for adoption.

As of June 30, 2023, 20,143 children were placed in out-of-home care, and 8,376 remained in their homes with their parents. DCF reports permanency outcomes for children who achieved permanency within 12 months of their entry into the system; 28.8% of children achieved permanency within 12 months. For Fiscal Year 2022-23, DCF reported that 11,598 children were reunified with their parents, 1,992 children were discharged from the child welfare system through permanent guardianship, and 987 children achieved permanency through adoption within 12 months of their entry into the system. Some children never achieve permanency, and instead, age out or turn 18 years old before leaving the child welfare system. For Fiscal Year 2022-23, DCF reported 830 children who aged out of the child welfare system without achieving permanency.

How are child welfare adoption services provided in Florida?

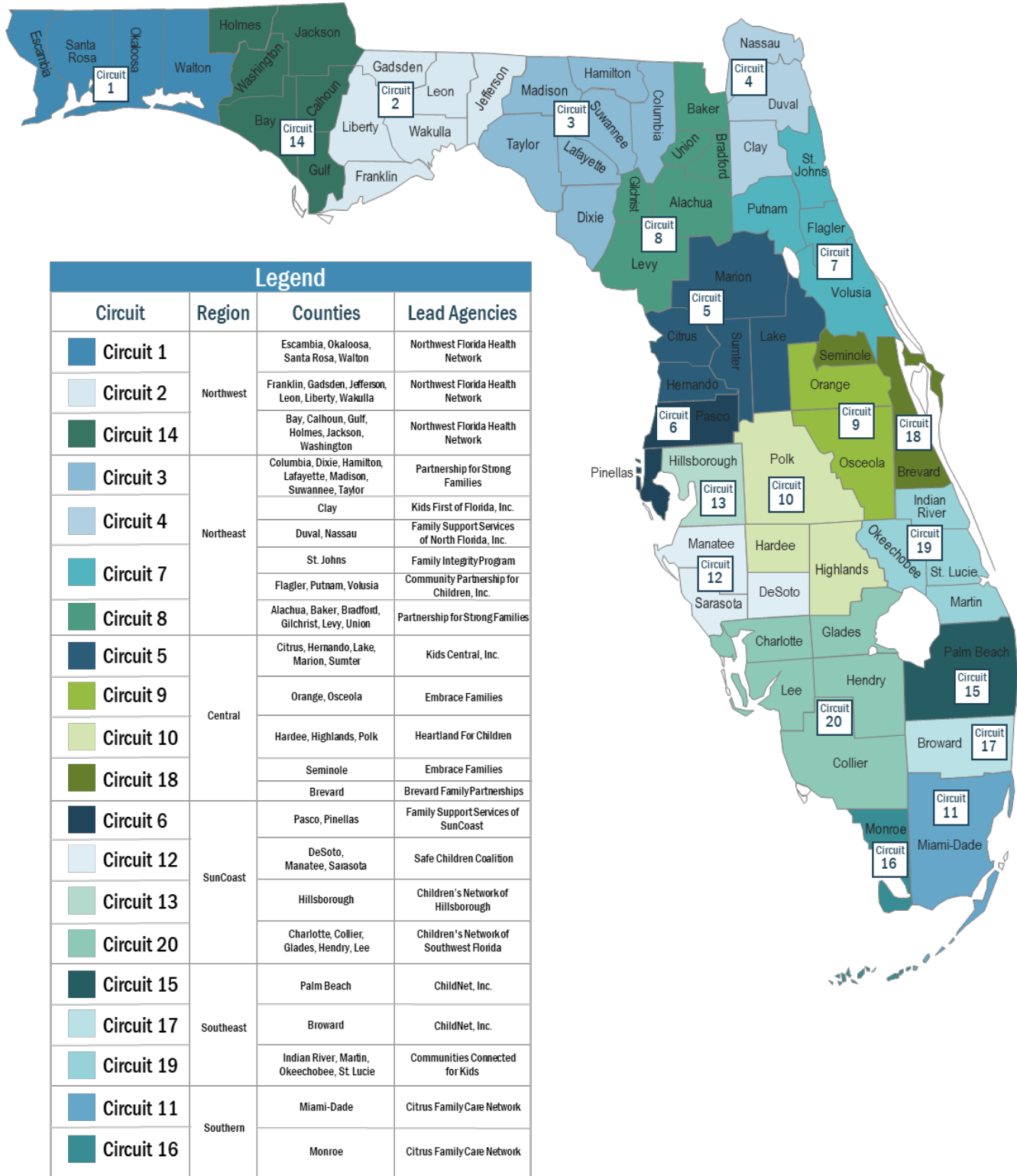
Community-based care lead agency staff and subcontracted providers offer adoption-related services to adoptive parents and children

In Florida, the Department of Children and Families contracts with 19 community-based care lead agencies to provide child welfare services, including adoption-related services, in local communities. CBCs determine the needs and develop resources for the communities served under the contract with DCF. The CBCs are aligned with Florida's 20 judicial circuits. (See Exhibit 8.)

¹² Section [39.806](#), F.S., enumerates the grounds for termination of parental rights.

Exhibit 8

Nineteen Community-Based Care Lead Agencies Provide Services Across Florida's 20 Judicial Circuits



Source: Florida Department of Children and Families.

Lead agency or agency-subcontracted staff provide many adoption-related services to find and place children in a suitable, approved home and to support children and adoptive families. Services are

Child Welfare Professional: An individual who is primarily responsible for case activities who has met the criteria for Florida certification as a child protective investigator, case manager, or a licensing counselor.

Case Manager: A child welfare professional who is responsible for ongoing safety management of and service provision to children who, through assessment of a child protective investigator, have been determined to be unsafe.

Adoption Case Manager: CBCs use various terms to describe case management staff who provide adoption services, such as adoption specialist, adoption coordinator, and adoption case manager. These staff have typically undergone adoption competency training.

provided throughout the adoption process and some continue after finalization. All case managers working with children and families involved with the dependency system are required to have pre-service training and obtain child welfare professional certification.¹³ Case managers assigned as primary on a child's case are responsible for the ongoing safety management and service provision. Some of their responsibilities include conducting home visits, developing and revising case plans, conducting various assessments, referring children and their parents for services, and preparing reports for the court.

Adoption competency training, which is not required of all child welfare professionals, is an in-depth training that provides child welfare professionals and clinicians the skills needed to work with children and families in the area of

adoption. Most lead agencies reported that case managers providing adoption-related services receive adoption competency training; nine reported that this training is required, seven reported that adoption staff receive the training but did not indicate whether the training is required, and one encourages adoption staff to receive the training.¹⁴ Five lead agencies also encourage dependency case managers and other staff to complete the training. Adoption case managers generally perform tasks specific to the adoption process, such as completing child and home studies, matching available children with prospective families, and coordinating and assessing pre-adoptive placement visits.

When the child's permanency goal changes to adoption, several steps occur early in the adoption process; these steps, guided by rule and statute, are focused on identifying a child's needs and finding a placement to best meet those needs. All children to be placed for adoption must have a completed child study that assesses the child's developmental, medical, mental health, family, and educational history, and based on those factors, the child's current and future needs for maintenance subsidy purposes. All potential adoptive families must go through an approval process. To become approved, some prospective adoptive parents, those who are not related to the child or with whom the child was not placed in their home for six months or longer, have to complete at least 21-hours of adoptive parent training. Other approval requirements include passing a criminal and abuse hotline background check and completing an adoptive home packet, which consists of paperwork that will need to be completed before an adoption can be finalized.^{15,16} Prospective adoptive parents must also have an adoptive home

¹³ Rule 65C-33, F.A.C., identifies child welfare training and certification requirements.

¹⁴ Two lead agencies did not mention adoption competency training.

¹⁵ DCF must approve parent training programs, which must include specific topics such as effects of abuse and neglect in adoption, impact of trauma, care of children at various developmental levels, management of difficult child behavior, transitioning a child into and out of foster care, prevention of placement disruptions, psychotropic medication, and the adoptive parent's role in supporting and promoting the child's education progress. Lead agencies can provide this service in-house or subcontract it to case management organizations.

