



State of Florida
Department of Children and Families


Ron DeSantis
Governor

Shevaun L. Harris
Secretary

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 
Sharron Washington, Assistant Secretary for Operations

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

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.

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

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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 or 850-717-4660.

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