

114TH CONGRESS  
2D SESSION

# H. R. 5456

To amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 2016

Mr. BUCHANAN (for himself, Mr. LEVIN, Mr. BOUSTANY, Mrs. BLACK, Mr. REED, Mr. KELLY of Pennsylvania, Mr. DOLD, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. PASCRELL, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, and Ms. LINDA T. SÁNCHEZ of California) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, 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 “Family First Preven-  
**3** tion Services Act of 2016”.

**4 SEC. 2. TABLE OF CONTENTS.**

**5** The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

**TITLE I—INVESTING IN PREVENTION AND FAMILY SERVICES**

Sec. 101. Purpose.

**Subtitle A—Prevention Activities Under Title IV–E**

Sec. 111. Foster care prevention services and programs.

Sec. 112. Foster care maintenance payments for children with parents in a li-  
 censed residential family-based treatment facility for substance  
 abuse.

Sec. 113. Title IV–E payments for evidence-based kinship navigator programs.

**Subtitle B—Enhanced Support Under Title IV–B**

Sec. 121. Elimination of time limit for family reunification services while in fos-  
 ter care and permitting time-limited family reunification serv-  
 ices when a child returns home from foster care.

Sec. 122. Reducing bureaucracy and unnecessary delays when placing children  
 in homes across State lines.

Sec. 123. Enhancements to grants to improve well-being of families affected by  
 substance abuse.

**Subtitle C—Miscellaneous**

Sec. 131. Reviewing and improving licensing standards for placement in a rel-  
 ative foster family home.

Sec. 132. Development of a statewide plan to prevent child abuse and neglect  
 fatalities.

Sec. 133. Modernizing the title and purpose of title IV–E.

Sec. 134. Effective dates.

**TITLE II—ENSURING THE NECESSITY OF A PLACEMENT THAT IS  
 NOT IN A FOSTER FAMILY HOME**

Sec. 201. Limitation on Federal financial participation for placements that are  
 not in foster family homes.

Sec. 202. Assessment and documentation of the need for placement in a quali-  
 fied residential treatment program.

Sec. 203. Protocols to prevent inappropriate diagnoses.

Sec. 204. Additional data and reports regarding children placed in a setting  
 that is not a foster family home.

Sec. 205. Effective dates; application to waivers.

TITLE III—CONTINUING SUPPORT FOR CHILD AND FAMILY  
SERVICES

- Sec. 301. Supporting and retaining foster families for children.  
 Sec. 302. Extension of child and family services programs.  
 Sec. 303. Improvements to the John H. Chafee foster care independence program and related provisions.

TITLE IV—CONTINUING INCENTIVES TO STATES TO PROMOTE  
ADOPTION AND LEGAL GUARDIANSHIP

- Sec. 401. Reauthorizing adoption and legal guardianship incentive programs.

TITLE V—TECHNICAL CORRECTIONS

- Sec. 501. Technical corrections to data exchange standards to improve program coordination.  
 Sec. 502. Technical corrections to State requirement to address the developmental needs of young children.

TITLE VI—ENSURING STATES REINVEST SAVINGS RESULTING  
FROM INCREASE IN ADOPTION ASSISTANCE

- Sec. 601. Delay of adoption assistance phase-in.  
 Sec. 602. GAO study and report on State reinvestment of savings resulting from increase in adoption assistance.

**1 TITLE I—INVESTING IN PREVEN-**  
**2 TION AND FAMILY SERVICES**

**3 SEC. 101. PURPOSE.**

**4**       The purpose of this title is to enable States to use  
**5** Federal funds available under parts B and E of title IV  
**6** of the Social Security Act to provide enhanced support to  
**7** children and families and prevent foster care placements  
**8** through the provision of mental health and substance  
**9** abuse prevention and treatment services, in-home parent  
**10** skill-based programs, and kinship navigator services.

1     **Subtitle A—Prevention Activities**  
2                     **Under Title IV–E**

3     **SEC. 111. FOSTER CARE PREVENTION SERVICES AND PRO-**  
4                     **GRAMS.**

5             (a) STATE OPTION.—Section 471 of the Social Secu-  
6     rity Act (42 U.S.C. 671) is amended—

7                 (1) in subsection (a)(1), by striking “and” and  
8             all that follows through the semicolon and inserting  
9             “, adoption assistance in accordance with section  
10            473, and, at the option of the State, services or pro-  
11            grams specified in subsection (e)(1) of this section  
12            for children who are candidates for foster care or  
13            who are pregnant or parenting foster youth and the  
14            parents or kin caregivers of the children, in accord-  
15            ance with the requirements of that subsection;”;

16                 (2) by adding at the end the following:

17             “(e) PREVENTION AND FAMILY SERVICES AND PRO-  
18     GRAMS.—

19                 “(1) IN GENERAL.—Subject to the succeeding  
20            provisions of this subsection, the Secretary may  
21            make a payment to a State for providing the fol-  
22            lowing services or programs for a child described in  
23            paragraph (2) and the parents or kin caregivers of  
24            the child when the need of the child, such a parent,  
25            or such a caregiver for the services or programs are

1 directly related to the safety, permanence, or well-  
2 being of the child or to preventing the child from en-  
3 tering foster care:

4 “(A) MENTAL HEALTH AND SUBSTANCE  
5 ABUSE PREVENTION AND TREATMENT SERV-  
6 ICES.—Mental health and substance abuse pre-  
7 vention and treatment services provided by a  
8 qualified clinician for not more than a 12-  
9 month period that begins on any date described  
10 in paragraph (3) with respect to the child.

11 “(B) IN-HOME PARENT SKILL-BASED PRO-  
12 GRAMS.—In-home parent skill-based programs  
13 for not more than a 12-month period that be-  
14 gins on any date described in paragraph (3)  
15 with respect to the child and that include par-  
16 enting skills training, parent education, and in-  
17 dividual and family counseling.

18 “(2) CHILD DESCRIBED.—For purposes of  
19 paragraph (1), a child described in this paragraph is  
20 the following:

21 “(A) A child who is a candidate for foster  
22 care (as defined in section 475(13)) but can re-  
23 main safely at home or in a kinship placement  
24 with receipt of services or programs specified in  
25 paragraph (1).

1           “(B) A child in foster care who is a preg-  
2           nant or parenting foster youth.

3           “(3) DATE DESCRIBED.—For purposes of para-  
4           graph (1), the dates described in this paragraph are  
5           the following:

6           “(A) The date on which a child is identi-  
7           fied in a prevention plan maintained under  
8           paragraph (4) as a child who is a candidate for  
9           foster care (as defined in section 475(13)).

