

114TH CONGRESS
2D SESSION

H. R. 4843

IN THE SENATE OF THE UNITED STATES

MAY 12, 2016

Received; read twice and referred to the Committee on Health, Education,
Labor, and Pensions

AN ACT

To amend the Child Abuse Prevention and Treatment Act
to require certain monitoring and oversight, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Infant Plan of Safe
3 Care Improvement Act”.

4 **SEC. 2. BEST PRACTICES FOR DEVELOPMENT OF PLANS OF**
5 **SAFE CARE.**

6 Section 103(b) of the Child Abuse Prevention and
7 Treatment Act (42 U.S.C. 5104(b)) is amended—

- 8 (1) by redesignating paragraphs (5) through
9 (8) as paragraphs (6) through (9), respectively; and
10 (2) by inserting after paragraph (4), the fol-
11 lowing:

12 “(5) maintain and disseminate information
13 about the requirements of section 106(b)(2)(B)(iii)
14 and best practices relating to the development of
15 plans of safe care as described in such section for
16 infants born and identified as being affected by ille-
17 gal substance abuse or withdrawal symptoms, or a
18 Fetal Alcohol Spectrum Disorder;”.

19 **SEC. 3. STATE PLANS.**

20 Section 106(b)(2)(B)(iii) of the Child Abuse Preven-
21 tion and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(iii))
22 is amended by inserting before the semicolon at the end
23 the following: “to ensure the safety and well-being of such
24 infant following release from the care of healthcare pro-
25 viders, including through—”

1 “(I) addressing the health and
2 substance use disorder treatment
3 needs of the infant and affected fam-
4 ily or caregiver; and

5 “(II) the development and imple-
6 mentation by the State of monitoring
7 systems regarding the implementation
8 of such plans to determine whether
9 and in what manner local entities are
10 providing, in accordance with State
11 requirements, referrals to and delivery
12 of appropriate services for the infant
13 and affected family or caregiver”.

14 **SEC. 4. DATA REPORTS.**

15 (a) IN GENERAL.—Section 106(d) of the Child Abuse
16 Prevention and Treatment Act (42 U.S.C. 5106a(d)) is
17 amended by adding at the end of the following:

18 “(17)(A) The number of infants identified
19 under subsection (b)(2)(B)(ii).

20 “(B) The number of infants for whom a plan
21 of safe care was developed under subsection
22 (b)(2)(B)(iii).

23 “(C) The number of infants for whom a referral
24 was made for appropriate services, including services

1 for the affected family or caregiver, under subsection
2 (b)(2)(B)(iii).”.

3 (b) REDESIGNATION.—Effective on May 29, 2017,
4 section 106(d) of the Child Abuse Prevention and Treat-
5 ment Act (42 U.S.C. 5106a(d)) is amended by redesi-
6 gnating paragraph (17) (as added by subsection (a)) as
7 paragraph (18).

8 **SEC. 5. MONITORING AND OVERSIGHT.**

9 (a) AMENDMENT.—Title I of the Child Abuse Preven-
10 tion and Treatment Act (42 U.S.C. 5101 et seq.) is fur-
11 ther amended by adding at the end the following:

12 **“SEC. 114. MONITORING AND OVERSIGHT.**

13 “The Secretary shall conduct monitoring to ensure
14 that each State that receives a grant under section 106
15 is in compliance with the requirements of section 106(b),
16 which—

17 “(1) shall—

18 “(A) be in addition to the review of the
19 State plan upon its submission under section
20 106(b)(1)(A); and

21 “(B) include monitoring of State policies
22 and procedures required under clauses (ii) and
23 (iii) of section 106(b)(2)(B); and

24 “(2) may include—

1 “(A) a comparison of activities carried out
2 by the State to comply with the requirements of
3 section 106(b) with the State plan most re-
4 cently approved under section 432 of the Social
5 Security Act;

6 “(B) a review of information available on
7 the Website of the State relating to its compli-
8 ance with the requirements of section 106(b);

9 “(C) site visits, as may be necessary to
10 carry out such monitoring; and

11 “(D) a review of information available in
12 the State’s Annual Progress and Services Re-
13 port most recently submitted under section
14 1357.16 of title 45, Code of Federal Regula-
15 tions (or successor regulations).”.

16 (b) TABLE OF CONTENTS.—The table of contents in
17 section 1(b) of the Child Abuse Prevention and Treatment
18 Act (42 U.S.C. 5101 note) is amended by inserting after
19 the item relating to section 113, the following:

 “Sec. 114. Monitoring and oversight.”.

20 **SEC. 6. RULE OF CONSTRUCTION.**

21 Nothing in this Act, or the amendments made by this
22 Act, shall be construed to authorize the Secretary of
23 Health and Human Services or any other officer of the
24 Federal Government to add new requirements to section

- 1 106(b) of the Child Abuse Prevention and Treatment Act
- 2 (42 U.S.C. 5106a(b)), as amended by this Act.

Passed the House of Representatives May 11, 2016.

Attest:

KAREN L. HAAS,

Clerk.