

# Union Calendar No. 138

112TH CONGRESS  
1ST SESSION

# H. R. 2883

**[Report No. 112-210, Part I]**

To amend part B of title IV of the Social Security Act to extend the child and family services program through fiscal year 2016, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2011

Mr. DAVIS of Kentucky (for himself and Mr. DOGGETT) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 19, 2011

Additional sponsors: Mr. MARCHANT, Mr. BOUSTANY, Mr. STARK, Mr. BLUMENAUER, Mr. LEWIS of Georgia, Mr. RANGEL, Mr. LEVIN, Mr. BERG, Mr. CROWLEY, Mr. REED, Mr. REICHERT, Mr. TIBERI, Mr. ROSKAM, Mr. McDERMOTT, and Mr. LANGEVIN

SEPTEMBER 19, 2011

Reported from the Committee on Ways and Means with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

SEPTEMBER 19, 2011

The Committee on the Budget discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on September 12, 2011]

# **A BILL**

To amend part B of title IV of the Social Security Act to extend the child and family services program through fiscal year 2016, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Child and Family Serv-*  
5 *ices Improvement and Innovation Act”.*

6 **TITLE I—EXTENSION OF CHILD**  
7 **AND FAMILY SERVICES PRO-**  
8 **GRAMS**

9 **SEC. 101. STEPHANIE TUBBS JONES CHILD WELFARE SERV-**  
10 **ICES PROGRAM.**

11 *(a) EXTENSION OF PROGRAM.—Section 425 of the So-*  
12 *cial Security Act (42 U.S.C. 625) is amended by striking*  
13 *“2007 through 2011” and inserting “2012 through 2016”.*

14 *(b) MODIFICATION OF CERTAIN STATE PLAN RE-*  
15 *QUIREMENTS.—*

16 *(1) RESPONSE TO EMOTIONAL TRAUMA.—Section*  
17 *422(b)(15)(A)(ii) of such Act (42 U.S.C.*  
18 *622(b)(15)(A)(ii)) is amended by inserting “, includ-*  
19 *ing emotional trauma associated with a child’s mal-*  
20 *treatment and removal from home” before the semi-*  
21 *colon.*

22 *(2) PROCEDURES ON THE USE OF PSYCHOTROPIC*  
23 *MEDICATIONS.—Section 422(b)(15)(A)(v) of such Act*  
24 *(42 U.S.C. 622(b)(15)(A)(v)) is amended by inserting*  
25 *“, including protocols for the appropriate use and*

1       *monitoring of psychotropic medications” before the*  
2       *semicolon.*

3               (3) *DESCRIPTION OF ACTIVITIES TO ADDRESS*  
4       *DEVELOPMENTAL NEEDS OF VERY YOUNG CHIL-*  
5       *DREN.—Section 422(b) of such Act (42 U.S.C. 622(b))*  
6       *is amended—*

7               (A) *by striking “and” at the end of para-*  
8       *graph (16);*

9               (B) *by striking the period at the end of*  
10       *paragraph (17) and inserting “; and”; and*

11              (C) *by adding at the end the following:*

12              “(18) *include a description of the activities that*  
13       *the State has undertaken to reduce the length of time*  
14       *children who have not attained 5 years of age are*  
15       *without a permanent family, and the activities the*  
16       *State undertakes to address the developmental needs*  
17       *of such children who receive benefits or services under*  
18       *this part or part E.”.*

19              (4) *DATA SOURCES FOR CHILD DEATH REPORT-*  
20       *ING.—Section 422(b) of such Act (42 U.S.C. 622(b)),*  
21       *as amended by paragraph (3) of this subsection, is*  
22       *amended—*

23              (A) *by striking “and” at the end of para-*  
24       *graph (17);*

1           (B) by striking the period at the end of  
2           paragraph (18) and inserting “; and”; and

3           (C) by adding at the end the following:

4           “(19) contain a description of the sources used to  
5           compile information on child maltreatment deaths re-  
6           quired by Federal law to be reported by the State  
7           agency referred to in paragraph (1), and to the extent  
8           that the compilation does not include information on  
9           such deaths from the State vital statistics department,  
10          child death review teams, law enforcement agencies,  
11          or offices of medical examiners or coroners, the State  
12          shall describe why the information is not so included  
13          and how the State will include the information.”.

14          (c) *CHILD VISITATION BY CASEWORKERS*.—Section  
15          424 of such Act (42 U.S.C. 624) is amended by striking  
16          the 2nd subsection (e), as added by section 7(b) of the Child  
17          and Family Services Improvement Act of 2006, and insert-  
18          ing the following:

19          “(f)(1)(A) Each State shall take such steps as are nec-  
20          essary to ensure that the total number of visits made by  
21          caseworkers on a monthly basis to children in foster care  
22          under the responsibility of the State during a fiscal year  
23          is not less than 90 percent (or, in the case of fiscal year  
24          2015 or thereafter, 95 percent) of the total number of such

1 *visits that would occur during the fiscal year if each such*  
2 *child were so visited once every month while in such care.*

3       “(B) *If the Secretary determines that a State has*  
4 *failed to comply with subparagraph (A) for a fiscal year,*  
5 *then the percentage that would otherwise apply for purposes*  
6 *of subsection (a) for the fiscal year shall be reduced by—*

7               “(i) *1, if the number of full percentage points by*  
8 *which the State fell short of the percentage specified*  
9 *in subparagraph (A) is less than 10;*

10              “(ii) *3, if the number of full percentage points*  
11 *by which the State fell short, as described in clause*  
12 *(i), is not less than 10 and less than 20; or*

13              “(iii) *5, if the number of full percentage points*  
14 *by which the State fell short, as described in clause*  
15 *(i), is not less than 20.*

16       “(2)(A) *Each State shall take such steps as are nec-*  
17 *essary to ensure that not less than 50 percent of the total*  
18 *number of visits made by caseworkers to children in foster*  
19 *care under the responsibility of the State during a fiscal*  
20 *year occur in the residence of the child involved.*