10          “(B) The date on which a child is identi-  
11          fied in a prevention plan maintained under  
12          paragraph (4) as a pregnant or parenting foster  
13          youth in need of services or programs specified  
14          in paragraph (1).

15          “(4) REQUIREMENTS RELATED TO PROVIDING  
16          SERVICES AND PROGRAMS.—Services and programs  
17          specified in paragraph (1) may be provided under  
18          this subsection only if specified in advance in the  
19          child’s prevention plan described in subparagraph  
20          (A) and the requirements in subparagraphs (B)  
21          through (E) are met:

22          “(A) PREVENTION PLAN.—The State  
23          maintains a written prevention plan for the  
24          child that meets the following requirements (as  
25          applicable):

1 “(i) CANDIDATES.—In the case of a  
2 child who is a candidate for foster care de-  
3 scribed in paragraph (2)(A), the prevention  
4 plan shall—

5 “(I) identify the foster care pre-  
6 vention strategy for the child so that  
7 the child may remain safely at home,  
8 live temporarily with a kin caregiver  
9 until reunification can be safely  
10 achieved, or live permanently with a  
11 kin caregiver;

12 “(II) list the services or pro-  
13 grams to be provided to or on behalf  
14 of the child to ensure the success of  
15 that prevention strategy; and

16 “(III) comply with such other re-  
17 quirements as the Secretary shall es-  
18 tablish.

19 “(ii) PREGNANT OR PARENTING FOS-  
20 TER YOUTH.—In the case of a child who is  
21 a pregnant or parenting foster youth de-  
22 scribed in paragraph (2)(B), the preven-  
23 tion plan shall—

1 “(I) be included in the child’s  
2 case plan required under section  
3 475(1);

4 “(II) list the services or pro-  
5 grams to be provided to or on behalf  
6 of the youth to ensure that the youth  
7 is prepared (in the case of a pregnant  
8 foster youth) or able (in the case of a  
9 parenting foster youth) to be a par-  
10 ent;

11 “(III) describe the foster care  
12 prevention strategy for any child born  
13 to the youth; and

14 “(IV) comply with such other re-  
15 quirements as the Secretary shall es-  
16 tablish.

17 “(B) TRAUMA-INFORMED.—The services or  
18 programs to be provided to or on behalf of a  
19 child are provided under an organizational  
20 structure and treatment framework that in-  
21 volves understanding, recognizing, and respond-  
22 ing to the effects of all types of trauma and in  
23 accordance with recognized principles of a trau-  
24 ma-informed approach and trauma-specific



1 interventions to address trauma’s consequences  
2 and facilitate healing.

3 “(C) ONLY SERVICES AND PROGRAMS PRO-  
4 VIDED IN ACCORDANCE WITH PROMISING, SUP-  
5 PORTED, OR WELL-SUPPORTED PRACTICES PER-  
6 MITTED.—

7 “(i) IN GENERAL.—Only State ex-  
8 penditures for services or programs speci-  
9 fied in subparagraph (A) or (B) of para-  
10 graph (1) that are provided in accordance  
11 with practices that meet the requirements  
12 specified in clause (ii) of this subparagraph  
13 and that meet the requirements specified  
14 in clause (iii), (iv), or (v), respectively, for  
15 being a promising, supported, or well-sup-  
16 ported practice, shall be eligible for a Fed-  
17 eral matching payment under section  
18 474(a)(6)(A).

19 “(ii) GENERAL PRACTICE REQUIRE-  
20 MENTS.—The general practice require-  
21 ments specified in this clause are the fol-  
22 lowing:

23 “(I) The practice has a book,  
24 manual, or other available writings  
25 that specify the components of the

1 practice protocol and describe how to  
2 administer the practice.

3 “(II) There is no empirical basis  
4 suggesting that, compared to its likely  
5 benefits, the practice constitutes a  
6 risk of harm to those receiving it.

7 “(III) If multiple outcome studies  
8 have been conducted, the overall  
9 weight of evidence supports the bene-  
10 fits of the practice.

11 “(IV) Outcome measures are reli-  
12 able and valid, and are administrated  
13 consistently and accurately across all  
14 those receiving the practice.

15 “(V) There is no case data sug-  
16 gesting a risk of harm that was prob-  
17 ably caused by the treatment and that  
18 was severe or frequent.

19 “(iii) PROMISING PRACTICE.—A prac-  
20 tice shall be considered to be a ‘promising  
21 practice’ if the practice is superior to an  
22 appropriate comparison practice using con-  
23 ventional standards of statistical signifi-  
24 cance (in terms of demonstrated meaning-  
25 ful improvements in validated measures of

1 important child and parent outcomes, such  
2 as mental health, substance abuse, and  
3 child safety and well-being), as established  
4 by the results or outcomes of at least 1  
5 study that—

6 “(I) was rated by an independent  
7 systematic review for the quality of  
8 the study design and execution and  
9 determined to be well-designed and  
10 well-executed; and

11 “(II) utilized some form of con-  
12 trol (such as an untreated group, a  
13 placebo group, or a wait list study).

14 “(iv) SUPPORTED PRACTICE.—A prac-  
15 tice shall be considered to be a ‘supported  
16 practice’ if—

17 “(I) the practice is superior to an  
18 appropriate comparison practice using  
19 conventional standards of statistical  
20 significance (in terms of demonstrated  
21 meaningful improvements in validated  
22 measures of important child and par-  
23 ent outcomes, such as mental health,  
24 substance abuse, and child safety and  
25 well-being), as established by the re-

1 sults or outcomes of at least 1 study  
2 that—

3 “(aa) was rated by an inde-  
4 pendent systematic review for the  
5 quality of the study design and  
6 execution and determined to be  
7 well-designed and well-executed;

8 “(bb) was a rigorous ran-  
9 dom-controlled trial (or, if not  
10 available, a study using a rig-  
11 orous quasi-experimental re-  
12 search design); and

13 “(cc) was carried out in a  
14 usual care or practice setting;  
15 and

16 “(II) the study described in sub-  
17 clause (I) established that the practice  
18 has a sustained effect (when com-  
19 pared to a control group) for at least  
20 6 months beyond the end of the treat-  
21 ment.