¹⁶ The adoption packet includes an application and other documents required for the adoption home study, a firearm safety form, and a release of information form.

study approved within the prior 12 months, the purpose of which is to evaluate the capability and suitability of the prospective parent or family to adopt. The home study assesses the home and living environment, the adoptive parents' marriage, if applicable, family and social relationships, and criminal history. Staff also provide prospective adoptive parents information on the benefits of adoption, which include financial assistance such as maintenance subsidies, a tuition fee exemption, a federal adoption tax credit, medical assistance that can include Medicaid-funded services, and the availability of post-adoption services such as temporary case management, information, referrals, and support groups.

Some children may already reside with caregivers willing to adopt, such as relatives or foster parents, but others may not. For children who do not have an identified placement, recruitment and family matching efforts take place. These efforts include placing the child's profile—which includes information such as their photo, name, age, likes and dislikes, and what they are looking for in a family—on approved websites; utilizing family finders, who engage in intensive search and engagement techniques such as internet research and cold calls; and mobility mapping, a process in which the child identifies people and locations in their life.¹⁷ Family finders provide caseworkers with opportunities to reach out to people identified through this process and to identify relatives or fictive kin willing to develop and participate in permanency plans.¹⁸

Once case management staff identify a prospective adoptive family for an unmatched child, they arrange for supervised visits. The duration of these pre-placement visits can vary depending on the child's age and history, and the decision on final placement is based on the child's readiness to move in with the adoptive family. At least two weeks before a child is placed in the adoptive parent's home, staff who have worked with the child develop a transition plan to identify needed services that must be accessed before final placement. Staff continue providing services for a minimum of 90 days after placement in the adoptive home until the adoption is finalized; services include monthly case management visits with the child and home visits. Staff also conduct final placement assessments and home investigations that they submit to the court before adoption finalization. After an adoption has been finalized, lead agencies are required to provide supports to the families, including support groups, newsletters, information and referrals, and temporary case management. One year after the adoption finalization date, staff are required to contact the family to gather information on the provision and quality of post-adoption services.

Community-based care lead agencies provide adoption services using one of three service delivery models; the number of lead agencies using each model has shifted over time

OPPAGA previously reviewed the structure of the provision of adoption services in Florida as well as barriers to adoption.¹⁹ To provide current information regarding these issues, OPPAGA conducted

¹⁷ The Florida Adoption Exchange is DCF's statewide website where children available for adoption are listed. Other approved websites are the national AdoptUSKids and local Heart Galleries.

¹⁸ Section [39.01\(28\)](#), F.S., defines fictive kin as a person unrelated by birth, marriage, or adoption who has an emotionally significant relationship, which possesses the characteristics of a family relationship, to a child.

¹⁹ *Lead Agencies Structure Their Adoption Programs in a Variety of Ways*, OPPAGA Report [08-05](#), January 2008; *Additional Strategies Would Help Address the Barriers to Successful Adoptions*, OPPAGA Report [08-06](#), January 2008; and *DCF and Lead Agencies Have Made Progress in Reducing Barriers to Successful Adoptions*, OPPAGA Report [10-47](#), July 2010.

stakeholder interviews; reviewed relevant state statutes, DCF operating procedures, and agency reports; and requested data and information from the department and lead agencies.^{20,21}

Regardless of the structure of service provision, each lead agency is responsible for establishing an Adoption Applicant Review Committee (AARC), which reviews and provides recommendations in complex adoptions. For example, the AARC provides consultation and assistance when the child welfare professional recommends denial of the home study, meaning the family is not recommended to adopt. The AARC is also involved in adoption cases that present challenging issues, such as when multiple families apply to adopt the same child or background matters, such as arrest history, are identified.²²

Lead agencies use one of three arrangements to provide adoption services and reported similar benefits across delivery models. All child welfare services, including adoption services, are provided either in-house by lead agency staff, subcontracted staff employed by case management organizations (CMOs), or a combination of in-house and subcontracted staff.²³ In the subcontracted model, lead agency staff oversee the contract but do not directly provide services. Under a combined approach, lead agencies may perform some or all child welfare services and may subcontract with CMOs to provide specific services, such as home or child studies. Regarding adoption-related services, at the time of OPPAGA's 2008 report, most lead agencies (14 of 20) subcontracted adoption services, some (4 of 20) used a combination, and two provided adoption services in-house.²⁴ In contrast, currently, only a few (4 of 19) lead agencies subcontract all adoption services, with most now providing adoption services in-house (8 of 19) or using a combined approach (7 of 19).

In addition to subcontracting with case management organizations, lead agencies may also subcontract with fee-for-service child-placing agencies for certain adoption-related services, such as home studies, child studies, post-adoptive support, and training for prospective adoptive parents. The use of fee-for-service child-placing agencies for adoption-related services has also changed since the prior report. Previously, more lead agencies (13 of 20) reported subcontracting for specific services on a fee-for-service basis than currently (5 of 19); however, fee-for-service providers were not utilized often during either the previous or current review periods. In calendar year 2022, lead agencies that subcontract adoption-related services paid amounts ranging from \$8,667 to \$1.4 million for such services.²⁵ (See Appendices A and B for a list of all lead agencies, agency service delivery models for adoption case management, and subcontracted providers, services, and fees.)

Although lead agencies utilize different service delivery models, some benefits were similarly identified regardless of the model used. For example, lead agency staff reported their particular service delivery model resulted in their adoption staff being able to specialize or develop expertise in

²⁰ OPPAGA interviewed DCF staff and lead agency staff from eight CBCs. OPPAGA selected a sample of six judicial circuits based on geographic location. Leadership staff from two of the six CBCs also represented their organizations in two additional circuits, providing information on a total of eight CBCs.

²¹ OPPAGA submitted an information request pertaining to adoptions to each of the 19 lead agencies, all of which responded.

²² The AARC must consist of at least five people who have completed adoption competency training and have no personal or current professional relationship to any of the children or prospective families being reviewed. Members must include at least one representative from the lead agency, one representative from the subcontracted case management agency that has jurisdiction over the case, and a DCF representative. In addition, the dependency case manager and supervisor, guardian ad litem, licensed mental health counselor, and individuals who have been involved in the child's case are encouraged to attend.

²³ A CMO is an entity that contracts with a lead agency to provide front-line services to children and families under state supervision.

²⁴ The number of lead agencies with which DCF contracts and the specific entities serving as a circuit's lead agency have changed over time.

²⁵ One lead agency does not pay for any subcontracted services and was not included in this analysis; another lead agency provided total amounts paid to all subcontractors for all services, as the agency does not separately track payments for adoption services. Additionally, two lead agencies stated that the amounts provided to OPPAGA do not include amounts paid to case management organizations for adoption-related services, as these costs are bundled with CMO contracts.

adoptions and focus on adoption-related work. One CBC also reported that this approach decreased dependency case manager adoption workload; this may be due to how CBCs use adoption case managers, whose primary focus is carrying out adoption-related tasks. For example, some CBCs stated dependency case managers must often direct their focus to ensuring safety and other day-to-day tasks, while adoption case managers can work towards ensuring permanency. Thirteen lead agencies assign an adoption case manager as secondary on a child's case to supplement the primary dependency case manager's role, many of whom assign an adoption case manager after a termination of parental rights occurs. Only three lead agencies assign an adoption case manager when the permanency goal is changed to adoption or a TPR petition is filed. An additional four lead agencies stated that the adoption case manager supplements the dependency case manager and then replaces them as the primary case manager at a particular point in the case.²⁶ According to OPPAGA's 2008 report, just over half of lead agencies transferred a child's case from the original case manager to an adoption specialist; the other lead agencies assigned an adoption specialist as a secondary worker to assist the original case manager.

CBCs reported several additional benefits associated with the agency's delivery model. For example, six CBCs identified achieving timelier permanency, though the reasons differed. Some reported that the ability of adoption case managers to specifically focus on adoption-related tasks resulted in faster adoption finalization; another CBC reported that adoption case managers' ability to engage with the child and family to better understand their needs and strengths helped expedite the process. Other frequently reported benefits included increased accountability, quality assurance, and efficiency.

CBCs that subcontract some or all adoption services stated that the agency's model provides an additional level of accountability and quality assurance through contract requirements and monitoring, while two CBCs providing adoption services in-house stated that the model allows for lead agency control, accountability, and oversight of services. Additionally, some CBCs that subcontract or use a combined approach to deliver adoption services reported that the model allows for eliminating redundancies and streamlining processes. Lead agency support was an identified benefit unique to CBCs utilizing a combined approach. These CBCs reported providing additional supports to CMOs, such as offering specialized training, post-adoptive services, and technical support. Other benefits specific to the in-house service delivery model included reduced costs from not managing contracts; being the only agency the client has to speak with and having all services in one place; and the agency being able to use internal staff and partners to resolve system barriers to adoption within reasonable timeframes.