21       “(B) *If the Secretary determines that a State has*  
22 *failed to comply with subparagraph (A) for a fiscal year,*  
23 *then the percentage that would otherwise apply for purposes*  
24 *of subsection (a) for the fiscal year shall be reduced by—*



1       **(b) TARGETING OF SERVICES TO POPULATIONS AT**  
2 **GREATEST RISK OF MALTREATMENT.**—Section 432(a) of  
3 *such Act (42 U.S.C. 629b(a)) is amended—*

4           (1) *by striking “and” at the end of paragraph*  
5 *(8);*

6           (2) *by striking the period at the end of para-*  
7 *graph (9) and inserting “; and”; and*

8           (3) *by adding at the end the following:*

9           *“(10) describes how the State identifies which*  
10 *populations are at the greatest risk of maltreatment*  
11 *and how services are targeted to the populations.”.*

12       **(c) REVISED PURPOSES OF FAMILY SUPPORT SERV-**  
13 **ICES AND TIME-LIMITED FAMILY REUNIFICATION SERV-**  
14 **ICES.**—

15           (1) **FAMILY SUPPORT SERVICES.**—Section  
16 *431(a)(2) of such Act (42 U.S.C. 629a(a)(2)) is*  
17 *amended to read as follows:*

18           **“(2) FAMILY SUPPORT SERVICES.**—

19           **“(A) IN GENERAL.**—*The term ‘family sup-*  
20 *port services’ means community-based services*  
21 *designed to carry out the purposes described in*  
22 *subparagraph (B).*

23           **“(B) PURPOSES DESCRIBED.**—*The purposes*  
24 *described in this subparagraph are the following:*

1           “(i) To promote the safety and well-  
2           being of children and families.

3           “(ii) To increase the strength and sta-  
4           bility of families (including adoptive, foster,  
5           and extended families).

6           “(iii) To increase parents’ confidence  
7           and competence in their parenting abilities.

8           “(iv) To afford children a safe, stable,  
9           and supportive family environment.

10          “(v) To strengthen parental relation-  
11          ships and promote healthy marriages.

12          “(vi) To enhance child development,  
13          including through mentoring (as defined in  
14          section 439(b)(2)).”.

15               (2) *TIME-LIMITED FAMILY REUNIFICATION SERV-*  
16               *ICES.*—Section 431(a)(7)(B) of such Act (42 U.S.C.  
17               629a(a)(7)(B)) is amended by redesignating clause  
18               (vi) as clause (viii) and inserting after clause (v) the  
19               following:

20               “(vi) Peer-to-peer mentoring and sup-  
21               port groups for parents and primary care-  
22               givers.

23               “(vii) Services and activities designed  
24               to facilitate access to and visitation of chil-  
25               dren by parents and siblings.”.

1       (d) *UNIFORM DEFINITIONS OF INDIAN TRIBE AND*  
2 *TRIBAL ORGANIZATION.*—Section 431(a) of such Act (42  
3 U.S.C. 629a(a)(5) and (6)) is amended by striking para-  
4 graphs (5) and (6) and inserting the following:

5               “(5) *INDIAN TRIBE.*—The term ‘Indian tribe’ has  
6       the meaning given the term in section 428(c).

7               “(6) *TRIBAL ORGANIZATION.*—The term ‘tribal  
8       organization’ has the meaning given the term in sec-  
9       tion 428(c).”.

10       (e) *SUBMISSION TO CONGRESS OF STATE SUMMARIES*  
11 *OF FINANCIAL DATA; PUBLICATION ON HHS WEBSITE.*—  
12 Section 432(c) of such Act (42 U.S.C. 629b(c)) is amend-  
13 ed—

14               (1) by striking all that precedes “shall” and in-  
15       serting the following:

16       “(c) *ANNUAL SUBMISSION OF STATE REPORTS TO*  
17 *CONGRESS.*—

18               “(1) *IN GENERAL.*—The Secretary”; and

19               (2) by adding after and below the end the fol-  
20       lowing:

21               “(2) *INFORMATION TO BE INCLUDED.*—The com-  
22       pilation shall include the individual State reports  
23       and tables that synthesize State information into na-  
24       tional totals for each element required to be included  
25       in the reports, including planned and actual spend-

1 *ing by service category for the program authorized*  
2 *under this subpart and planned spending by service*  
3 *category for the program authorized under subpart 1.*

4 “(3) *PUBLIC ACCESSIBILITY.*—*Not later than*  
5 *September 30 of each year, the Secretary shall publish*  
6 *the compilation on the website of the Department of*  
7 *Health and Human Services in a location easily ac-*  
8 *cessible by the public.”.*

9 *(f) GAO REPORT ON MULTIPLE SOURCES OF FED-*  
10 *ERAL SPENDING AND FAMILY ACCESS TO SERVICES.*—*Not*  
11 *later than 12 months after the date of enactment of this*  
12 *Act, the Comptroller General of the United States shall sub-*  
13 *mit to Congress a report that—*

14 *(1) identifies alternative sources of Federal fund-*  
15 *ing that are being employed by States or other enti-*  
16 *ties for the same purposes for which funding is pro-*  
17 *vided under subpart 1 or 2 of part B of title IV of*  
18 *the Social Security Act; and*

19 *(2) assesses the needs of families eligible for serv-*  
20 *ices under such program, including identification of*  
21 *underserved communities and information regard-*  
22 *ing—*

23 *(A) the supports available for caseworkers to*  
24 *appropriately investigate and safely manage*  
25 *their caseloads;*

1           (B) the length of the wait time for families  
2           to receive substance abuse and other preventive  
3           services; and

4           (C) the number of families on waiting lists  
5           for such services and the effect of the delay on  
6           healthy, successful reunification outcomes for  
7           such families.

8           (g) *TECHNICAL CORRECTIONS.*—

9           (1) Section 432(a)(8)(B) of the Social Security  
10          Act (42 U.S.C. 629b(a)(8)(B)) is amended in each of  
11          clauses (i) and (ii) by striking “forms CFS 101–Part  
12          I and CFS 101–Part II (or any successor forms)”  
13          and inserting “form CFS–101 (including all parts  
14          and any successor forms)”.