22 “(v) WELL-SUPPORTED PRACTICE.—A  
23 practice shall be considered to be a ‘well-  
24 supported practice’ if—

1 “(I) the practice is superior to an  
2 appropriate comparison practice using  
3 conventional standards of statistical  
4 significance (in terms of demonstrated  
5 meaningful improvements in validated  
6 measures of important child and par-  
7 ent outcomes, such as mental health,  
8 substance abuse, and child safety and  
9 well-being), as established by the re-  
10 sults or outcomes of at least 2 studies  
11 that—

12 “(aa) were rated by an inde-  
13 pendent systematic review for the  
14 quality of the study design and  
15 execution and determined to be  
16 well-designed and well-executed;

17 “(bb) were rigorous random-  
18 controlled trials (or, if not avail-  
19 able, studies using a rigorous  
20 quasi-experimental research de-  
21 sign); and

22 “(cc) were carried out in a  
23 usual care or practice setting;  
24 and

1 “(II) at least one of the studies  
2 described in subclause (I) established  
3 that the practice has a sustained ef-  
4 fect (when compared to a control  
5 group) for at least 1 year beyond the  
6 end of treatment.

7 “(D) GUIDANCE ON PRACTICES CRITERIA  
8 AND PRE-APPROVED SERVICES AND PRO-  
9 GRAMS.—

10 “(i) IN GENERAL.—Not later than Oc-  
11 tober 1, 2018, the Secretary shall issue  
12 guidance to States regarding the practices  
13 criteria required for services or programs  
14 to satisfy the requirements of subpara-  
15 graph (C). The guidance shall include a  
16 pre-approved list of services and programs  
17 that satisfy the requirements.

18 “(ii) UPDATES.—The Secretary shall  
19 issue updates to the guidance required by  
20 clause (i) as often as the Secretary deter-  
21 mines necessary.

22 “(E) OUTCOME ASSESSMENT AND REPORT-  
23 ING.—The State shall collect and report to the  
24 Secretary the following information with respect  
25 to each child for whom, or on whose behalf

1           mental health and substance abuse prevention  
2           and treatment services or in-home parent skill-  
3           based programs are provided during a 12-  
4           month period beginning on the date the child is  
5           determined by the State to be a child described  
6           in paragraph (2):

7                   “(i) The specific services or programs  
8                   provided and the total expenditures for  
9                   each of the services or programs.

10                   “(ii) The duration of the services or  
11                   programs provided.

12                   “(iii) In the case of a child described  
13                   in paragraph (2)(A), the child’s placement  
14                   status at the beginning, and at the end, of  
15                   the 1-year period, respectively, and wheth-  
16                   er the child entered foster care within 2  
17                   years after being determined a candidate  
18                   for foster care.

19           “(5) STATE PLAN COMPONENT.—

20                   “(A) IN GENERAL.—A State electing to  
21                   provide services or programs specified in para-  
22                   graph (1) shall submit as part of the State plan  
23                   required by subsection (a) a prevention services  
24                   and programs plan component that meets the  
25                   requirements of subparagraph (B).

1           “(B) PREVENTION SERVICES AND PRO-  
2           GRAMS PLAN COMPONENT.—In order to meet  
3           the requirements of this subparagraph, a pre-  
4           vention services and programs plan component,  
5           with respect to each 5-year period for which the  
6           plan component is in operation in the State,  
7           shall include the following:

8                   “(i) How providing services and pro-  
9                   grams specified in paragraph (1) is ex-  
10                  pected to improve specific outcomes for  
11                  children and families.

12                  “(ii) How the State will monitor and  
13                  oversee the safety of children who receive  
14                  services and programs specified in para-  
15                  graph (1), including through periodic risk  
16                  assessments throughout the period in  
17                  which the services and programs are pro-  
18                  vided on behalf of a child and reexamina-  
19                  tion of the prevention plan maintained for  
20                  the child under paragraph (4) for the pro-  
21                  vision of the services or programs if the  
22                  State determines the risk of the child en-  
23                  tering foster care remains high despite the  
24                  provision of the services or programs.



1           “(iii) With respect to the services and  
2           programs specified in subparagraphs (A)  
3           and (B) of paragraph (1), information on  
4           the specific promising, supported, or well-  
5           supported practices the State plans to use  
6           to provide the services or programs, includ-  
7           ing a description of—

8                       “(I) the services or programs and  
9                       whether the practices used are prom-  
10                      ising, supported, or well-supported;

11                     “(II) how the State plans to im-  
12                     plement the services or programs, in-  
13                     cluding how implementation of the  
14                     services or programs will be continu-  
15                     ously monitored to ensure fidelity to  
16                     the practice model and to determine  
17                     outcomes achieved and how informa-  
18                     tion learned from the monitoring will  
19                     be used to refine and improve prac-  
20                     tices;

21                     “(III) how the State selected the  
22                     services or programs;

23                     “(IV) the target population for  
24                     the services or programs; and

1                   “(V) how each service or pro-  
2                   gram provided will be evaluated  
3                   through a well-designed and rigorous  
4                   process, which may consist of an on-  
5                   going, cross-site evaluation approved  
6                   by the Secretary.

7                   “(iv) A description of the consultation  
8                   that the State agencies responsible for ad-  
9                   ministering the State plans under this part  
10                  and part B engage in with other State  
11                  agencies responsible for administering  
12                  health programs, including mental health  
13                  and substance abuse prevention and treat-  
14                  ment services, and with other public and  
15                  private agencies with experience in admin-  
16                  istering child and family services, including  
17                  community-based organizations, in order to  
18                  foster a continuum of care for children de-  
19                  scribed in paragraph (2) and their parents  
20                  or kin caregivers.

21                  “(v) A description of how the State  
22                  shall assess children and their parents or  
23                  kin caregivers to determine eligibility for  
24                  services or programs specified in para-  
25                  graph (1).

1 “(vi) A description of how the services  
2 or programs specified in paragraph (1)  
3 that are provided for or on behalf of a  
4 child and the parents or kin caregivers of  
5 the child will be coordinated with other  
6 child and family services provided to the  
7 child and the parents or kin caregivers of  
8 the child under the State plan under part  
9 B.

10 “(vii) Descriptions of steps the State  
11 is taking to support and enhance a com-  
12 petent, skilled, and professional child wel-  
13 fare workforce to deliver trauma-informed  
14 and evidence-based services, including—

15 “(I) ensuring that staff is quali-  
16 fied to provide services or programs  
17 that are consistent with the prom-  
18 ising, supported, or well-supported  
19 practice models selected; and

20 “(II) developing appropriate pre-  
21 vention plans, and conducting the risk  
22 assessments required under clause  
23 (iii).