CBCs also identified limitations of the agency's service delivery models, which included delays resulting from inconsistent communication or disagreements. For example, CBCs utilizing a combined approach reported that there sometimes could be inconsistent communication when the responsibility of adoption tasks changes from dependency to adoption case managers. One CBC that subcontracts adoption services reported rare instances of adoption and dependency case managers disagreeing on the direction of a case. Other reported limitations across models consisted of organizational challenges, such as difficulty engaging subcontracted staff not directly employed at the CBC. Limitations specific to in-house models included unclear division of case management versus adoption responsibilities; difficulty getting to know a child and family quickly after parental rights are terminated (the point at which an adoption-specific case manager is added to the case for the particular lead agency reporting this challenge); and having to coordinate AARCs with other entities to avoid conflicts of interest.

²⁶ One lead agency reported that the adoption-specific case manager is assigned as primary on a case once a TPR is granted; one lead agency reported that the case is transferred after the 30-day appeal period; and two lead agencies reported that the adoptions staff is assigned as primary once the TPR order is filed and the child is already living with an identified family.

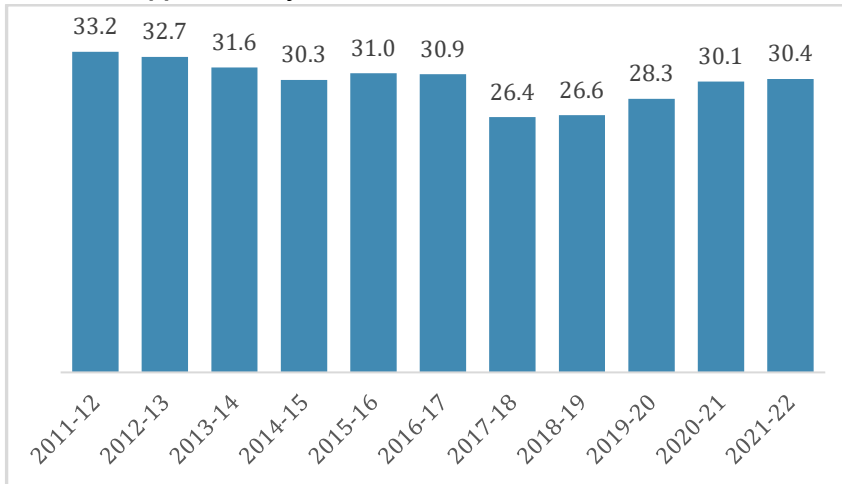
What are barriers to timely adoptions from the child welfare system?

In the child welfare system, the time from removal until adoption averages two and a half years

According to the Department of Children and Families, over the past 11 years, the annual average timeframe from entry into the child welfare system to exit via adoption has slightly decreased, from 33.2 months in Fiscal Year 2011-12 to 30.4 months in Fiscal Year 2021-22. (See Exhibit 9.)

Exhibit 9

Since Fiscal Year 2011-12, the Average Number of Months from Child’s Removal From Parents to Adoption Has Remained Approximately Two and a Half Years



Source: Florida Department of Children and Families’ Adoption Incentive Reports.

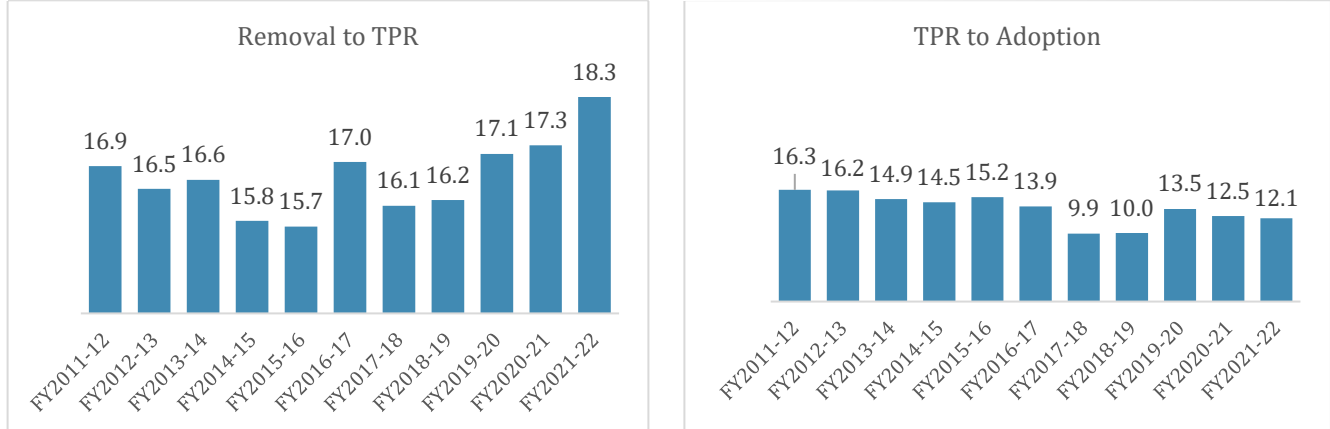
Most of the time from removal to adoption occurs prior to a termination of parental rights. After removal of the child, parents are completing court-ordered case plans, including services or treatment. If the parent refuses to work on the case plan or does not successfully complete the plan, the parent’s rights can be permanently severed through a TPR and the child can be placed for adoption.

For cases that resulted in adoption, the annual average number of months between the child’s removal and a TPR ranged from 15.7 months in Fiscal Year 2015-16 to 18.3 months in Fiscal Year 2021-22. The annual average number of months between a TPR and adoption has decreased from 16.3 months in Fiscal Year 2011-12 to 12.1 months in Fiscal Year 2021-22. (See Exhibit 10.) The adoption process begins following the TPR. For children with an identified adoptive placement, the next steps include the prospective adoptive parents submitting adoptive home studies, undergoing background checks, and completing an adoption packet. For children without an identified adoptive placement, community-based care lead agency staff work to find a suitable placement.

In 2015, the Legislature created the Adoption Incentive Program, which authorized DCF to implement a system where CBCs receive incentive payments for achieving specified adoption performance standards including finalizing adoption within five months of a TPR. This program was funded by the Legislature from January 2017 to June 2019, and its implementation resulted in a decrease in average time of around 10 months from a TPR to adoption in Fiscal Years 2017-18 and 2018-19. (See Exhibit 10.)

Exhibit 10

The Average Number of Months From a Child's Removal From Their Home to a Termination of Parental Rights and From Termination to Adoption Has Varied Over Time



Source: Florida Department of Children and Families' Adoption Incentive Reports.

Several barriers to adoption exist in the child welfare system

A number of factors can influence the length of time to adoption and the likelihood of a child being adopted from the child welfare system. Literature on child welfare practices finds that these barriers can be related to the system and how it operates and to the characteristics of the child, which may make it challenging to find a suitable adoptive placement.

Systemic Issues. Prior research has indicated that frequent staff turnover and high caseloads impede the child welfare system's ability to achieve permanency for children. A 2019 study of child welfare caseworkers in Florida showed attrition rates among new child welfare caseworkers across the state range between 25% and 60%. In a study of child welfare caseworker turnover in Florida, many caseworkers identified excessive workload and the constant flow of new cases as a stressor. CBCs and DCF's Children's Legal Services reported that turnover of CLS staff is high, which also affects permanency due to legal delays.

In addition, established processes within the system take time to complete. The legal milestones for dependency cases are statutorily established and many steps are required prior to the TPR before a child is available for adoption. Moreover, as in any legal proceeding, due process of parties is paramount and can result in increased time to permanency when parties file appeals.