15          (2) Section 433(c)(2) of the Social Security Act  
16          (42 U.S.C. 629c(c)(2)) is amended—

17               (A) in the paragraph heading, by striking  
18               “FOOD STAMP” and inserting “SUPPLEMENTAL  
19               NUTRITION ASSISTANCE PROGRAM BENEFITS”;  
20               and

21               (B) by striking “benefits benefits” each  
22               place it appears and inserting “benefits”.

23   **SEC. 103. GRANTS FOR TARGETED PURPOSES.**

24           (a) *EXTENSION OF FUNDING RESERVATIONS FOR*  
25    *MONTHLY CASEWORKER VISITS AND REGIONAL PARTNER-*

1 *SHIP GRANTS.—Section 436(b) of the Social Security Act*  
2 *(42 U.S.C. 629f(b)) is amended—*

3           (1) *in paragraph (4)(A), by striking “433(e)”*  
4 *and all that follows and inserting “433(e)*  
5 *\$20,000,000 for each of fiscal years 2012 through*  
6 *2016.”; and*

7           (2) *in paragraph (5), by striking “437(f)” and*  
8 *all that follows and inserting “437(f) \$20,000,000 for*  
9 *each of fiscal years 2012 through 2016.”.*

10 *(b) REVISION IN USE OF MONTHLY CASEWORKER VIS-*  
11 *ITS GRANTS.—Section 436(b)(4)(B)(i) of such Act (42*  
12 *U.S.C. 629f(b)(4)(B)) is amended—*

13           (1) *by striking “support” and insert “improve*  
14 *the quality of”;* and

15           (2) *by striking “a primary emphasis” and all*  
16 *that follows and inserting “an emphasis on improv-*  
17 *ing caseworker decision making on the safety, perma-*  
18 *nency, and well-being of foster children and on activi-*  
19 *ties designed to increase retention, recruitment, and*  
20 *training of caseworkers.”; and*

21 *(c) REAUTHORIZATION OF REGIONAL PARTNERSHIP*  
22 *GRANTS TO ASSIST CHILDREN AFFECTED BY PARENTAL*  
23 *SUBSTANCE ABUSE.—*

24           (1) *EXTENSION OF PROGRAM.—Section*  
25 *437(f)(3)(A) of such Act (42 U.S.C. 629g(f)(3)(A)) is*

1 *amended by striking “2007 through 2011” and insert-*  
2 *ing “2012 through 2016”.*

3 (2) *REVISIONS TO PROGRAM.—Section 437(f) of*  
4 *such Act (42 U.S.C. 629g(f)) is amended—*

5 (A) *in the subsection heading, by striking*  
6 *“METHAMPHETAMINE OR OTHER”;*

7 (B) *in each of paragraphs (1), (4)(A),*  
8 *(7)(A)(i), and (9)(B)(iii), by striking “meth-*  
9 *amphetamine or other”;*

10 (C) *in paragraph (3), by striking subpara-*  
11 *graph (B) and inserting the following:*

12 “(B) *REQUIRED MINIMUM PERIOD OF AP-*  
13 *PROVAL.—*

14 “(i) *IN GENERAL.—A grant shall be*  
15 *awarded under this subsection for a period*  
16 *of not less than 2, and not more than 5, fis-*  
17 *cal years, subject to clause (ii).*

18 “(ii) *EXTENSION OF GRANT.—On ap-*  
19 *plication of the grantee, the Secretary may*  
20 *extend for not more than 2 fiscal years the*  
21 *period for which a grant is awarded under*  
22 *this subsection.*

23 “(C) *MULTIPLE GRANTS ALLOWED.—This*  
24 *subsection shall not be interpreted to prevent a*

1           grantee from applying for, or being awarded,  
2           separate grants under this subsection.”;

3           (D) in paragraph (6)(A)—

4                 (i) by striking “and” at the end of  
5                 clause (ii);

6                 (ii) by striking the period at the end of  
7                 clause (iii) and inserting a semicolon; and

8                 (iii) by adding at the end the fol-  
9                 lowing:

10                     “(iv) 70 percent for the sixth such fis-  
11                     cal year; and

12                     “(v) 65 percent for the seventh such fis-  
13                     cal year.”;

14           (E) in paragraph (7)—

15                 (i) by striking “shall—” and all that  
16                 follows through “(A) take” and inserting  
17                 “shall take”;

18                 (ii) in subparagraph (A)(iv), by strik-  
19                 ing “; and” and inserting a period;

20                 (iii) by striking subparagraph (B);  
21                 and

22                 (iv) by redesignating clauses (i)  
23                 through (iv) of subparagraph (A) as sub-  
24                 paragraphs (A) through (D), respectively,

1                   and moving each of such provisions 2 ems  
2                   to the left; and

3                   (F) by adding at the end the following:

4                   “(10) *LIMITATION ON USE OF FUNDS FOR ADMIN-*  
5                   *ISTRATIVE EXPENSES OF THE SECRETARY.*—Not more  
6                   than 5 percent of the amounts appropriated or re-  
7                   served for awarding grants under this subsection for  
8                   each of fiscal years 2012 through 2016 may be used  
9                   by the Secretary for salaries and Department of  
10                  Health and Human Services administrative expenses  
11                  in administering this subsection.”.

12                  (3) *EVALUATIONS.*—Not later than December 31,  
13                  2012, and not later than December 31, 2017, the Sec-  
14                  retary of Health and Human Services shall evaluate  
15                  the effectiveness of the grants awarded to regional  
16                  partnerships under section 437(f) of the Social Secu-  
17                  rity Act (42 U.S.C. 629g(f)) and shall publish a re-  
18                  port regarding the results of each evaluation on the  
19                  website of the Department of Health and Human  
20                  Services. Each report required to be published under  
21                  this subsection shall include—

22                  (A) an evaluation of the programs and ac-  
23                  tivities conducted, and the services provided,  
24                  with the grant funds awarded under such section  
25                  for fiscal years 2007 through 2011, in the case

1           of the evaluation required by December 31, 2012,  
2           and for fiscal years 2012 through 2016, in the  
3           case of the evaluation required by December 31,  
4           2017;

5           (B) an analysis of the regional partnerships  
6           awarded such grants that have, and have not,  
7           been successful in achieving the goals and out-  
8           comes specified in their grant applications and  
9           with respect to the performance indicators estab-  
10          lished by the Secretary under paragraph (8) of  
11          such section that are applicable to their grant  
12          awards; and

13          (C) an analysis of the extent to which such  
14          grants have been successful in addressing the  
15          needs of families with methamphetamine or other  
16          substance abuse problems who come to the atten-  
17          tion of the child welfare system and in achieving  
18          the goals of child safety, permanence, and family  
19          stability.