24 “(viii) A description of how the State  
25 will provide training and support for case-

1 workers in assessing what children and  
2 their families need, connecting to the fami-  
3 lies served, knowing how to access and de-  
4 liver the needed trauma-informed and evi-  
5 dence-based services, and overseeing and  
6 evaluating the continuing appropriateness  
7 of the services.

8 “(ix) A description of how caseload  
9 size and type for prevention caseworkers  
10 will be determined, managed, and overseen.

11 “(x) An assurance that the State will  
12 report to the Secretary such information  
13 and data as the Secretary may require  
14 with respect to the provision of services  
15 and programs specified in paragraph (1),  
16 including information and data necessary  
17 to determine the performance measures for  
18 the State under paragraph (6) and compli-  
19 ance with paragraph (7).

20 “(C) REIMBURSEMENT FOR SERVICES  
21 UNDER THE PREVENTION PLAN COMPONENT.—

22 “(i) LIMITATION.—Except as provided  
23 in subclause (ii), a State may not receive  
24 a Federal payment under this part for a  
25 given promising, supported, or well-sup-

ported practice unless (in accordance with subparagraph (B)(iii)(V)) the plan includes a well-designed and rigorous evaluation strategy for that practice.

“(ii) WAIVER OF LIMITATION.—The Secretary may waive the requirement for a well-designed and rigorous evaluation of any well-supported practice if the Secretary deems the evidence of the effectiveness of the practice to be compelling and the State meets the continuous quality improvement requirements included in subparagraph (B)(iii)(II) with regard to the practice.

“(6) PREVENTION SERVICES MEASURES.—

“(A) ESTABLISHMENT; ANNUAL UPDATES.—Beginning with fiscal year 2021, and annually thereafter, the Secretary shall establish the following prevention services measures based on information and data reported by States that elect to provide services and programs specified in paragraph (1):

“(i) PERCENTAGE OF CANDIDATES FOR FOSTER CARE WHO DO NOT ENTER FOSTER CARE.—The percentage of can-

1 didates for foster care for whom, or on  
2 whose behalf, the services or programs are  
3 provided who do not enter foster care, in-  
4 cluding those placed with a kin caregiver  
5 outside of foster care, during the 12-month  
6 period in which the services or programs  
7 are provided and through the end of the  
8 succeeding 12-month-period.

9 “(ii) PER-CHILD SPENDING.—The  
10 total amount of expenditures made for  
11 mental health and substance abuse preven-  
12 tion and treatment services or in-home  
13 parent skill-based programs, respectively,  
14 for, or on behalf of, each child described in  
15 paragraph (2).

16 “(B) DATA.—The Secretary shall establish  
17 and annually update the prevention services  
18 measures—

19 “(i) based on the median State values  
20 of the information reported under each  
21 clause of subparagraph (A) for the 3 then  
22 most recent years; and

23 “(ii) taking into account State dif-  
24 ferences in the price levels of consumption  
25 goods and services using the most recent

1 regional price parities published by the Bu-  
 2 reau of Economic Analysis of the Depart-  
 3 ment of Commerce or such other data as  
 4 the Secretary determines appropriate.

5 “(C) PUBLICATION OF STATE PREVENTION  
 6 SERVICES MEASURES.—The Secretary shall an-  
 7 nually make available to the public the preven-  
 8 tion services measures of each State.

9 “(7) MAINTENANCE OF EFFORT FOR STATE  
 10 FOSTER CARE PREVENTION EXPENDITURES.—

11 “(A) IN GENERAL.—If a State elects to  
 12 provide services and programs specified in para-  
 13 graph (1) for a fiscal year, the State foster care  
 14 prevention expenditures for the fiscal year shall  
 15 not be less than the amount of the expenditures  
 16 for fiscal year 2014.

17 “(B) STATE FOSTER CARE PREVENTION  
 18 EXPENDITURES.—The term ‘State foster care  
 19 prevention expenditures’ means the following:

20 “(i) TANF; IV-B; SSBG.—State ex-  
 21 penditures for foster care prevention serv-  
 22 ices and activities under the State program  
 23 funded under part A (including from  
 24 amounts made available by the Federal  
 25 Government), under the State plan devel-

1           oped under part B (including any such  
2           amounts), or under the Social Services  
3           Block Grant Programs under subtitle A of  
4           title XX (including any such amounts).

5           “(ii) OTHER STATE PROGRAMS.—  
6           State expenditures for foster care preven-  
7           tion services and activities under any State  
8           program that is not described in clause (i)  
9           (other than any State expenditures for fos-  
10          ter care prevention services and activities  
11          under the State program under this part  
12          (including under a waiver of the pro-  
13          gram)).

14          “(C) STATE EXPENDITURES.—The term  
15          ‘State expenditures’ means all State or local  
16          funds that are expended by the State or a local  
17          agency including State or local funds that are  
18          matched or reimbursed by the Federal Govern-  
19          ment and State or local funds that are not  
20          matched or reimbursed by the Federal Govern-  
21          ment.

22          “(D) DETERMINATION OF PREVENTION  
23          SERVICES AND ACTIVITIES.—The Secretary  
24          shall require each State that elects to provide  
25          services and programs specified in paragraph



1           (1) to report the expenditures specified in sub-  
2           paragraph (B) for fiscal year 2014 and for such  
3           fiscal years thereafter as are necessary to deter-  
4           mine whether the State is complying with the  
5           maintenance of effort requirement in subpara-  
6           graph (A). The Secretary shall specify the spe-  
7           cific services and activities under each program  
8           referred to in subparagraph (B) that are ‘pre-  
9           vention services and activities’ for purposes of  
10          the reports.

11          “(8) PROHIBITION AGAINST USE OF STATE FOS-  
12          TER CARE PREVENTION EXPENDITURES AND FED-  
13          ERAL IV–E PREVENTION FUNDS FOR MATCHING OR  
14          EXPENDITURE REQUIREMENT.—A State that elects  
15          to provide services and programs specified in para-  
16          graph (1) shall not use any State foster care preven-  
17          tion expenditures for a fiscal year for the State  
18          share of expenditures under section 474(a)(6) for a  
19          fiscal year.

20          “(9) ADMINISTRATIVE COSTS.—Expenditures  
21          described in section 474(a)(6)(B)—

22                 “(A) shall not be eligible for payment  
23                 under subparagraph (A), (B), or (E) of section  
24                 474(a)(3); and

1           “(B) shall be eligible for payment under  
2           section 474(a)(6)(B) without regard to whether  
3           the expenditures are incurred on behalf of a  
4           child who is, or is potentially, eligible for foster  
5           care maintenance payments under this part.

