



**State of Florida  
Department of Children and Families**

**Ron DeSantis**  
Governor

**Shevaun L. Harris**  
Secretary

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**DATE:** February 18, 2022

**TO:** Regional Managing Directors  
Community-Based Care Lead Agency CEOs  
Sheriff Offices Conducting Child Protective Investigations

**THROUGH:** Taylor Hatch, Deputy Secretary

**FROM:** Jess Tharpe, Assistant Secretary for Child Welfare *JT*  
Sharron Washington, Assistant Secretary for Operations

**SUBJECT:** Foster Home Capacity Practice Guidelines – Revision to Memo Dated February 8, 2022

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**PURPOSE:** The purpose of this memorandum is to provide clarification to guidelines on foster home licensure and placement capacity practices for the placement of children and replaces the memo dated February 8, 2022.

**BACKGROUND:** During the 2021 legislative session, updates were made to section 409.175, Florida Statutes (F.S.), pertaining to foster home placement capacity. These changes were effective on July 1, 2021. In addition, on October 1, 2021, the Family First Prevention Services Act (FFPSA) went into effect and outlines specific exemption statuses to a state's placement capacity.

Section 409.175(3)(b), F.S., requires a placement capacity waiver before another child may be placed in a licensed foster home (Levels I-V) when the following are applicable:

- The total number of dependent children in a family foster home is six or more (placing a seventh child would require a placement capacity waiver).
- The total number of children in a family foster home, including both dependent children and the family's own children, is eight or more (placing a ninth child would require a placement capacity waiver).

**ALL** placement capacity waivers must be approved by the Assistant Secretary for Child Welfare or their Department designee.

The Office of Child Welfare will continue to release FSFN changes, host trainings, and promulgate the rule changes needed to come into compliance.

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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

**MEMO:** Foster Home Capacity Practice Guidelines – Revision to Memo Dated  
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**ACTION REQUIRED:** Please review this memo and distribute as appropriate in your respective programs.

**CONTACT INFORMATION:** If you have questions or need clarification regarding this memorandum, please contact Courtney Smith, Adoption and Permanency Manager, at [Courtney.Smith@myflfamilies.com](mailto:Courtney.Smith@myflfamilies.com) or 850-717-4660.

cc: Regional Family and Community Services Directors  
Grainne O'Sullivan, Statewide Director, Children's Legal Services  
Center for Child Welfare