

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4472

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IN THE SENATE OF THE UNITED STATES

APRIL 4, 2016

Received; read twice and referred to the Committee on Finance

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## AN ACT

To amend title IV of the Social Security Act to require States to adopt a centralized electronic system to help expedite the placement of children in foster care or guardianship, or for adoption, across State lines, and to provide grants to aid States in developing such a system, 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 “Modernizing the Inter-  
5 state Placement of Children in Foster Care Act”.

6 **SEC. 2. FINDINGS.**

7        The Congress finds that—

8            (1) when a child in foster care cannot return  
9 safely home, the child deserves to be placed in a set-  
10 ting that is best for that child, regardless of whether  
11 it is in the child’s State or another State;

12            (2) the Interstate Compact on the Placement of  
13 Children (ICPC) was established in 1960 to provide  
14 a uniform legal framework for the placement of chil-  
15 dren across State lines in foster and adoptive homes;

16            (3) frequently, children waiting to be placed  
17 with an adoptive family, relative, or foster parent in  
18 another State spend more time waiting for this to  
19 occur than children who are placed with an adoptive,  
20 family, relative, or foster parent in the same State,  
21 because of the outdated, administratively burden-  
22 some ICPC process;

23            (4) no child should have to wait longer to be  
24 placed in a loving home simply because the child  
25 must cross a State line;

1           (5) the National Electronic Interstate Compact  
2           Enterprise (NEICE) was launched in August 2014  
3           in Indiana, Nevada, Florida, South Carolina, Wis-  
4           consin, and the District of Columbia, and is expected  
5           to be expanded into additional States to improve the  
6           administrative process by which children are placed  
7           with families across State lines;

8           (6) States using this electronic interstate case-  
9           processing system have reduced administrative costs  
10          and the amount of staff time required to process  
11          these cases, and caseworkers can spend more time  
12          helping children instead of copying and mailing pa-  
13          perwork between States;

14          (7) since NEICE was launched, placement time  
15          has decreased by 30 percent for interstate foster  
16          care placements; and

17          (8) on average, States using this electronic  
18          interstate case-processing system have been able to  
19          reduce from 24 business days to 13 business days  
20          the time it takes to identify a family for a child and  
21          prepare the paperwork required to start the ICPC  
22          process.

23 **SEC. 3. STATE PLAN REQUIREMENT.**

24          (a) IN GENERAL.—Section 471(a)(25) of the Social  
25          Security Act (42 U.S.C. 671(a)(25)) is amended—

1           (1) by striking “provide” and insert “provides”;  
2           and

3           (2) by inserting “, which, not later than Octo-  
4           ber 1, 2026, shall include the use of an electronic  
5           interstate case-processing system” before the 1st  
6           semicolon.

7           (b) EFFECTIVE DATE.—

8           (1) IN GENERAL.—The amendments made by  
9           subsection (a) shall take effect on the 1st day of the  
10          1st calendar quarter beginning on or after the date  
11          of the enactment of this Act, and shall apply to pay-  
12          ments under part E of title IV of the Social Security  
13          Act for calendar quarters beginning on or after such  
14          date.

15          (2) DELAY PERMITTED IF STATE LEGISLATION  
16          REQUIRED.—If the Secretary of Health and Human  
17          Services determines that State legislation (other  
18          than legislation appropriating funds) is required in  
19          order for a State plan developed pursuant to part E  
20          of title IV of the Social Security Act to meet the ad-  
21          ditional requirement imposed by the amendments  
22          made by subsection (a), the plan shall not be re-  
23          garded as failing to meet any of the additional re-  
24          quirements before the 1st day of the 1st calendar  
25          quarter beginning after the first regular session of

1 the State legislature that begins after the date of the  
 2 enactment of this Act. For purposes of the preceding  
 3 sentence, if the State has a 2-year legislative session,  
 4 each year of the session is deemed to be a separate  
 5 regular session of the State legislature.

6 **SEC. 4. GRANTS FOR THE DEVELOPMENT OF AN ELEC-**  
 7 **TRONIC INTERSTATE CASE-PROCESSING SYS-**  
 8 **TEM TO EXPEDITE THE INTERSTATE PLACE-**  
 9 **MENT OF CHILDREN IN FOSTER CARE OR**  
 10 **GUARDIANSHIP, OR FOR ADOPTION.**

11 Section 437 of the Social Security Act (42 U.S.C.  
 12 637) is amended by adding at the end the following:

13 “(g) GRANTS FOR THE DEVELOPMENT OF AN ELEC-  
 14 TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EX-  
 15 PEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN  
 16 FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—

17 “(1) PURPOSE.—The purpose of this subsection  
 18 is to facilitate the development of an electronic inter-  
 19 state case-processing system for the exchange of  
 20 data and documents to expedite the placements of  
 21 children in foster, guardianship, or adoptive homes  
 22 across State lines.