6           “(10) APPLICATION.—The provision of services  
7           or programs under this subsection to or on behalf of  
8           a child described in paragraph (2) shall not be con-  
9           sidered to be receipt of aid or assistance under the  
10          State plan under this part for purposes of eligibility  
11          for any other program established under this Act.”.

12          (b) DEFINITION.—Section 475 of such Act (42  
13 U.S.C. 675) is amended by adding at the end the fol-  
14 lowing:

15          “(13) The term ‘child who is a candidate for foster  
16 care’ means, a child who is identified in a prevention plan  
17 under section 471(e)(4)(A) as being at imminent risk of  
18 entering foster care (without regard to whether the child  
19 would be eligible for foster care maintenance payments  
20 under section 472 or is or would be eligible for adoption  
21 assistance or kinship guardianship assistance payments  
22 under section 473) but who can remain safely in the  
23 child’s home or in a kinship placement as long as services  
24 or programs specified in section 471(e)(1) that are nec-  
25 essary to prevent the entry of the child into foster care

1 are provided. The term includes a child whose adoption  
 2 or guardianship arrangement is at risk of a disruption or  
 3 dissolution that would result in a foster care placement.”.

4 (c) PAYMENTS UNDER TITLE IV–E.—Section 474(a)  
 5 of such Act (42 U.S.C. 674(a)) is amended—

6 (1) in paragraph (5), by striking the period at  
 7 the end and inserting “; plus”; and

8 (2) by adding at the end the following:

9 “(6) subject to section 471(e)—

10 “(A) for each quarter—

11 “(i) subject to clause (ii)—

12 “(I) beginning after September  
 13 30, 2019, and before October 1, 2025,  
 14 an amount equal to 50 percent of the  
 15 total amount expended during the  
 16 quarter for the provision of services or  
 17 programs specified in subparagraph  
 18 (A) or (B) of section 471(e)(1) that  
 19 are provided in accordance with prom-  
 20 ising, supported, or well-supported  
 21 practices that meet the applicable cri-  
 22 teria specified for the practices in sec-  
 23 tion 471(e)(4)(C); and

24 “(II) beginning after September  
 25 30, 2025, an amount equal to the

1 Federal medical assistance percentage  
2 (which shall be as defined in section  
3 1905(b), in the case of a State other  
4 than the District of Columbia, or 70  
5 percent, in the case of the District of  
6 Columbia) of the total amount ex-  
7 pended during the quarter for the pro-  
8 vision of services or programs speci-  
9 fied in subparagraph (A) or (B) of  
10 section 471(e)(1) that are provided in  
11 accordance with promising, supported,  
12 or well-supported practices that meet  
13 the applicable criteria specified for the  
14 practices in section 471(e)(4)(C) (or,  
15 with respect to the payments made  
16 during the quarter under a coopera-  
17 tive agreement or contract entered  
18 into by the State and an Indian tribe,  
19 tribal organization, or tribal consor-  
20 tium for the administration or pay-  
21 ment of funds under this part, an  
22 amount equal to the Federal medical  
23 assistance percentage that would  
24 apply under section 479B(d) (in this  
25 paragraph referred to as the ‘tribal

1 FMAP’) if the Indian tribe, tribal or-  
2 ganization, or tribal consortium made  
3 the payments under a program oper-  
4 ated under that section, unless the  
5 tribal FMAP is less than the Federal  
6 medical assistance percentage that ap-  
7 plies to the State); except that

8 “(ii) not less than 50 percent of the  
9 total amount payable to a State under  
10 clause (i) for a fiscal year shall be for the  
11 provision of services or programs specified  
12 in subparagraph (A) or (B) of section  
13 471(e)(1) that are provided in accordance  
14 with well-supported practices; plus

15 “(B) for each quarter specified in subpara-  
16 graph (A), an amount equal to the sum of the  
17 following proportions of the total amount ex-  
18 pended during the quarter:

19 “(i) 50 percent of so much of the ex-  
20 penditures as are found necessary by the  
21 Secretary for the proper and efficient ad-  
22 ministration of the State plan for the pro-  
23 vision of services or programs specified in  
24 section 471(e)(1), including expenditures  
25 for activities approved by the Secretary

1 that promote the development of necessary  
2 processes and procedures to establish and  
3 implement the provision of the services and  
4 programs for individuals who are eligible  
5 for the services and programs and expendi-  
6 tures attributable to data collection and re-  
7 porting; and

8 “(ii) 50 percent of so much of the ex-  
9 penditures with respect to the provision of  
10 services and programs specified in section  
11 471(e)(1) as are for training of personnel  
12 employed or preparing for employment by  
13 the State agency or by the local agency ad-  
14 ministering the plan in the political sub-  
15 division and of the members of the staff of  
16 State-licensed or State-approved child wel-  
17 fare agencies providing services to children  
18 described in section 471(e)(2) and their  
19 parents or kin caregivers, including on how  
20 to determine who are individuals eligible  
21 for the services or programs, how to iden-  
22 tify and provide appropriate services and  
23 programs, and how to oversee and evaluate  
24 the ongoing appropriateness of the services  
25 and programs.”.

1 (d) TECHNICAL ASSISTANCE AND BEST PRACTICES,  
2 CLEARINGHOUSE, AND DATA COLLECTION AND EVALUA-  
3 TIONS.—Section 476 of such Act (42 U.S.C. 676) is  
4 amended by adding at the end the following:

5 “(d) TECHNICAL ASSISTANCE AND BEST PRACTICES,  
6 CLEARINGHOUSE, DATA COLLECTION, AND EVALUATIONS  
7 RELATING TO PREVENTION SERVICES AND PROGRAMS.—

8 “(1) TECHNICAL ASSISTANCE AND BEST PRAC-  
9 TICES.—The Secretary shall provide to States and,  
10 as applicable, to Indian tribes, tribal organizations,  
11 and tribal consortia, technical assistance regarding  
12 the provision of services and programs described in  
13 section 471(e)(1) and shall disseminate best prac-  
14 tices with respect to the provision of the services and  
15 programs, including how to plan and implement a  
16 well-designed and rigorous evaluation of a prom-  
17 ising, supported, or well-supported practice.