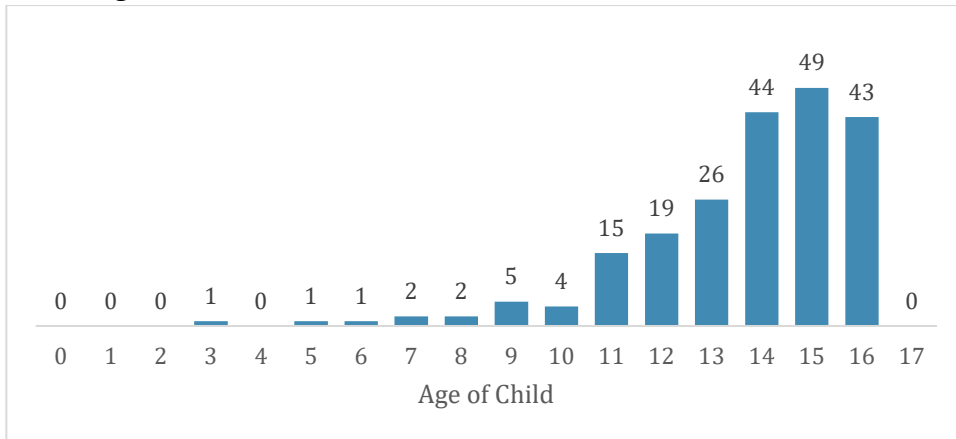
Lead agency staff reported barriers related to administrative processes, particularly the Adoption Applicant Review Committee process. Staff noted several circumstances requiring an AARC review that can lead to procedural delays, including issues with background checks of prospective adoptive families; multiple families applying to adopt the same child; and sibling separation. Parties who disagree with the AARC's decision can request an administrative hearing, which leads to further delays. Other administrative delays include the timely completion of home studies when a child is to be adopted by a family living in another county within Florida or in another state and legal delays, including case continuances and appeals.

Child Characteristics. Research has shown that a child's age, sibling grouping, serious health or behavioral needs, and other characteristics may impact their likelihood of adoption. After terminating parental rights in child welfare adoptions, it may take a considerable amount of time to find a home willing and equipped to meet a child's specific needs. For example, older children in the foster care

system experience unique barriers to adoption. Some research suggests that prospective parents fear teenagers’ influence on their children and teen behavioral problems, which may lead to hesitancy to adopt older children. As of September 2023, the department reported that there were 212 children available for adoption but not matched with a potential adoptive family.²⁷ The average age of a child available for adoption and unmatched with a potential adoptive family in Florida’s child welfare system was 13.7 years old. (See Exhibit 11.)

Exhibit 11

In the Child Welfare System, Most Children Available for Adoption Who Are Unmatched With an Adoptive Family Are Teenagers



Source: Florida Department of Children and Families as of September 30, 2023.

The most frequently reported barrier by lead agency staff was hard to place children, including older children and teens, as well as sibling groups and children with significant mental health or behavioral needs, a history of sexual abuse, Department of Juvenile Justice involvement, sexualized behavior, or runaway behavior. Lead agency staff also reported difficulty in finding families for children with these characteristics in OPPAGA’s 2008 report.²⁸ Lead agency staff noted that in the more than 10 years since the prior OPPAGA review, more children have significant behavioral and mental health needs, making it more challenging to find adoptive placements.

Approaches to Addressing Barriers. Lead agency staff described various approaches to address barriers to adoption. Regarding hard-to-place children, many lead agencies focus on educating prospective adoptive families about the needs of children in the dependency system, engage in child-specific recruitment efforts such as reaching out to groups that have specific expertise relating to the child’s needs, increase family finding services, or provide support during and after adoption finalization. Procedurally, some lead agencies collaborate with CLS staff and the judiciary regarding delays and outstanding orders; request permission from DCF to go out-of-county or out-of-state to conduct home studies; and begin collaboration between adoption and dependency case managers earlier in cases to identify and address challenges, some of which may require an AARC staffing. Other strategies include increasing training and support for adoptions staff, adding more staff to adoption units, and ensuring children’s therapists and providers help prepare them for the idea of adoption and offer services to address their behavioral health needs stemming from trauma.

²⁷ The department reported that as of September 2023, the total number of children available for adoption was 618.

²⁸ *Additional Strategies Would Help Address the Barriers to Successful Adoptions*, OPPAGA Report [08-06](#), January 2008.

In July 2023, DCF began a pilot project in Circuits 6 and 13 in an effort to address certain barriers and decrease the time to adoption. This pilot project focuses on children who are legally available for adoption and are matched with a family but for whom adoption has not been finalized. DCF selected Circuits 6 and 13 for the pilot because the department determined that those circuits had the most children that fit the criteria. To assist with the implementation of this pilot, DCF contracted an additional team consisting of a supervisor, family support workers, and 15 certified case managers, all of whom have received adoption competency training. This team's sole focus is finalizing adoptions. The pilot also made several modifications to processes, which included

- shortening the adoptive home application packet to only include documents required in Florida Administrative Code (i.e., the adoption application, a firearms and safety requirement form, and a release of information form). The other documents are still required but do not have to be completed before the adoption process can begin.
- revising home study requirements to allow updates to a previously completed home study rather than completing a new home study. This process is not used in cases where multiple families have applied to adopt a child.
- streamlining child studies to allow staff to reference existing documents regarding a child's background instead of copying this information into the child study.
- defining timeframes for state and local background screenings to decrease the need for repeated screenings prior to adoption finalization.²⁹

DCF staff reported that there are no preliminary findings at this time, but informal feedback from stakeholders has been positive. For example, stakeholders reported that the number of background screenings expiring and needing to be redone has decreased and the home study process is more streamlined. DCF staff reported that they are continuously assessing and adjusting approaches based on experience. The pilot is expected to be implemented statewide.

How are private adoptions regulated in Florida and in similar states?

While federal legislation establishes a framework for adoption in the U.S., adoption is primarily governed by state law. In addition, global treaties and interstate compacts regulate the placement of adoptive children in international and interstate adoptions.^{30,31} Florida and other states regulate specific aspects of private adoptions such as advertising, fees for adoption services, and intervention in child welfare cases by private adoption agencies. OPPAGA reviewed information on other state statutes about advertising and fees. OPPAGA also interviewed attorneys, adoption agencies, and child

²⁹ Rule [65C-16.007, F.A.C.](#), requires that background screenings be completed within 90 days of the date of the adoption placement and r. [65C-16.009, F.A.C.](#), defines the date of adoption placement as either the date the child is physically placed with the adoptive parents or the date the Memorandum of Agreement to Adopt is signed. As a result, background screens were completed as part of the adoption home study but were expiring prior to the Memorandum of Agreement being signed. The pilot defines the date of adoption placement as either the approval date of the adoption home study or the date the Memorandum of Agreement is signed.

³⁰ The Intercountry Adoption Act (2000) regulates international adoption and sets requirements for accrediting entities to monitor adoption service providers, by establishing requirements for adoption providers to be accredited and laying the foundation for the promulgation of regulations governing intercountry adoption practices between the U.S. and other countries party to the Hague Convention on Adoption.

³¹ The Interstate Compact on Placement of Children is a statutory agreement between all states, the District of Columbia, and the U.S. Virgin Islands. The agreement governs the placement of children from one state into another state and sets forth requirements aimed at ensuring prospective placements are safe and suitable before approval.

welfare agencies in six other states (California, Colorado, Indiana, Texas, Washington, and Wisconsin) about private adoption agencies' intervention in child welfare cases.³²

Adoption agencies and attorneys provide adoption-related services to adoptive families and birth parents in private adoptions

Adoption agencies and adoption attorneys provide services to assist birth parents and potential adoptive families with the adoption of children from outside the child welfare system. These services may include helping birth parents identify potential adoptive parents, conducting home studies, obtaining consent from all required parties, and post-placement social services. Both private agency and attorney placements of children for adoption must be reported to the court within two business days. After placement in an adoptive home, agency placements must be monitored for at least 90 days with monthly contact, while attorney placements require only two post-placement visits. Only adoption agencies, licensed clinical social workers, and mental health professionals can conduct home studies; adoption attorneys cannot provide this service.

All private adoption agencies in Florida are licensed by the Department of Children and Families. The licensing process is conducted by regional department staff and overseen by state office staff. Agencies submit a licensing application packet that DCF reviews before conducting a site visit to determine eligibility for licensure. Some examples of licensing requirements are registration as a Florida business, evidence of financial capability, and identification of board members. During the site visit, DCF checks to see if client files can be maintained securely. The regional licensing team also collects fee schedules for the adoption services being provided.

Florida and other states regulate private adoption advertising

Both expectant parents considering placing a child for adoption and prospective adoptive parents may wish to publicize their interest in adoption. Additionally, adoption agencies may want to advertise services to both expectant parents and potential adoptive parents. To protect all parties involved, particularly children, many states have laws that either prohibit or regulate the use of advertising.