20   **SEC. 104. COURT IMPROVEMENT PROGRAM.**

21          (a) *GRANT PURPOSES.*—Section 438(a) of the Social  
22          Security Act (42 U.S.C. 629h(a)) is amended—

23                  (1) in paragraph (2)—

24                          (A) in subparagraph (A), by striking “;  
25                          and” and inserting “, including the require-

1           *ments in the Act related to concurrent plan-*  
2           *ning;”;*

3           *(B) in subparagraph (B), by adding “and”*  
4           *at the end; and*

5           *(C) by adding at the end the following:*

6           *“(C) to increase and improve engagement of*  
7           *the entire family in court processes relating to*  
8           *child welfare, family preservation, family reuni-*  
9           *fication, and adoption;”;* and

10          *(2) in paragraph (4)—*

11           *(A) by inserting “(A)” after “(4)”;*

12           *(B) by striking the period and inserting “;*  
13           *and”;* and

14           *(C) by adding after and below the end the*  
15           *following:*

16           *“(B) to increase and improve engagement of the*  
17           *entire family in court processes relating to child wel-*  
18           *fare, family preservation, family reunification, and*  
19           *adoption.”.*

20          *(b) SINGLE GRANT APPLICATION.—Section 438(b)(2)*  
21          *of such Act (42 U.S.C. 629h(b)(2)) is amended to read as*  
22          *follows:*

23           *“(2) SINGLE GRANT APPLICATION.—Pursuant to*  
24           *the requirements under paragraph (1) of this sub-*  
25           *section, a highest State court desiring a grant under*

1        *this section shall submit a single application to the*  
2        *Secretary that specifies whether the application is for*  
3        *a grant for—*

4                *“(A) the purposes described in paragraphs*  
5                *(1) and (2) of subsection (a);*

6                *“(B) the purpose described in subsection*  
7                *(a)(3);*

8                *“(C) the purpose described in subsection*  
9                *(a)(4); or*

10               *“(D) the purposes referred to in 2 or more*  
11               *(specifically identified) of subparagraphs (A),*  
12               *(B), and (C) of this paragraph.”.*

13        *(c) AMOUNT OF GRANT.—Section 438(c) of such Act*  
14 *(42 U.S.C. 629h(c)) is amended to read as follows:*

15        *“(c) AMOUNT OF GRANT.—*

16               *“(1) IN GENERAL.—With respect to each of sub-*  
17               *paragraphs (A), (B), and (C) of subsection (b)(2) that*  
18               *refers to 1 or more grant purposes for which an ap-*  
19               *plication of a highest State court is approved under*  
20               *this section, the court shall be entitled to payment, for*  
21               *each of fiscal years 2012 through 2016, from the*  
22               *amount allocated under paragraph (3) of this sub-*  
23               *section for grants for the purpose or purposes, of an*  
24               *amount equal to \$85,000 plus the amount described*

1        *in paragraph (2) of this subsection with respect to the*  
2        *purpose or purposes.*

3            “(2) *AMOUNT DESCRIBED.*—*The amount de-*  
4        *scribed in this paragraph for any fiscal year with re-*  
5        *spect to the purpose or purposes referred to in a sub-*  
6        *paragraph of subsection (b)(2) is the amount that*  
7        *bears the same ratio to the total of the amounts allo-*  
8        *cated under paragraph (3) of this subsection for*  
9        *grants for the purpose or purposes as the number of*  
10       *individuals in the State who have not attained 21*  
11       *years of age bears to the total number of such individ-*  
12       *uals in all States the highest State courts of which*  
13       *have approved applications under this section for*  
14       *grants for the purpose or purposes.*

15            “(3) *ALLOCATION OF FUNDS.*—

16            “(A) *MANDATORY FUNDS.*—*Of the amounts*  
17        *reserved under section 436(b)(2) for any fiscal*  
18        *year, the Secretary shall allocate—*

19            “(i) *\$9,000,000 for grants for the pur-*  
20        *poses described in paragraphs (1) and (2) of*  
21        *subsection (a);*

22            “(ii) *\$10,000,000 for grants for the*  
23        *purpose described in subsection (a)(3);*

24            “(iii) *\$10,000,000 for grants for the*  
25        *purpose described in subsection (a)(4); and*

1           “(iv) \$1,000,000 for grants to be  
2           awarded on a competitive basis among the  
3           highest courts of Indian tribes or tribal con-  
4           sortia that—

5                   “(I) are operating a program  
6                   under part E, in accordance with sec-  
7                   tion 479B;

8                   “(II) are seeking to operate a pro-  
9                   gram under part E and have received  
10                  an implementation grant under section  
11                  476; or

12                  “(III) has a court responsible for  
13                  proceedings related to foster care or  
14                  adoption.

15           “(B) *DISCRETIONARY FUNDS.*—The Sec-  
16           retary shall allocate all of the amounts reserved  
17           under section 437(b)(2) for grants for the pur-  
18           poses described in paragraphs (1) and (2) of sub-  
19           section (a).”.

20           (d) *EXTENSION OF FEDERAL SHARE.*—Section 438(d)  
21           of such Act (42 U.S.C. 629h(d)) is amended by striking  
22           “2002 through 2011” and inserting “2012 through 2016”.