23 “(2) APPLICATION REQUIREMENTS.—A State  
 24 that desires a grant under this subsection shall sub-

1 mit to the Secretary an application containing the  
2 following:

3 “(A) A description of the goals and out-  
4 comes to be achieved during the period for  
5 which grant funds are sought, which goals and  
6 outcomes must result in—

7 “(i) reducing the time it takes for a  
8 child to be provided with a safe and appro-  
9 priate permanent living arrangement  
10 across State lines;

11 “(ii) improving administrative proc-  
12 esses and reducing costs in the foster care  
13 system; and

14 “(iii) the secure exchange of relevant  
15 case files and other necessary materials in  
16 real time, and timely communications and  
17 placement decisions regarding interstate  
18 placements of children.

19 “(B) A description of the activities to be  
20 funded in whole or in part with the grant  
21 funds, including the sequencing of the activities.

22 “(C) A description of the strategies for in-  
23 tegrating programs and services for children  
24 who are placed across State lines.

1           “(D) Such other information as the Sec-  
2           retary may require.

3           “(3) GRANT AUTHORITY.—The Secretary may  
4           make a grant to a State that complies with para-  
5           graph (2).

6           “(4) USE OF FUNDS.—A State to which a grant  
7           is made under this subsection shall use the grant to  
8           support the State in connecting with the electronic  
9           interstate case-processing system described in para-  
10          graph (1).

11          “(5) EVALUATIONS.—Not later than 1 year  
12          after the final year in which grants are awarded  
13          under this subsection, the Secretary shall submit to  
14          the Congress, and make available to the general  
15          public by posting on a website, a report that con-  
16          tains the following information:

17                 “(A) How using the electronic interstate  
18                 case-processing system developed pursuant to  
19                 paragraph (4) has changed the time it takes for  
20                 children to be placed across State lines.

21                 “(B) The number of cases subject to the  
22                 Interstate Compact on the Placement of Chil-  
23                 dren that were processed through the electronic  
24                 interstate case-processing system, and the num-  
25                 ber of interstate child placement cases that

1           were processed outside the electronic interstate  
2           case-processing system, by each State in each  
3           year.

4           “(C) The progress made by States in im-  
5           plementing the electronic interstate case-proc-  
6           essing system.

7           “(D) How using the electronic interstate  
8           case-processing system has affected various  
9           metrics related to child safety and well-being,  
10          including the time it takes for children to be  
11          placed across State lines.

12          “(E) How using the electronic interstate  
13          case-processing system has affected administra-  
14          tive costs and caseworker time spent on placing  
15          children across State lines.

16          “(6) DATA INTEGRATION.—The Secretary, in  
17          consultation with the Secretariat for the Interstate  
18          Compact on the Placement of Children and the  
19          States, shall assess how the electronic interstate  
20          case-processing system developed pursuant to para-  
21          graph (4) could be used to better serve and protect  
22          children that come to the attention of the child wel-  
23          fare system, by—

24                  “(A) connecting the system with other  
25                  data systems (such as systems operated by



1 State law enforcement and judicial agencies,  
2 systems operated by the Federal Bureau of In-  
3 vestigation for the purposes of the Innocence  
4 Lost National Initiative, and other systems);

5 “(B) simplifying and improving reporting  
6 related to paragraphs (34) and (35) of section  
7 471(a) regarding children or youth who have  
8 been identified as being a sex trafficking victim  
9 or children missing from foster care; and

10 “(C) improving the ability of States to  
11 quickly comply with background check require-  
12 ments of section 471(a)(20), including checks of  
13 child abuse and neglect registries as required by  
14 section 471(a)(20)(B).”.

15 **SEC. 5. CONTINUATION OF DISCRETIONARY FUNDING TO**  
16 **PROMOTE SAFE AND STABLE FAMILIES.**

17 Section 437(a) of the Social Security Act (42 U.S.C.  
18 637(a)) is amended by striking “2016” and inserting  
19 “2017”.

20 **SEC. 6. RESERVATION OF FUNDS TO IMPROVE THE INTER-**  
21 **STATE PLACEMENT OF CHILDREN.**

22 Section 437(b) of the Social Security Act (42 U.S.C.  
23 637(b)) is amended by adding at the end the following:

24 “(4) IMPROVING THE INTERSTATE PLACEMENT  
25 OF CHILDREN.—The Secretary shall reserve

1       \$5,000,000 of the amount made available for fiscal  
2       year 2017 for grants under subsection (g), and the  
3       amount so reserved shall remain available through  
4       fiscal year 2021.”.

Passed the House of Representatives March 22,  
2016.

Attest:

KAREN L. HAAS,  
*Clerk.*