As of 2020, Florida is one of 24 states where licensed child-placing agencies are permitted to advertise the adoption-related services the agencies provide.^{33,34} This can include print, television, radio, and internet advertising. Florida is also one of 16 states that allow adoption attorneys to advertise their services.³⁵ Florida adoption agencies and attorneys must include a Florida license number or Florida Bar number in the advertising. Unlicensed entities and individuals such as potential adoptive parents and birth parents are not permitted to advertise in Florida.

States may also have statutes specifically permitting some persons and entities to advertise. Birth parents who wish to place a child for adoption are specifically permitted to advertise in Connecticut, Illinois, and Nebraska. Prospective adoptive parents can advertise in Connecticut, Illinois, Kansas, New

³² These states were selected either because of similarity to Florida in the number of adoptions or because adoption attorneys OPPAGA interviewed suggested the state might have an intervention process.

³³ California, Colorado, Delaware, Georgia, Illinois, Indiana, Kansas, Louisiana, Maine, Massachusetts, Mississippi, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, Tennessee, Texas, and Washington.

³⁴ U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau, Child Welfare Information Gateway. *Use of Advertising and Facilitators in Adoptive Placements*. July 2020. <https://www.childwelfare.gov/pubpdfs/advertising.pdf>.

³⁵ Colorado, Idaho, Illinois, Indiana, Maine, Mississippi, Montana, New Hampshire, New Mexico, Oklahoma, Oregon, South Carolina, Tennessee, Washington, and Wisconsin.

Hampshire, and Tennessee. Ten states limit advertising by prospective adoptive parents to those who have an approved preplacement assessment or home study.³⁶

States also have statutes prohibiting advertising for certain purposes. In five states (Colorado, Maine, Nevada, New Hampshire, and Wisconsin), it is unlawful to advertise to find a child to adopt, to find an adoptive home, or to offer to place a child for adoption. However, these same states exclude certain individuals or entities from this prohibition. For example, in Colorado, the prohibition does not apply to an individual who has received a favorable recommendation regarding fitness to be an adoptive parent. Two states, Alabama and Kentucky, are even more restrictive and prohibit the use of any type of advertising related to adoption by any person or any entity.

Florida and other states regulate some private adoption costs

Adoption agencies and attorneys charge adoptive parents fees for various services, with the total cost of private adoptions estimated to range from \$30,000 to \$60,000. Florida statutes and rules establish limits and requirements for the assessment of adoption-related fees. Chapter 63.097, *Florida Statutes*, delineates the types of fees that may be assessed by adoption agencies and entities and paid on behalf of prospective adoptive parents. State statute also permits the filing of a petition for prior approval of costs and fees. Before the hearing on the adoption petition, adoption entities are required to file an affidavit that itemizes all disbursements and receipts for anything of value made or agreed to be made by or on behalf of the prospective adoptive parents and any adoption entity in connection with the adoption. In addition, statute explicitly prohibits any person other than an adoption agency from charging or accepting a fee for making a referral in connection with an adoption. It is also unlawful for any person to sell or surrender a child to another person for money or anything of value or to receive a child for payment. Other states also have statutes that regulate private adoption fees, including payments to birth parents.

As of 2022, Florida, like 46 other states, regulates the fees and expenses adoptive parents pay for a private adoption, with 45 specifying the type of birth parent expenses prospective adoptive families are allowed to pay.³⁷ Allowable expenses may include medical and hospital costs, temporary living expenses, counseling fees, and attorney fees. Seven states explicitly prohibit adoptive parents from paying certain types of expenses, such as expenses for education, vehicles, vacations, permanent housing, or any other payment for the monetary gain of the birth parent.³⁸ South Carolina requires receipts for the birth mother's living expenses to be submitted to the court and living expenses for which a receipt is not submitted may be disallowed.

Similar to other states, Florida regulates, to some extent, the fees that adoption agencies can charge. Florida allows adoption agencies to assess fees for foster care expenses, preplacement and postplacement social services, and agency facility and administrative costs if these fees have been approved by DCF during the licensing process.³⁹ In addition, Florida law allows the following types of fees to be assessed by adoption entities or paid on behalf of the prospective adoptive parents:⁴⁰

- Reasonable living expenses of the birth mother that the birth mother is unable to pay due to unemployment, underemployment, or disability. Reasonable living expenses are rent, utilities,

³⁶ Colorado, Georgia, New Hampshire, New Mexico, North Carolina, Oklahoma, Oregon, South Carolina, Washington, and Wisconsin.

³⁷ U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau, Child Welfare Information Gateway. *Regulation of Private Domestic Adoption Expenses*. May 2022. <https://www.childwelfare.gov/pubpdfs/expenses.pdf>.

³⁸ Illinois, Kentucky, Minnesota, Montana, New Hampshire, North Dakota, and Wisconsin.

³⁹ Section 63.097(1), F.S.

⁴⁰ Section 63.097(2), F.S.

basic telephone service, food, toiletries, necessary clothing, transportation, insurance, and expenses found by the court to be necessary for the health and well-being of the birth mother and the unborn child. Such expenses may be paid during the pregnancy and for a period of up to six weeks postpartum.

- Reasonable and necessary medical expenses. Such expenses may be paid during the pregnancy and for a period of up to six weeks postpartum.
- Expenses necessary to comply with requirements of statute, including, but not limited to, service of process, investigator fees, a diligent search, a preliminary home study, and a final home investigation.
- Court filing expenses, court costs, and other litigation expenses and birth certificate and medical record expenses.
- Costs associated with advertising.
- Certain professional fees, including a
 - reasonable hourly fee or flat fee necessary to provide legal representation to the adoptive parents or adoption entity;
 - reasonable hourly fee or flat fee for contact with the parent related to the adoption; and
 - reasonable hourly fee for counseling services provided to a parent or prospective adoptive parent.

Florida statutes require court approval when legal costs and birth parent expenses exceed certain amounts (i.e., \$5,000 in legal or other fees; \$800 in court costs; or \$5,000 in reasonable and necessary living and medical expenses).⁴¹

As of 2022, Florida, like 34 other states, authorizes adoption agencies to collect fees that are reasonable or cover the actual cost of the adoption services provided.⁴² Ten of these states specify a dollar amount for agency fees or specific services that agencies provide.⁴³ Seventeen states provide for reductions in fees or complete waiver of fees based on the potential adoptive parents' income.⁴⁴ For example, Washington statute allows an agency to reduce or waive the fee for a preplacement report if the prospective adoptive family's financial condition warrants it. Five states permit the court to disallow or modify any expense that it finds unreasonable.⁴⁵

To avoid the appearance of children being sold, Florida and 31 other states prohibit any person from offering, or any birth parent from accepting, a payment of money or anything of value in exchange for giving up a child for adoption. In Florida, it is a third-degree felony for any person to sell or surrender, or to arrange for the sale or surrender of, a child to another person for money or anything of value or to receive such child for payment or thing of value.⁴⁶ Further, a birth mother commits the crime of adoption deception in Florida if she knew or should have known she was not pregnant, accepts living expenses from multiple prospective adoptive parents without disclosing it, or makes false statements to induce the payment of living expenses and does not intend to place the child for adoption.⁴⁷

⁴¹ Section [63.097](#), *F.S.*

⁴² U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau, Child Welfare Information Gateway. *Regulation of Private Domestic Adoption Expenses*. May 2022. <https://www.childwelfare.gov/pubpdfs/expenses.pdf>.

⁴³ Alabama, California, Idaho, Indiana, Kentucky, Maine, Mississippi, North Carolina, Oregon, and Wisconsin.

⁴⁴ Alabama, Alaska, Arizona, California, Colorado, Delaware, Minnesota, Mississippi, Nebraska, Nevada, New Jersey, North Carolina, Oregon, South Dakota, Virginia, Washington, and Wisconsin.

⁴⁵ Alabama, Arizona, Kansas, Kentucky, and Michigan.

⁴⁶ Section [63.212\(1\)\(c\)](#), *F.S.*

⁴⁷ Section [63.212\(2\)](#), *F.S.*

California and Nevada prohibit a birth parent from obtaining a financial benefit if they do not intend to finalize the adoption, while Georgia and Louisiana allow adoptive parents to seek reimbursement if a person accepts payment knowing the birth mother is either not pregnant or is accepting money from other adoptive parents. While 14 states specify that payment of expenses cannot be construed to obligate the birth parent to consent to the adoption, Idaho requires reimbursement of expenses by the birth parent if they decide not to go through with the adoption.