23           (e) *TECHNICAL CORRECTION.*—Effective as if included  
24           in the enactment of the Safe and Timely Interstate Place-  
25           ment of Foster Children Act of 2006, section 8(b) of such

1 *Act (120 Stat. 513) is amended by striking “438(b) of such*  
2 *Act (42 U.S.C. 638(b))” inserting “438(b)(1) of such Act*  
3 *(42 U.S.C. 629h(b)(1))”.*

4 **SEC. 105. DATA STANDARDIZATION FOR IMPROVED DATA**  
5 **MATCHING.**

6 *(a) IN GENERAL.—Part B of title IV of the Social Se-*  
7 *curity Act (42 U.S.C. 621–629i) is amended by adding at*  
8 *the end the following:*

9 **“Subpart 3—Common Provisions**

10 **“SEC. 440. DATA STANDARDIZATION FOR IMPROVED DATA**  
11 **MATCHING.**

12 *“(a) STANDARD DATA ELEMENTS.—*

13 *“(1) DESIGNATION.—The Secretary, in consulta-*  
14 *tion with an interagency work group established by*  
15 *the Office of Management and Budget, and consid-*  
16 *ering State perspectives, shall, by rule, designate*  
17 *standard data elements for any category of informa-*  
18 *tion required to be reported under this part.*

19 *“(2) DATA ELEMENTS MUST BE NONPROPRI-*  
20 *ETARY AND INTEROPERABLE.—The standard data ele-*  
21 *ments designated under paragraph (1) shall, to the*  
22 *extent practicable, be nonproprietary and interoper-*  
23 *able.*

1           “(3) *OTHER REQUIREMENTS.*—*In designating*  
2           *standard data elements under this subsection, the Sec-*  
3           *retary shall, to the extent practicable, incorporate—*

4                   “(A) *interoperable standards developed and*  
5                   *maintained by an international voluntary con-*  
6                   *sensus standards body, as defined by the Office*  
7                   *of Management and Budget, such as the Inter-*  
8                   *national Organization for Standardization;*

9                   “(B) *interoperable standards developed and*  
10                   *maintained by intergovernmental partnerships,*  
11                   *such as the National Information Exchange*  
12                   *Model; and*

13                   “(C) *interoperable standards developed and*  
14                   *maintained by Federal entities with authority*  
15                   *over contracting and financial assistance, such*  
16                   *as the Federal Acquisition Regulatory Council.*

17           “(b) *DATA STANDARDS FOR REPORTING.*—

18                   “(1) *DESIGNATION.*—*The Secretary, in consulta-*  
19                   *tion with an interagency work group established by*  
20                   *the Office of Management and Budget, and consid-*  
21                   *ering State government perspectives, shall, by rule,*  
22                   *designate data reporting standards to govern the re-*  
23                   *porting required under this part.*

1           “(2) *REQUIREMENTS.*—*The data reporting*  
2           *standards required by paragraph (1) shall, to the ex-*  
3           *tent practicable—*

4                   “(A) *incorporate a widely-accepted, non-*  
5                   *proprietary, searchable, computer-readable for-*  
6                   *mat;*

7                   “(B) *be consistent with and implement ap-*  
8                   *plicable accounting principles; and*

9                   “(C) *be capable of being continually up-*  
10                  *graded as necessary.*

11           “(3) *INCORPORATION OF NONPROPRIETARY*  
12           *STANDARDS.*—*In designating reporting standards*  
13           *under this subsection, the Secretary shall, to the ex-*  
14           *tent practicable, incorporate existing nonproprietary*  
15           *standards, such as the eXtensible Business Reporting*  
16           *Language.”.*

17           “(b) *EFFECTIVE DATE.*—*The amendment made by sub-*  
18           *section (a) shall take effect on October 1, 2012, and shall*  
19           *apply with respect to information required to be reported*  
20           *on or after such date.*

21   **SEC. 106. PROVISIONS RELATING TO FOSTER CARE OR**  
22                   **ADOPTION.**

23           “(a) *EDUCATIONAL STABILITY FOR EACH FOSTER*  
24           *PLACEMENT.*—*Section 475(1)(G) of the Social Security Act*  
25           *(42 U.S.C. 675(1)(G)) is amended—*

1           (1) *in clause (i), by striking “the placement”*  
2           *and inserting “each placement”; and*

3           (2) *in clause (ii)(I), by inserting “each” before*  
4           *“placement”.*

5           (b) *FOSTER YOUTH ID THEFT.—Section 475(5) of*  
6           *such Act (42 U.S.C. 675(5)) is amended—*

7           (1) *by striking “and” at the end of subpara-*  
8           *graph (G);*

9           (2) *by striking the period at the end of subpara-*  
10           *graph (H) and inserting “; and”; and*

11           (3) *by adding at the end the following:*

12                   *“(I) each child in foster care under the re-*  
13                   *sponsibility of the State who has attained 16*  
14                   *years of age receives without cost a copy of any*  
15                   *consumer report (as defined in section 603(d) of*  
16                   *the Fair Credit Reporting Act) pertaining to the*  
17                   *child each year until the child is discharged from*  
18                   *care, and receives assistance (including, when*  
19                   *feasible, from any court-appointed advocate for*  
20                   *the child) in interpreting and resolving any in-*  
21                   *accuracies in the report.”.*

22           (c) *DESCRIPTION OF ADOPTION SPENDING.—Section*  
23           *473(a)(8) of such Act (42 U.S.C. 673(a)(8)) is amended by*  
24           *inserting “, and shall document how such amounts are*

1 *spent, including on post-adoption services” before the pe-*  
2 *riod.*

3 *(d) INCLUSION IN ANNUAL REPORT OF ADDITIONAL*  
4 *INFORMATION ON CHILD VISITATION BY CASEWORKERS.—*  
5 *Section 479A(6) of such Act (42 U.S.C. 679b(6)) is amend-*  
6 *ed—*

7 *(1) by striking “and” at the end of subpara-*  
8 *graph (A); and*

9 *(2) by redesignating subparagraph (B) as sub-*  
10 *paragraph (C) and inserting after subparagraph (A)*  
11 *the following:*

12 *“(B) the total number of visits made by*  
13 *caseworkers on a monthly basis to children in*  
14 *foster care under the responsibility of the State*  
15 *during a fiscal year as a percentage of the total*  
16 *number of the visits that would occur during the*  
17 *fiscal year if each child were so visited once*  
18 *every month while in such care; and”.*