18 “(2) CLEARINGHOUSE OF PROMISING, SUP-  
19 PORTED, AND WELL-SUPPORTED PRACTICES.—The  
20 Secretary shall, directly or through grants, con-  
21 tracts, or interagency agreements, evaluate research  
22 on the practices specified in clauses (iii), (iv), and  
23 (v), respectively, of section 471(e)(4)(C), and pro-  
24 grams that meet the requirements described in sec-  
25 tion 427(a)(1), including culturally specific, or

1 location- or population-based adaptations of the  
2 practices, to identify and establish a public clearing-  
3 house of the practices that satisfy each category de-  
4 scribed by such clauses. In addition, the clearing-  
5 house shall include information on the specific out-  
6 comes associated with each practice, including  
7 whether the practice has been shown to prevent child  
8 abuse and neglect and reduce the likelihood of foster  
9 care placement by supporting birth families and kin-  
10 ship families and improving targeted supports for  
11 pregnant and parenting youth and their children.

12 “(3) DATA COLLECTION AND EVALUATIONS.—  
13 The Secretary, directly or through grants, contracts,  
14 or interagency agreements, may collect data and  
15 conduct evaluations with respect to the provision of  
16 services and programs described in section 471(e)(1)  
17 for purposes of assessing the extent to which the  
18 provision of the services and programs—

19 “(A) reduces the likelihood of foster care  
20 placement;

21 “(B) increases use of kinship care arrange-  
22 ments; or

23 “(C) improves child well-being.

24 “(4) REPORTS TO CONGRESS.—



1           “(A) IN GENERAL.—The Secretary shall  
 2           submit to the Committee on Finance of the  
 3           Senate and the Committee on Ways and Means  
 4           of the House of Representatives periodic reports  
 5           based on the provision of services and programs  
 6           described in section 471(e)(1) and the activities  
 7           carried out under this subsection.

8           “(B) PUBLIC AVAILABILITY.—The Sec-  
 9           retary shall make the reports to Congress sub-  
 10          mitted under this paragraph publicly available.

11          “(5) APPROPRIATION.—Out of any money in  
 12          the Treasury of the United States not otherwise ap-  
 13          propriated, there is appropriated to the Secretary  
 14          \$1,000,000 for fiscal year 2016 and each fiscal year  
 15          thereafter to carry out this subsection.”.

16          (e) APPLICATION TO PROGRAMS OPERATED BY IN-  
 17          DIAN TRIBAL ORGANIZATIONS.—

18               (1) IN GENERAL.—Section 479B of such Act  
 19          (42 U.S.C. 679c) is amended—

20                       (A) in subsection (c)(1)—

21                               (i) in subparagraph (C)(i)—

22                                       (I) in subclause (II), by striking  
 23                                       “and” after the semicolon;

1 (II) in subclause (III), by strik-  
2 ing the period at the end and insert-  
3 ing “; and”; and

4 (III) by adding at the end the  
5 following:

6 “(IV) at the option of the tribe,  
7 organization, or consortium, services  
8 and programs specified in section  
9 471(e)(1) to children described in sec-  
10 tion 471(e)(2) and their parents or  
11 kin caregivers, in accordance with sec-  
12 tion 471(e) and subparagraph (E).”;  
13 and

14 (ii) by adding at the end the fol-  
15 lowing:

16 “(E) PREVENTION SERVICES AND PRO-  
17 GRAMS FOR CHILDREN AND THEIR PARENTS  
18 AND KIN CAREGIVERS.—

19 “(i) IN GENERAL.—In the case of a  
20 tribe, organization, or consortium that  
21 elects to provide services and programs  
22 specified in section 471(e)(1) to children  
23 described in section 471(e)(2) and their  
24 parents or kin caregivers under the plan,  
25 the Secretary shall specify the require-

1           ments applicable to the provision of the  
2           services and programs. The requirements  
3           shall, to the greatest extent practicable, be  
4           consistent with the requirements applicable  
5           to States under section 471(e) and shall  
6           permit the provision of the services and  
7           programs in the form of services and pro-  
8           grams that are adapted to the culture and  
9           context of the tribal communities served.

10           “(ii) PERFORMANCE MEASURES.—The  
11           Secretary shall establish specific perform-  
12           ance measures for each tribe, organization,  
13           or consortium that elects to provide serv-  
14           ices and programs specified in section  
15           471(e)(1). The performance measures  
16           shall, to the greatest extent practicable, be  
17           consistent with the prevention services  
18           measures required for States under section  
19           471(e)(6) but shall allow for consideration  
20           of factors unique to the provision of the  
21           services by tribes, organizations, or con-  
22           sortia.”; and

23           (B) in subsection (d)(1), by striking “and  
24           (5)” and inserting “(5), and (6)(A)”.

1           (2) CONFORMING AMENDMENT.—The heading  
 2           for subsection (d) of section 479B of such Act (42  
 3           U.S.C. 679c) is amended by striking “FOR FOSTER  
 4           CARE MAINTENANCE AND ADOPTION ASSISTANCE  
 5           PAYMENTS”.

6 **SEC. 112. FOSTER CARE MAINTENANCE PAYMENTS FOR**  
 7 **CHILDREN WITH PARENTS IN A LICENSED**  
 8 **RESIDENTIAL FAMILY-BASED TREATMENT**  
 9 **FACILITY FOR SUBSTANCE ABUSE.**

10           (a) IN GENERAL.—Section 472 of the Social Security  
 11 Act (42 U.S.C. 672) is amended—

12           (1) in subsection (a)(2)(C), by striking “or”  
 13           and inserting “, with a parent residing in a licensed  
 14           residential family-based treatment facility, but only  
 15           to the extent permitted under subsection (j), or in  
 16           a”; and

17           (2) by adding at the end the following:

18           “(j) CHILDREN PLACED WITH A PARENT RESIDING  
 19 IN A LICENSED RESIDENTIAL FAMILY-BASED TREAT-  
 20 MENT FACILITY FOR SUBSTANCE ABUSE.—

21           “(1) IN GENERAL.—Notwithstanding the pre-  
 22           ceding provisions of this section, a child who is eligi-  
 23           ble for foster care maintenance payments under this  
 24           section, or who would be eligible for the payments if  
 25           the eligibility were determined without regard to

1 paragraphs (1)(B) and (3) of subsection (a), shall be  
2 eligible for the payments for a period of not more  
3 than 12 months during which the child is placed  
4 with a parent who is in a licensed residential family-  
5 based treatment facility for substance abuse, but  
6 only if—

7 “(A) the recommendation for the place-  
8 ment is specified in the child’s case plan before  
9 the placement;

10 “(B) the treatment facility provides, as  
11 part of the treatment for substance abuse, par-  
12 enting skills training, parent education, and in-  
13 dividual and family counseling; and

14 “(C) the substance abuse treatment, par-  
15 enting skills training, parent education, and in-  
16 dividual and family counseling is provided  
17 under an organizational structure and treat-  
18 ment framework that involves understanding,  
19 recognizing, and responding to the effects of all  
20 types of trauma and in accordance with recog-  
21 nized principles of a trauma-informed approach  
22 and trauma-specific interventions to address the  
23 consequences of trauma and facilitate healing.