While DCF rules provide additional requirements related to fee assessment, the rules do not provide criteria for reasonable fee amounts. The provisions related to fees include the following:

- Requiring that child-placing agencies applying for initial licensure provide DCF with information on projected fees and costs for services and how fees are collected and refunds given, among other administrative information.⁴⁸ While statute requires fees assessed by adoption agencies to be approved by DCF during licensing, statutes and department rules do not provide any criteria for approving the fee amounts.
- Requiring child-placing agencies to have a fee schedule that lists the fees charged and the services provided, including provisions for payment and conditions under which fees are charged, waived, or refunded. DCF is required to review the child-placing agency's up-to-date fee schedule annually to ensure that the schedule complies with statute for adoption-related services.⁴⁹ However, DCF stated that the department does not review the amounts or reasonableness of fees on the schedules to ensure compliance with statute unless it receives a complaint.
- Requiring child-placing agencies to file a copy of the fee schedule, including any updates, with DCF and to provide the schedule to all persons applying for adoption services.⁵⁰ Despite the requirement that copies of the fee schedules be filed with the department, DCF was unable to provide OPPAGA with copies of all child-placing agency's fee schedules. DCF reported that this information was not always preserved in a centralized location and is not easily accessible. Further, neither statute nor DCF rules require a specific format to standardize how child-placing agencies provide fee schedules. As a result, OPPAGA's review of 29 fee schedules provided by licensed child-placing agencies found that agencies use different formats and the schedules vary in the level of specificity of fee amounts.⁵¹ For example, some have flat fees, such as a single administrative or program fee, matching fees, and placement fees, whereas others have fees for service that allow for expenditure adjustments for services, such as travel costs, hourly rates for counseling, and costs for obtaining medical records.

Florida regulates a specific kind of private adoption called intervention; only two of the six states OPPAGA interviewed appear to have a similar process

The 2003 Florida Legislature created a statutory process called intervention, which is a path to allow a child welfare-involved parent to place their child for adoption with a private adoption agency while the child is under the jurisdiction of the dependency court and receiving services from DCF as long as parental rights have not been terminated.⁵² The Legislature added intent language to Ch. 63, *Florida Statutes*, to provide for cooperation between private adoption entities and DCF in matters relating to

⁴⁸ Rule [65C-15.003](#), F.A.C.

⁴⁹ Rule [65C-15.010](#), F.A.C.

⁵⁰ Rule [65C-15.010](#), F.A.C.

⁵¹ OPPAGA requested information and fee schedules from all 127 child-placing agencies that are not community-based care lead agencies. OPPAGA received 81 responses from the agencies. Of the responding agencies, 54 reported offering adoption-related services. Of those that provide adoption-related services, 29 provided the fee schedule for such services.

⁵² Section [63.082\(6\)](#), F.S.

permanent placement options for children in the care of the department whose birth parents wish to participate in a private adoption plan.

The statute allows a child welfare-involved birth parent to potentially have their child removed from the child's current placement, such as a foster family, and placed with and adopted by a person chosen by the child welfare-involved parent. A child welfare-involved parent's consent to private adoption is valid, binding, and enforceable by the court but must be executed before the 31st day after a termination of parental rights filing. If the court determines that the prospective adoptive parents are an appropriate placement and that the adoption appears to be in the best interest of the child, the court orders a change of placement to the prospective adoptive parents under the supervision of the adoption entity.⁵³ However, if the child has been in their current placement for at least 9 continuous months or 15 of the last preceding 24 months and that placement is a prospective adoptive placement, there is a rebuttable presumption that the placement is stable and in the child's best interests. To overcome the presumption, the intervening party must prove by clear and convincing evidence that it is in the best interests of the child to disrupt the current stable prospective adoptive placement.

There is no reliable source of data on the number of intervention adoptions in Florida. DCF's legal and lead agency staff that OPPAGA interviewed indicated that interventions were infrequent in child dependency cases. Similarly, child-placing and child-caring agencies from which OPPAGA collected information also indicated that this type of adoption is uncommon. In addition, the courts do not have a separate count of intervention adoptions because such adoptions cannot be distinguished from other private adoptions. DCF's data system, Florida Safe Families Network (FSFN), does not count all intervening adoptions. This data shows an average of 34 intervention adoptions per year between 2012 and 2022. However, this number is considered unreliable, as it is not a required FSFN data field. Beginning in February 2024, DCF plans to launch a new data collection system that may more accurately capture the number of intervention adoptions.

OPPAGA interviewed adoption attorneys, adoption agencies, and child welfare agencies in six other states (California, Colorado, Indiana, Texas, Washington, and Wisconsin) to determine if child welfare-involved birth parents can consent to private adoption and if private adoption entities can intervene in child welfare proceedings.⁵⁴ Of the six states, two (California and Washington) permit a birth parent to consent to a private adoption after child welfare involvement. In California, the birth parent can consent until the TPR is final.⁵⁵ In Washington, the birth parent can consent until the TPR is filed. Birth parents do not have the absolute right to consent to a private adoption after child welfare involvement in the remaining four states. California, Colorado, Texas, Washington, and Indiana also have a process for permitting potential adoptive parents to intervene in the dependency process.

AGENCY RESPONSE

In accordance with the provisions of s. 11.51(2), *Florida Statutes*, a draft of OPPAGA's report was submitted to the secretary of the Florida Department of Children and Families. The department's written response, along with OPPAGA's comments, is included in Appendix C.

⁵³ The order must allow for a reasonable period to transition placement under a transition plan developed to minimize the trauma of removal from the current placement.

⁵⁴ These states were selected either because of similarity to Florida in number of adoptions or because adoption attorneys OPPAGA interviewed suggested the state might have an intervention process.

⁵⁵ This was the case in Florida until 2023, when the Legislature passed Ch. [2023-257](#), *Laws of Florida*, which made consents invalid if executed at any time beyond the 30th day after the filing of a TPR.

APPENDIX A

Subcontracted Providers for Lead Agency Adoption Services

Exhibit A-1 delineates the structure of adoption service delivery in Florida’s 19 community-based care lead agencies (CBCs). The CBCs provide a range of adoption-related services either in-house, through subcontracted providers, or by a combination thereof. In addition to case management, agencies may contract with providers for home study services, child study services, legal services, adoptive family recruiting, adoption marketing and advertising, family matching, pre- and post-adoption supports, and final home investigations. Although several CBCs provide adoption case management services in-house, all lead agencies use a subcontracted provider for at least one adoption-related service. It is common for agencies to contract with multiple providers for the same service type.

Exhibit A-1

Lead Agencies Use One of Three Service Delivery Models to Provide Adoption Case Management Services and May Subcontract for Additional Adoption-Related Services

Lead Agency	Adoption Case Management Service Provision	Subcontracted Adoption-Related Service Provider(s) ¹ (Case Management, Home Studies, Child Studies, Recruitment, Adoption Marketing and Advertising, Family Matching, Legal Services, Pre- and Post-Adoption Services, and Final Home Investigations)
Brevard Family Partnership	Subcontracted	<ul style="list-style-type: none"> • Camelot Community Care • Brevard Family C. A. R. E. S. • Family Allies
ChildNet Inc. - Broward	In-House	<ul style="list-style-type: none"> • Kids in Distress
ChildNet Inc. - Palm Beach	Subcontracted	<ul style="list-style-type: none"> • Children’s Home Society
Children’s Network of SW Florida	Combined	<ul style="list-style-type: none"> • Camelot Community Care • Wendy’s Wonderful Kids • Gold Marketing • Family Match • One More Child • Lutheran Services Florida
Children’s Network - Hillsborough²	In-house	<ul style="list-style-type: none"> • Heart of Adoptions • One Hope United • Lutheran Services • Camelot Community Care • Thompson • GulfCoast • Attorneys for the adoptive parents are paid an agreed-upon rate • Sylvia Thomas Center
Citrus Health Network	Combined	<ul style="list-style-type: none"> • Wesley House Family Services • Center for Family and Child Enrichment • Children’s Home Society • Family Resource Center • Chosen
Communities Connected for Kids	Subcontracted	<ul style="list-style-type: none"> • Children’s Home Society • Private Attorney
Community Partnership for Children, Inc.	In-house	<ul style="list-style-type: none"> • Adoptive parents select counsel • Neighbor To Family • Community providers are utilized, as needed