19 **SEC. 107. EFFECTIVE DATE.**

20 *(a) IN GENERAL.—Except as otherwise provided in*  
21 *this title, this title and the amendments made by this title*  
22 *shall take effect on October 1, 2011, and shall apply to pay-*  
23 *ments under parts B and E of title IV of the Social Security*  
24 *Act for calendar quarters beginning on or after such date,*

1 *without regard to whether regulations to implement the*  
 2 *amendments are promulgated by such date.*

3       **(b) DELAY PERMITTED IF STATE LEGISLATION RE-**  
 4 *QUIRED.—If the Secretary of Health and Human Services*  
 5 *determines that State legislation (other than legislation ap-*  
 6 *propriating funds) is required in order for a State plan*  
 7 *developed pursuant to subpart 1 of part B, or a State plan*  
 8 *approved under subpart 2 of part B or part E, of title IV*  
 9 *of the Social Security Act to meet the additional require-*  
 10 *ments imposed by the amendments made by this title, the*  
 11 *plan shall not be regarded as failing to meet any of the*  
 12 *additional requirements before the 1st day of the 1st cal-*  
 13 *endar quarter beginning after the first regular session of*  
 14 *the State legislature that begins after the date of the enact-*  
 15 *ment of this Act. If the State has a 2-year legislative session,*  
 16 *each year of the session is deemed to be a separate regular*  
 17 *session of the State legislature.*

18           **TITLE II—CHILD WELFARE**  
 19           **DEMONSTRATION PROJECTS**

20 **SEC. 201. RENEWAL OF AUTHORITY TO APPROVE DEM-**  
 21           **ONSTRATION PROJECTS DESIGNED TO TEST**  
 22           **INNOVATIVE STRATEGIES IN STATE CHILD**  
 23           **WELFARE PROGRAMS.**

24           *Section 1130 of the Social Security Act (42 U.S.C.*  
 25 *1320a–9) is amended—*

1           (1) *in subsection (a)—*

2                   (A) *by amending paragraph (2) to read as*  
3           *follows:*

4                   “(2) *LIMITATION.—During fiscal years 2012*  
5           *through 2014, the Secretary may authorize dem-*  
6           *onstration projects described in paragraph (1), with*  
7           *not more than 10 demonstration projects to be author-*  
8           *ized in each fiscal year.”.*

9                   (B) *by striking paragraph (3) and inserting*  
10           *the following:*

11                   “(3) *CONDITIONS FOR STATE ELIGIBILITY.—For*  
12           *purposes of a new demonstration project under this*  
13           *section that is initially approved in any of fiscal*  
14           *years 2012 through 2014, a State shall be authorized*  
15           *to conduct such demonstration project only if the*  
16           *State satisfies the following conditions:*

17                           “(A) *IDENTIFY 1 OR MORE GOALS.—*

18                                   “(i) *IN GENERAL.—The State shall*  
19           *demonstrate that the demonstration project*  
20           *is designed to accomplish 1 or more of the*  
21           *following goals:*

22   “(I) *Increase permanency for all*  
23           *infants, children, and youth by reduc-*  
24           *ing the time in foster placements when*

1 possible and promoting a successful  
2 transition to adulthood for older youth.

3 “(II) Increase positive outcomes  
4 for infants, children, youth, and fami-  
5 lies in their homes and communities,  
6 including tribal communities, and im-  
7 prove the safety and well-being of in-  
8 fants, children, and youth.

9 “(III) Prevent child abuse and ne-  
10 glect and the re-entry of infants, chil-  
11 dren, and youth into foster care.

12 “(ii) *LONG-TERM THERAPEUTIC FAM-*  
13 *ILY TREATMENT CENTERS; ADDRESSING DO-*  
14 *MESTIC VIOLENCE.*—With respect to a dem-  
15 onstration project that is designed to accom-  
16 plish 1 or more of the goals described in  
17 clause (i), the State may elect to establish a  
18 program—

19 “(I) to permit foster care mainte-  
20 nance payments to be made under part  
21 E of title IV to a long-term therapeutic  
22 family treatment center (as described  
23 in paragraph (8)(B)) on behalf of a  
24 child residing in the center; or

1                   “(II) to identify and address do-  
2                   mestic violence that endangers children  
3                   and results in the placement of chil-  
4                   dren in foster care.

5                   “(B) DEMONSTRATE READINESS.—The  
6                   State shall demonstrate through a narrative de-  
7                   scription the State’s capacity to effectively use  
8                   the authority to conduct a demonstration project  
9                   under this section by identifying changes the  
10                  State has made or plans to make in policies,  
11                  procedures, or other elements of the State’s child  
12                  welfare program that will enable the State to  
13                  successfully achieve the goal or goals of the  
14                  project.

15                  “(C) DEMONSTRATE IMPLEMENTED OR  
16                  PLANNED CHILD WELFARE PROGRAM IMPROVE-  
17                  MENT POLICIES.—

18                  “(i) IN GENERAL.—The State shall  
19                  demonstrate that the State has imple-  
20                  mented, or plans to implement within 3  
21                  years of the date on which the State submits  
22                  its application to conduct the demonstration  
23                  project or 2 years after the date on which  
24                  the Secretary approves such demonstration  
25                  project (whichever is later), at least 2 of the

1 *child welfare program improvement policies*  
2 *described in paragraph (7).*

3 “(ii) *PREVIOUS IMPLEMENTATION.*—  
4 *For purposes of the requirement described*  
5 *in clause (i), at least 1 of the child welfare*  
6 *program improvement policies to be imple-*  
7 *mented by the State shall be a policy that*  
8 *the State has not previously implemented as*  
9 *of the date on which the State submits an*  
10 *application to conduct the demonstration*  
11 *project.*

12 “(iii) *IMPLEMENTATION REVIEW.*—*The*  
13 *Secretary may terminate the authority of a*  
14 *State to conduct a demonstration project*  
15 *under this section if, after the 3-year period*  
16 *following approval of the demonstration*  
17 *project, the State has not made significant*  
18 *progress in implementing the child welfare*  
19 *program improvement policies proposed by*  
20 *the State under clause (i).”;*

