



State of Florida
Department of Children and Families

Charlie Crist
Governor

George H. Sheldon
Secretary

DATE: October 15, 2010

TO: Regional Directors

THROUGH: ^{Patricia Boddland for Pete Digre} Pete Digre, Assistant Secretary for Operations
David L. Fairbanks, Assistant Secretary for Programs

FROM: Alan Abramowitz, State Director, Office of Family Safety

SUBJECT: Drug Testing of Foster Parents

ACTION REQUIRED: Distribute this memorandum to appropriate directors and staff

DUE DATE: None

PURPOSE: The purpose of this memorandum is to advise you of one of the provisions of HB 7069 which became law on May 26 and to respond to questions that have arisen. The bill allows for drug testing of foster parents who present "reasonable suspicion" for conducting such testing.

BACKGROUND: This new law amends s. 409.175, F.S., which now gives the Department and its contracted agencies/providers the authority to test foster parents for drug use when there is reasonable suspicion. The Licensing Rule Program Committee will begin revision of the family foster home licensing rule (Chapter 65C-13, F.A.C.) this month and will address this new provision.

Staff has voiced concerns about this new law and raised questions as to what constitutes reasonable suspicion, who will cover the costs, and how to handle positive drug tests of foster parents. Until the rule is promulgated, please consider the following when determining if there is reasonable suspicion to refer a foster parent for drug testing:

- Reasonable suspicion examples include:
 - a report by a child, or adult, that the foster parent(s) may be using or in possession of illegal substances; and
 - suspicion of use of illegal substances based on observable abnormal conduct or uncharacteristic behaviors.

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- The cost of all drug tests of foster parents with negative results will be reimbursed by the Department.
- All positive drug tests of foster parents will be immediately referred to the licensing staff for proper assessment and handling.

ACTION REQUIRED: Please disseminate this memo to Circuit Administrators, CBC lead agencies and all other appropriate staff.

CONTACT INFORMATION: If you have any questions please contact Stacey Cleveland at (850) 921-8833 or by e-mail at stacy_cleveland@dcf.state.fl.us.

cc: Circuit Administrators
CBC Lead Agency CEO's
Family Safety Program Managers
DCF Contract Managers