Lead Agency	Adoption Case Management Service Provision	Subcontracted Adoption-Related Service Provider(s) ¹ (Case Management, Home Studies, Child Studies, Recruitment, Adoption Marketing and Advertising, Family Matching, Legal Services, Pre- and Post-Adoption Services, and Final Home Investigations)
Embrace Families	In-house	<ul style="list-style-type: none"> • Gulf Coast Jewish Family & Community Services • Camelot Community Care • One Hope United • Case Management Agency • Independent Contractors • Private Attorney(s) • Forever Families • GiaLogic Productions • Adoption-Competent Therapists • Our Thriving Tribe for Child and Family Well-being, LLC
Family Support Services of North Florida, Inc. (FSSNF)	Combined	<ul style="list-style-type: none"> • National Youth Advocate Program • Daniel Memorial • Jewish Family and Children Services • Adoption Attorney(s) • Children's Home Society of Florida
Family Support Services of SunCoast, LLC (FSS Suncoast)³	Combined	<ul style="list-style-type: none"> • Lutheran Services of Florida • Youth and Family Alternatives • Gulf Coast Jewish Family & Community Services • Heart of Adoptions • Private Attorney(s) • Heart Gallery • Case Management Organizations (CMOs) • Adoption-Related Services
Heartland for Children, Inc.	Subcontracted	<ul style="list-style-type: none"> • Children's Home Society • Lutheran Services Florida • One Hope United • Independent Contractors • Private Attorney • Case Management Support Network • Chosen Care • Ametheo
Kids Central, Inc.	Combined	<ul style="list-style-type: none"> • Youth and Family Alternatives • Kids Central Case Management Agency • Lutheran Services • Private Attorney • Keith Gold & Associates • Family Match Program
Kids First of Florida, Inc.	In-house	<ul style="list-style-type: none"> • Family Match • Camelot
Northwest FL Health Network-East	Subcontracted	<ul style="list-style-type: none"> • Camelot Community Care • Twin Oaks • Anchorage Children's Home • DISC
Northwest FL Health Network-West⁴	Subcontracted	<ul style="list-style-type: none"> • FamiliesFirst Network • Family Match • Children's Home Society
Partnership for Strong Families	In-house	<ul style="list-style-type: none"> • Private Attorney(s) • Camelot • Lutheran Services Florida
Safe Children Coalition	In-house	<ul style="list-style-type: none"> • Heart of Adoptions
Family Integrity Program⁵	In-house	<ul style="list-style-type: none"> • Children's Home Society

¹ Lead agencies may also provide some or all of these services.

² Contract taken over from Eckerd Community Alternatives in 2022.

³ Contract taken over from Eckerd Community Alternatives in 2021.

⁴ Contract taken over from Lakeview in 2022.

⁵ St. Johns County Board of County Commissioners.

Source: Community-Based Care Lead Agencies.

APPENDIX B

Payments to Subcontracted Providers for Adoption Services

Lead agencies often use subcontracted providers to implement agency adoption programs. Exhibit B-1 provides information on lead agency contracts for adoption-specific services such as case management, support services, and post-adoption services. The table identifies the adoption providers used by each lead agency, the specific services provided by these subcontractors, and the reported cost of these services for the most recent contract period. Lead agencies may pay subcontractors different rates for similar adoption services for several reasons. For example, rates may differ due to the number of adoptive families receiving services from a subcontractor or the complexity of the contracted tasks. In addition, the contract term does not necessarily correspond with the state fiscal year, and contract length may vary, affecting the total cost a lead agency pays its service provider(s).

Exhibit B-1

Lead Agency Costs for Contracted Adoption Services in Calendar Year 2022

Lead Agency	Adoption Provider	Services Provided	Cost
Brevard Family Partnership	IMPOWER (contract term: 1/2022-6/2022)	N/A	\$241,958
	Camelot Community Care (contract term: 07/2022 - 12/2022)	Adoption case management and support services such as home studies, child studies, marketing, recruitment, family matching, pre-adoption services, post-adoption services, parent training, and final home investigations	\$287,890
ChildNet Inc. - Broward	Kids in Distress	Post-adoption services	\$228,063
ChildNet Inc. - Palm Beach	Children's Home Society of Florida	Adoption case management and support services such as home studies, child studies, marketing, recruitment, family matching, pre-adoption services, post-adoption services, parent training, and final home investigations	\$723,123
Children's Network of SW Florida	Camelot Community Care (Charlotte County)	Full case management and adoption support services such as home studies, child studies, recruitment, family matching, pre-adoption services, post-adoption services, parent training, and final home investigations	\$73,820
	Camelot Community Care (Collier, Hendry, Glades County)	services, post-adoption services, parent training, and final home investigations	\$376,225
	Specialist	N/A	\$34,067
	Specialist	N/A	\$2,086

Lead Agency	Adoption Provider	Services Provided	Cost
Children's Network-Hillsborough	Sylvia Thomas Center	Post-adoption services	\$113,666
	Heart Gallery of Tampa Bay	N/A	\$54,475
	Heart of Adoptions Alliance	Homes study services, child study services	\$2,100
Citrus Health Network¹	Center for Family and Child Enrichment	Full case management and adoption support services such as home studies, child studies, family matching,	\$9,925,000
	Wesley House Family Services	pre-adoption services, and final home investigations	\$4,389,096
	Family Resource Center	In-home case management, foster care case management, and child	\$10,825,000
	Children's Home Society	study services	\$8,391,015
	Chosen	Post-adoption support services	\$42,242.50
Communities Connected for Kids	Children's Home Society	Full case management and adoption support services such as home studies, child studies, recruitment, family matching, pre-adoption services, parent training, and final home investigations	\$756,197
	Private Attorney	Adoption legal services	\$59,280
Community Partnership for Children, Inc.	N/A	N/A	\$0
Embrace Families	Case Management Organizations (Gulf Coast Jewish Family & Community Services, Camelot, One Hope United, Children's Home Society)	In-home and foster care case management services and other adoption costs accumulators	\$862,664
	Forever Families/GiaLogic Productions	Adoption and foster parent marketing and advertising	\$36,500
	Adoption Home Studies	Adoption home study services	\$3,600
	Private Attorneys	Adoption legal services	\$244,000
Family Support Services of North Florida, Inc.	National Youth Advocate Program	Full case management and adoption support services such as home studies, child studies, family matching, pre-adoption services, and final home investigations	N/A ²
	Daniel Memorial		
	The LJD Jewish Families and Community		
	Children's Home Society	Post-adoption support services	\$326,031

Lead Agency	Adoption Provider	Services Provided	Cost
Family Support Services of SunCoast, LLC	Youth and Family Alternatives	Full case management and adoption support services such as home studies, child studies, pre-adoption services, and final home investigations	N/A ³
	Lutheran Services of Florida		
	Heart of Adoptions	Home study services and child study services	\$105,600
	Heart Gallery	Adoptive family recruiting	\$64,332
	Adoption-related Services	Post-adoption support services	\$298,790
Heartland for Children, Inc.	Children's Home Society	Full case management and adoption support services such as home studies, child studies, family matching, and pre-adoption services	\$209,191
	Lutheran Services Florida		\$210,194
	One Hope United		\$468,899
	Case Management Support Network	Home study services and child study services	\$29,434
	Chosen Care	Post-adoption support services	\$16,100
	Amethéo	Pre- and post-adoption services	\$117,680
	Private Attorney	Adoption legal services	\$135,000
	Specialist	Adoption home study services and child study services	\$2,100
	Specialist		\$450
Kids Central, Inc.	Keith Gold & Associates	Adoption legal services	\$0
	Private Attorney	Adoption legal services	\$214,300
	Lifestream	N/A	\$329,900
	Youth & Family Alternatives	Full case management and adoption support services such as home studies, child studies, pre-adoption services, and final home investigations	\$848,400
Kids First of Florida, Inc.	Specialist	Adoption home study services	\$14,867
	Specialist		\$1,305
	Specialist		\$2,545
	Specialist		\$300

Lead Agency	Adoption Provider	Services Provided	Cost
Northwest FL Health Network-West (NWFHNW)	Children's Home Society	Post-adoption support services	\$593,387
	FamiliesFirst Network ⁵	Full case management and adoption support services such as home studies, child studies, adoptive family recruiting, pre-adoption services, parent training, and final home investigations	\$41,587
Partnership for Strong Families	Private Attorney	Adoption legal services	\$1,000
	Heart of Adoptions	N/A	\$1,000
	Private Attorney	Adoption legal services	\$23,000
	Private Attorney		\$37,000
	Private Attorney		\$102,489
Safe Children Coalition	Heart of Adoptions	Adoption home study services and child study	\$6,800
	Specialist	services	\$3,500
Family Integrity Program	Children's Home Society	Adoptive parent training	\$8,667

¹ These values represent the total amounts paid to subcontractors for all services; this lead agency does not separate adoption-related expenses.
² Agency does not include amounts paid to CMOs for adoption-related services, as these are bundled with its CMO contract.
³ Agency does not include amounts paid to CMOs for adoption-related services, as these are bundled with its CMO contract.
⁴ This subcontractor was the agency's provider in 2022.
⁵ FamiliesFirst Network was only a subcontracted provider for two months in 2022, as NWFHNW became the Lead Agency for child protection in November 2022.