21 *(C) in paragraph (5), by inserting “and the*  
22 *ability of the State to implement a corrective ac-*  
23 *tion plan approved under section 1123A” before*  
24 *the period; and*

25 *(D) by adding at the end the following:*

1           “(6) *INAPPLICABILITY OF RANDOM ASSIGNMENT*  
2           *FOR CONTROL GROUPS AS A FACTOR FOR APPROVAL*  
3           *OF DEMONSTRATION PROJECTS.*—*For purposes of*  
4           *evaluating an application to conduct a demonstration*  
5           *project under this section, the Secretary shall not take*  
6           *into consideration whether such project requires ran-*  
7           *dom assignment of children and families to groups*  
8           *served under the project and to control groups.*

9           “(7) *CHILD WELFARE PROGRAM IMPROVEMENT*  
10          *POLICIES.*—*For purposes of paragraph (3)(C), the*  
11          *child welfare program improvement policies described*  
12          *in this paragraph are the following:*

13                 “(A) *The establishment of a bill of rights for*  
14                 *infants, children, and youth in foster care that*  
15                 *is widely shared and clearly outlines protections*  
16                 *for infants, children, and youth, such as assuring*  
17                 *frequent visits with parents, siblings, and case-*  
18                 *workers, access to attorneys, and participation*  
19                 *in age-appropriate extracurricular activities,*  
20                 *and procedures for ensuring the protections are*  
21                 *provided.*

22                 “(B) *The development and implementation*  
23                 *of a plan for meeting the health and mental*  
24                 *health needs of infants, children, and youth in*  
25                 *foster care that includes ensuring that the provi-*

1            *sion of health and mental health care is child-*  
2            *specific, comprehensive, appropriate, and con-*  
3            *sistent (through means such as ensuring the in-*  
4            *fant, child, or youth has a medical home, regular*  
5            *wellness medical visits, and addressing the issue*  
6            *of trauma, when appropriate).*

7            *“(C) The inclusion in the State plan under*  
8            *section 471 of an amendment implementing the*  
9            *option under subsection (a)(28) of that section to*  
10           *enter into kinship guardianship assistance agree-*  
11           *ments.*

12           *“(D) The election under the State plan*  
13           *under section 471 to define a ‘child’ for purposes*  
14           *of the provision of foster care maintenance pay-*  
15           *ments, adoption assistance payments, and kin-*  
16           *ship guardianship assistance payments, so as to*  
17           *include individuals described in each of sub-*  
18           *clauses (I), (II), and (III) of section 475(8)(B)(i)*  
19           *who have not attained age 21.*

20           *“(E) The development and implementation*  
21           *of a plan that ensures congregate care is used*  
22           *appropriately and reduces the placement of chil-*  
23           *dren and youth in such care.*

24           *“(F) Of those infants, children, and youth*  
25           *in out-of-home placements, substantially increas-*

1            *ing the number of cases of siblings who are in*  
2            *the same foster care, kinship guardianship, or*  
3            *adoptive placement, above the number of such*  
4            *cases in fiscal year 2008.*

5            *“(G) The development and implementation*  
6            *of a plan to improve the recruitment and reten-*  
7            *tion of high quality foster family homes trained*  
8            *to help assist infants, children, and youth swiftly*  
9            *secure permanent families. Supports for foster*  
10           *families under such a plan may include increas-*  
11           *ing maintenance payments to more adequately*  
12           *meet the needs of infants, children, and youth in*  
13           *foster care and expanding training, respite care,*  
14           *and other support services for foster parents.*

15           *“(H) The establishment of procedures de-*  
16           *signed to assist youth as they prepare for their*  
17           *transition out of foster care, such as arranging*  
18           *for participation in age-appropriate extra-cur-*  
19           *ricular activities, providing appropriate access*  
20           *to cell phones, computers, and opportunities to*  
21           *obtain a driver’s license, providing notification*  
22           *of all sibling placements if siblings are in care*  
23           *and sibling location if siblings are out of care,*  
24           *and providing counseling and financial support*  
25           *for post-secondary education.*

1           “(I) The inclusion in the State plan under  
2           section 471 of a description of State procedures  
3           for—

4                   “(i) ensuring that youth in foster care  
5                   who have attained age 16 are engaged in  
6                   discussions, including during the develop-  
7                   ment of the transition plans required under  
8                   paragraphs (1)(D) and (5)(H) of section  
9                   475, that explore whether the youth wishes  
10                  to reconnect with the youth’s biological fam-  
11                  ily, including parents, grandparents, and  
12                  siblings, and, if so, what skills and strate-  
13                  gies the youth will need to successfully and  
14                  safely reconnect with those family members;

15                   “(ii) providing appropriate guidance  
16                   and services to youth whom affirm an in-  
17                   tent to reconnect with biological family  
18                   members on how to successfully and safely  
19                   manage such reconnections; and

20                   “(iii) making, when appropriate, ef-  
21                   forts to include biological family members  
22                   in such reconnection efforts.

23           “(J) The establishment of one or more of the  
24           following programs designed to prevent infants,  
25           children, and youth from entering foster care or

1           to provide permanency for infants, children, and  
2           youth in foster care:

3                   “(i) *An intensive family finding pro-*  
4                   *gram.*

5                   “(ii) *A kinship navigator program.*

6                   “(iii) *A family counseling program,*  
7                   *such as a family group decision-making*  
8                   *program, and which may include in-home*  
9                   *peer support for families.*

10                  “(iv) *A comprehensive family-based*  
11                  *substance abuse treatment program.*

12                  “(v) *A program under which special ef-*  
13                  *forts are made to identify and address do-*  
14                  *mestic violence that endangers infants, chil-*  
15                  *dren, and youth and puts them at risk of*  
16                  *entering foster care.*