24 “(2) APPLICATION.—With respect to children  
25 for whom foster care maintenance payments are

1       made under paragraph (1), only the children who  
 2       satisfy the requirements of paragraphs (1)(B) and  
 3       (3) of subsection (a) shall be considered to be chil-  
 4       dren with respect to whom foster care maintenance  
 5       payments are made under this section for purposes  
 6       of subsection (h) or section 473(b)(3)(B).”.

7       (b) CONFORMING AMENDMENT.—Section 474(a)(1)  
 8       of the Social Security Act (42 U.S.C. 674(a)(1)) is amend-  
 9       ed by inserting “subject to section 472(j),” before “an  
 10      amount equal to the Federal”.

11   **SEC. 113. TITLE IV-E PAYMENTS FOR EVIDENCE-BASED**  
 12                   **KINSHIP NAVIGATOR PROGRAMS.**

13       Section 474(a) of the Social Security Act (42 U.S.C.  
 14   674(a)), as amended by section 111(c), is amended—

15           (1) in paragraph (6), by striking the period at  
 16       the end and inserting “; plus”; and

17           (2) by adding at the end the following:

18           “(7) an amount equal to 50 percent of the  
 19       amounts expended by the State during the quarter  
 20       as the Secretary determines are for kinship navi-  
 21       gator programs that meet the requirements de-  
 22       scribed in section 427(a)(1) and that the Secretary  
 23       determines are operated in accordance with prom-  
 24       ising, supported, or well-supported practices that  
 25       meet the applicable criteria specified for the prac-

1 tices in section 471(e)(4)(C), without regard to  
 2 whether the expenditures are incurred on behalf of  
 3 children who are, or are potentially, eligible for fos-  
 4 ter care maintenance payments under this part.”.

## 5 **Subtitle B—Enhanced Support** 6 **Under Title IV-B**

### 7 **SEC. 121. ELIMINATION OF TIME LIMIT FOR FAMILY REUNI-** 8 **FICATION SERVICES WHILE IN FOSTER CARE** 9 **AND PERMITTING TIME-LIMITED FAMILY RE-** 10 **UNIFICATION SERVICES WHEN A CHILD RE-** 11 **TURNS HOME FROM FOSTER CARE.**

12 (a) IN GENERAL.—Section 431(a)(7) of the Social  
 13 Security Act (42 U.S.C. 629a(a)(7)) is amended—

14 (1) in the paragraph heading, by striking  
 15 “TIME-LIMITED FAMILY” and inserting “FAMILY”;  
 16 and

17 (2) in subparagraph (A)—

18 (A) by striking “time-limited family” and  
 19 inserting “family”;

20 (B) by inserting “or a child who has been  
 21 returned home” after “child care institution”;  
 22 and

23 (C) by striking “, but only during the 15-  
 24 month period that begins on the date that the  
 25 child, pursuant to section 475(5)(F), is consid-

ered to have entered foster care” and inserting  
 “and to ensure the strength and stability of the  
 reunification. In the case of a child who has  
 been returned home, the services and activities  
 shall only be provided during the 15-month pe-  
 riod that begins on the date that the child re-  
 turns home.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 430 of such Act (42 U.S.C. 629) is  
 amended in the matter preceding paragraph (1), by  
 striking “time-limited”.

(2) Subsections (a)(4), (a)(5)(A), and (b)(1) of  
 section 432 of such Act (42 U.S.C. 629b) are  
 amended by striking “time-limited” each place it ap-  
 pears.

**SEC. 122. REDUCING BUREAUCRACY AND UNNECESSARY  
 DELAYS WHEN PLACING CHILDREN IN  
 HOMES ACROSS STATE LINES.**

(a) STATE PLAN REQUIREMENT.—Section  
 471(a)(25) of the Social Security Act (42 U.S.C.  
 671(a)(25)) is amended—

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

and

(2) by inserting “, which, not later than Octo-  
 ber 1, 2026, shall include the use of an electronic



1 interstate case-processing system” before the first  
2 semicolon.

3 (b) GRANTS FOR THE DEVELOPMENT OF AN ELEC-  
4 TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EX-  
5 PEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN  
6 FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—  
7 Section 437 of such Act (42 U.S.C. 637) is amended by  
8 adding at the end the following:

9 “(g) GRANTS FOR THE DEVELOPMENT OF AN ELEC-  
10 TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EX-  
11 PEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN  
12 FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—

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

19 “(2) APPLICATION REQUIREMENTS.—A State  
20 that desires a grant under this subsection shall sub-  
21 mit to the Secretary an application containing the  
22 following:

23 “(A) A description of the goals and out-  
24 comes to be achieved during the period for

1 which grant funds are sought, which goals and  
2 outcomes must result in—

3 “(i) reducing the time it takes for a  
4 child to be provided with a safe and appro-  
5 priate permanent living arrangement  
6 across State lines;

7 “(ii) improving administrative proc-  
8 esses and reducing costs in the foster care  
9 system; and

10 “(iii) the secure exchange of relevant  
11 case files and other necessary materials in  
12 real time, and timely communications and  
13 placement decisions regarding interstate  
14 placements of children.

15 “(B) A description of the activities to be  
16 funded in whole or in part with the grant  
17 funds, including the sequencing of the activities.

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

21 “(D) Such other information as the Sec-  
22 retary may require.

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

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

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

12               “(A) How using the electronic interstate  
13               case-processing system developed pursuant to  
14               paragraph (4) has changed the time it takes for  
15               children to be placed across State lines.

16               “(B) The number of cases subject to the  
17               Interstate Compact on the Placement of Chil-  
18               dren that were processed through the electronic  
19               interstate case-processing system, and the num-  
20               ber of interstate child placement cases that  
21               were processed outside the electronic interstate  
22               case-processing system, by each State in each  
23               year.

1           “(C) The progress made by States in im-  
2           plementing the electronic interstate case-proc-  
3           essing system.