Source: Community-Based Care Lead Agencies.

APPENDIX C

Agency Response



State of Florida
Department of Children and Families

Ron DeSantis
Governor

Shevaun L. Harris
Secretary

December 28, 2023

Ms. Kara Collins-Gomez, Coordinator
Office of Program Policy Analysis and Government Accountability
111 West Madison Street, Room 312
Tallahassee, Florida 32399-1475

Dear Ms. Collins-Gomez:

Thank you for the opportunity to review the updated Office of Program Policy Analysis and Government Accountability report, *Adoption of Children in Florida: An Overview*. As you are aware, the Department is committed to the timely achievement of permanency for all children entrusted to its care and we take great pride in the work that has been done to advance this mission.

To that end, Secretary Harris has set forth a robust permanency initiative that aims to promote collaboration, remove barriers, and improve permanency outcomes for children and families within the foster care system. The report captures a great deal of the work being completed by the Department and its system partners. We do believe that there is additional information that highlights the outcomes of our permanency initiatives as well as offers clarification on the regulation of private adoptions.

Please find points of clarification below:

- Page 19: Related to Circuit 6 and Circuit 13 pilot projects.

“Since the start of the permanency initiative pilot in Circuit 6 and Circuit 13 there has been an increase in the total number of adoptions and decrease in the total number of children in out-of-home care. The charts below illustrate a comparison between Quarter 1 of the current fiscal year post implementation of the pilot versus the Quarter 1 from previous fiscal year absent the activities incorporated through the pilot.”

Department comment:

Please find attached information regarding the outcomes of the permanency initiatives that have been launched in Circuit 6 and Circuit 13:

C8 FSS-Suncoast

Category	Q1 22-23	Q1 23-24	% Change
Total Adoptions	62	100	61.29%
Avg Number of Children in OHC	2,532	1,999	-21.05%

Data Source: DCF OCFW Dashboard as of 11-15-2023

2415 North Monroe Street, Suite 400, Tallahassee, Florida 32303-4190

Mission: Work in Partnership with Local Communities to Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

C13 Childrens Network-Hillsborough

Category	Q1 22-23	Q1 23-24	% Change
Total Adoptions	30	71	136.67%
Avg Number of Children in OHC	2,433	2,143	-11.92%

Data Source: DCF OCFW Dashboard as of 11-15-2023

- Page 23: “Requiring child-placing agencies to have a fee schedule that lists the fees charged and the services provided, including provisions for payment and conditions under which fees are charged, waived, or refunded. DCF is required to review the child-placing agency’s up-to-date fee schedule annually to ensure that the schedule complies with statute for adoption-related services. However, DCF stated that the department does not review the amounts or reasonableness of fees on the schedules to ensure compliance with statute unless it receives a complaint.”

Department comment:

The Department reviews fee schedules during inspections for initial licensure and re- licensure. Any changes to the fee schedule throughout the licensing year must be provided to the Department for review. The Department also reviews compliance with all requirements of s. 63.097, F.S., during licensing inspections and complaint investigations.

- Page 24: “Requiring child-placing agencies to file a copy of the fee schedule, including any updates, with DCF and to provide the schedule to all persons applying for adoption services. Despite the requirement that copies of the fee schedules be filed with the department, DCF was unable to provide OPPAGA with copies of all child-placing agency’s fee schedules. DCF reported that this information was not always preserved in a centralized location and is not easily accessible. Further, neither statute nor DCF rules require a specific format to standardize how child- placing agencies provide fee schedules. As a result, OPPAGA’s review of 29 fee schedules provided by licensed child-placing agencies found that agencies use different formats, and the schedules vary in the level of specificity of fee amounts. For example, some have flat fees, such as a single administrative or program fee, matching fees, and placement fees, whereas others have fees for service that allow for expenditure adjustments for services, such as travel costs, hourly rates for counseling, and costs for obtaining medical records.”

Department comment:

Child placing agencies are required to make copies of the fees schedules available to the Department for review. DCF staff review private adoption agency fees when they complete their inspections. The Department reviews fee schedules onsite during the inspection through the child-placing agencies’ electronic system or by reviewing documentation made available from the agencies’ internal files.

The regional licensing team can share fee schedules that are stored locally within the region or obtain copies directly from the child-placing agency within a reasonable amount of time. The Department would like to provide technical clarification regarding portions of the report which offers clarity regarding the information that is being reported.

- Page 12 (last paragraph): To become approved, *most* prospective adoptive parents must complete at least 21 hours of adoptive parent training.

Department comment:

Section 63.093, F.S., outlines which prospective adoptive parents are required to complete the 21 hours of adoptive parent training. *Most* prospective adoptive parents do not have to complete the 21-hour course as they are relatives to the child being adopted and/or had the child placed in their home 6 months or longer.

OPPAGA Response: Edited text on page 11 to clarify requirements.

- Page 13 (top paragraph): “Staff also provide prospective adoptive parents information on the benefits of adoption, which include financial assistance such as maintenance subsidies, a tuition fee exemption, a federal adoption tax credit, medical assistance that can include Medicaid-funded services, and the availability of post-adoption services such as temporary case management, information, referrals, and support groups.”

Department comment:

An additional benefit provided to adoptive parents includes medical assistance, which differs from Medicaid. Medical assistance is initiated after the adoption of the child for medical, surgical, hospital, and related services needed because of a physical or mental health condition of the child which existed prior to the adoption and is not covered by Medicaid, Children’s Medical Services or Children’s Mental Health Services. See s.409.166(4)(f), F.S., for reference. Medical assistance is a state-funded benefit.

- Page 14 (top paragraph; there is a similar reference on Page 17 in the second to last paragraph): “The AARC is also involved in adoption cases that present challenging issues, such as when multiple families apply to adopt the same child, sibling separation...”

Department comment:

Please note that sibling separation staffings are not part of AARC related staffings and have standards established in s. 39.4024, F. S., and 65C-16.002(3), F.A.C.

The AARC provides consultants for the following cases as outlined in 65C-16.005(9), F.A.C.:

1. Multiple Families applying to adopt the same child.
2. Health.
3. Child abuse, Abandonment and Neglect
4. Criminal history

5. Cases in which the applicant is the current or former foster parent with supervision concerns or licensing standards violations.
6. Challenging cases.

OPPAGA Response: Edited text on page 13 to remove reference to sibling separation staffings.

- Page 18 (top paragraph): “As of September 2023, within the child welfare system, there were 212 children available for adoption but not matched with a potential adoptive family...”

OPPAGA’s update:

Incorporated a footnote to state: The department reported that as of September 2023, the total number of children available for adoption was 618. This includes the 212 children available for adoption but not matched with a potential adoptive family.

Department comment:

The total of 618 includes children available for adoption but not matched with a potential adoptive family. The 212 children should not be isolated from the total.

OPPAGA Response: Edited footnote to only report the total number of 618 .

Thank you for the opportunity to respond to this overview and incorporate clarifying information into the report. Consistent with its mission to work in partnership with local communities to protect the vulnerable, promote strong and economically self-sufficient families, and advance personal and family recovery and resiliency, Florida will continue to collaborate with our partners to ensure the timely achievement of permanency for each child entrusted to our care.

Sincerely,



Molly McKinstry

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OPPAGA

Office of Program Policy Analysis and Government Accountability

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