17                  “(vi) *A mentoring program.*

18           “(8) *DEFINITIONS.—In this subsection—*

19                   “(A) *the term ‘youth’ means, with respect to*  
20                   *a State, an individual who has attained age 12*  
21                   *but has not attained the age at which an indi-*  
22                   *vidual is no longer considered to be a child*  
23                   *under the State plans under parts B and E of*  
24                   *title IV, and*

1           “(B) the term ‘long-term therapeutic family  
2           treatment center’ means a State licensed or cer-  
3           tified program that enables parents and their  
4           children to live together in a safe environment  
5           for a period of not less than 6 months and pro-  
6           vides, on-site or by referral, substance abuse  
7           treatment services, children’s early intervention  
8           services, family counseling, legal services, med-  
9           ical care, mental health services, nursery and  
10          preschool, parenting skills training, pediatric  
11          care, prenatal care, sexual abuse therapy, relapse  
12          prevention, transportation, and job or vocational  
13          training or classes leading to a secondary school  
14          diploma or a certificate of general equivalence.”;

15          (2) by striking subsection (d) and inserting the  
16          following:

17          “(d) DURATION OF DEMONSTRATION.—

18                 “(1) IN GENERAL.—Subject to paragraph (2), a  
19                 demonstration project under this section may be con-  
20                 ducted for not more than 5 years, unless in the judg-  
21                 ment of the Secretary, the demonstration project  
22                 should be allowed to continue.

23                 “(2) TERMINATION OF AUTHORITY.—In no event  
24                 shall a demonstration project under this section be  
25                 conducted after September 30, 2019.”;

1           (3) *in subsection (e)—*

2                   (A) *in paragraph (1), by striking “(which*  
3                   *shall provide,” and all that follows before the*  
4                   *semicolon;*

5                   (B) *by striking “and” at the end of para-*  
6                   *graph (6);*

7                   (C) *by redesignating paragraph (7) as*  
8                   *paragraph (8); and*

9                   (D) *by inserting after paragraph (6) the fol-*  
10                  *lowing:*

11                  “(7) *an accounting of any additional Federal,*  
12                  *State, and local investments made, as well as any*  
13                  *private investments made in coordination with the*  
14                  *State, during the 2 fiscal years preceding the applica-*  
15                  *tion to provide the services described in paragraph*  
16                  *(1), and an assurance that the State will provide an*  
17                  *accounting of that same spending for each year of an*  
18                  *approved demonstration project; and”;*

19                  (4) *by redesignating subsection (g) as subsection*  
20                  *(h);*

21                  (5) *by striking subsection (f) and inserting the*  
22                  *following:*

23                  “(f) *EVALUATIONS.—Each State authorized to conduct*  
24                  *a demonstration project under this section shall obtain an*  
25                  *evaluation by an independent contractor of the effectiveness*

1 of the project, using an evaluation design approved by the  
2 Secretary which provides for—

3           “(1) comparison of methods of service delivery  
4 under the project, and such methods under a State  
5 plan or plans, with respect to efficiency, economy,  
6 and any other appropriate measures of program  
7 management;

8           “(2) comparison of outcomes for children and  
9 families (and groups of children and families) under  
10 the project, and such outcomes under a State plan or  
11 plans, for purposes of assessing the effectiveness of the  
12 project in achieving program goals; and

13           “(3) any other information that the Secretary  
14 may require.

15           “(g) *REPORTS.*—

16           “(1) *STATE REPORTS; PUBLIC AVAILABILITY.*—  
17 Each State authorized to conduct a demonstration  
18 project under this section shall—

19           “(A) submit periodic reports to the Sec-  
20 retary on the specific programs, activities, and  
21 strategies used to improve outcomes for infants,  
22 children, youth, and families and the results  
23 achieved for infants, children, and youth during  
24 the conduct of the demonstration project, includ-  
25 ing with respect to those infants, children, and

1           *youth who are prevented from entering foster*  
2           *care, infants, children, and youth in foster care,*  
3           *and infants, children, and youth who move from*  
4           *foster care to permanent families; and*

5           “(B) *post a copy of each such report on the*  
6           *website for the State child welfare program con-*  
7           *current with the submission of the report to the*  
8           *Secretary.*”

9           “(2) *REPORTS TO CONGRESS.—The Secretary*  
10          *shall submit to the Committee on Ways and Means of*  
11          *the House of Representatives and the Committee on*  
12          *Finance of the Senate—*

13                 “(A) *periodic reports based on the State re-*  
14                 *ports submitted under paragraph (1); and*

15                 “(B) *a report based on the results of the*  
16                 *State evaluations required under subsection (f)*  
17                 *that includes an analysis of the results of such*  
18                 *evaluations and such recommendations for ad-*  
19                 *ministrative or legislative changes as the Sec-*  
20                 *retary determines appropriate.”; and*

21                 *(6) by adding at the end the following:*

22                 “(i) *INDIAN TRIBES OPERATING IV–E PROGRAMS*  
23          *CONSIDERED STATES.—An Indian tribe, tribal organiza-*  
24          *tion, or tribal consortium that has elected to operate a pro-*  
25          *gram under part E of title IV in accordance with section*

1 479B shall be considered a State for purposes of this sec-  
2 tion.”.

### 3 **TITLE III—BUDGET PROVISIONS**

#### 4 **SEC. 301. BUDGETARY EFFECTS.**

5       *The budgetary effects of this Act, for the purpose of*  
6 *complying with the Statutory Pay-As-You-Go Act of 2010,*  
7 *shall be determined by reference to the latest statement titled*  
8 *“Budgetary Effects of PAYGO Legislation” for this Act,*  
9 *submitted for printing in the Congressional Record by the*  
10 *Chairman of the Senate Budget Committee, provided that*  
11 *such statement has been submitted prior to the vote on pas-*  
12 *sage.*

Union Calendar No. 138

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 2883**

[Report No. 112-210, Part I]

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## **A BILL**

To amend part B of title IV of the Social Security Act to extend the child and family services program through fiscal year 2016, and for other purposes.

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SEPTEMBER 19, 2011

Reported from the Committee on Ways and Means with  
an amendment

SEPTEMBER 19, 2011

The Committee on the Budget discharged: committed to the Committee of the Whole House on the State of the Union and ordered to be printed