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

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

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

21                 “(A) connecting the system with other  
22                 data systems (such as systems operated by  
23                 State law enforcement and judicial agencies,  
24                 systems operated by the Federal Bureau of In-

1 vestigation for the purposes of the Innocence  
2 Lost National Initiative, and other systems);

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

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

13 (c) RESERVATION OF FUNDS TO IMPROVE THE  
14 INTERSTATE PLACEMENT OF CHILDREN.—Section 437(b)  
15 of such Act (42 U.S.C. 637(b)) is amended by adding at  
16 the end the following:

17 “(4) IMPROVING THE INTERSTATE PLACEMENT  
18 OF CHILDREN.—The Secretary shall reserve  
19 \$5,000,000 of the amount made available for fiscal  
20 year 2017 for grants under subsection (g), and the  
21 amount so reserved shall remain available through  
22 fiscal year 2021.”.

1 **SEC. 123. ENHANCEMENTS TO GRANTS TO IMPROVE WELL-**  
2 **BEING OF FAMILIES AFFECTED BY SUB-**  
3 **STANCE ABUSE.**

4 Section 437(f) of the Social Security Act (42 U.S.C.  
5 629g(f)) is amended—

6 (1) in the subsection heading, by striking “IN-  
7 CREASE THE WELL-BEING OF, AND TO IMPROVE  
8 THE PERMANENCY OUTCOMES FOR, CHILDREN AF-  
9 FECTED BY” and inserting “IMPLEMENT IV–E PRE-  
10 VENTION SERVICES, AND IMPROVE THE WELL-  
11 BEING OF, AND IMPROVE PERMANENCY OUTCOMES  
12 FOR, CHILDREN AND FAMILIES AFFECTED BY HER-  
13 OIN, OPIOIDS, AND OTHER”;

14 (2) by striking paragraph (2) and inserting the  
15 following:

16 “(2) REGIONAL PARTNERSHIP DEFINED.—In  
17 this subsection, the term ‘regional partnership’  
18 means a collaborative agreement (which may be es-  
19 tablished on an interstate, State, or intrastate basis)  
20 entered into by the following:

21 “(A) MANDATORY PARTNERS FOR ALL  
22 PARTNERSHIP GRANTS.—

23 “(i) The State child welfare agency  
24 that is responsible for the administration  
25 of the State plan under this part and part  
26 E.

1           “(ii) The State agency responsible for  
2           administering the substance abuse preven-  
3           tion and treatment block grant provided  
4           under subpart II of part B of title XIX of  
5           the Public Health Service Act.

6           “(B) MANDATORY PARTNERS FOR PART-  
7           NERSHIP GRANTS PROPOSING TO SERVE CHIL-  
8           DREN IN OUT-OF-HOME PLACEMENTS.—If the  
9           partnership proposes to serve children in out-of-  
10          home placements, the Juvenile Court or Admin-  
11          istrative Office of the Court that is most appro-  
12          priate to oversee the administration of court  
13          programs in the region to address the popu-  
14          lation of families who come to the attention of  
15          the court due to child abuse or neglect.

16          “(C) OPTIONAL PARTNERS.—At the option  
17          of the partnership, any of the following:

18               “(i) An Indian tribe or tribal consor-  
19               tium.

20               “(ii) Nonprofit child welfare service  
21               providers.

22               “(iii) For-profit child welfare service  
23               providers.

1 “(iv) Community health service pro-  
2 viders, including substance abuse treat-  
3 ment providers.

4 “(v) Community mental health pro-  
5 viders.

6 “(vi) Local law enforcement agencies.

7 “(vii) School personnel.

8 “(viii) Tribal child welfare agencies  
9 (or a consortia of the agencies).

10 “(ix) Any other providers, agencies,  
11 personnel, officials, or entities that are re-  
12 lated to the provision of child and family  
13 services under a State plan approved under  
14 this subpart.

15 “(D) EXCEPTION FOR REGIONAL PART-  
16 NERSHIPS WHERE THE LEAD APPLICANT IS AN  
17 INDIAN TRIBE OR TRIBAL CONSORTIA.—If an  
18 Indian tribe or tribal consortium enters into a  
19 regional partnership for purposes of this sub-  
20 section, the Indian tribe or tribal consortium—

21 “(i) may (but is not required to) in-  
22 clude the State child welfare agency as a  
23 partner in the collaborative agreement;

24 “(ii) may not enter into a collabo-  
25 rative agreement only with tribal child wel-



1           fare agencies (or a consortium of the agen-  
2           cies); and

3           “(iii) if the condition described in  
4           paragraph (2)(B) applies, may include  
5           tribal court organizations in lieu of other  
6           judicial partners.”;

7           (3) in paragraph (3)—

8           (A) in subparagraph (A)—

9           (i) by striking “2012 through 2016”  
10          and inserting “2017 through 2021”; and

11          (ii) by striking “\$500,000 and not  
12          more than \$1,000,000” and inserting  
13          “\$250,000 and not more than  
14          \$1,000,000”;

15          (B) in subparagraph (B)—

16          (i) in the subparagraph heading, by  
17          inserting “; PLANNING” after “APPROVAL”;

18          (ii) in clause (i), by striking “clause  
19          (ii)” and inserting “clauses (ii) and (iii)”;  
20          and

21          (iii) by adding at the end the fol-  
22          lowing:

23                 “(iii) SUFFICIENT PLANNING.—A  
24                 grant awarded under this subsection shall  
25                 be disbursed in 2 phases: a planning phase

1 (not to exceed 2 years); and an implemen-  
2 tation phase. The total disbursement to a  
3 grantee for the planning phase may not ex-  
4 ceed \$250,000, and may not exceed the  
5 total anticipated funding for the implemen-  
6 tation phase.”; and

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

8 “(D) LIMITATION ON PAYMENT FOR A FIS-  
9 CAL YEAR.—No payment shall be made under  
10 subparagraph (A) or (C) for a fiscal year until  
11 the Secretary determines that the eligible part-  
12 nership has made sufficient progress in meeting  
13 the goals of the grant and that the members of  
14 the eligible partnership are coordinating to a  
15 reasonable degree with the other members of  
16 the eligible partnership.”;

17 (4) in paragraph (4)—

18 (A) in subparagraph (B)—

19 (i) in clause (i), by inserting “, par-  
20 ents, and families” after “children”;

21 (ii) in clause (ii), by striking “safety  
22 and permanence for such children; and”  
23 and inserting “safe, permanent caregiving  
24 relationships for the children;”;

1 (iii) in clause (iii), by striking “or”  
2 and inserting “increase reunification rates  
3 for children who have been placed in out of  
4 home care, or decrease”; and

5 (iv) by redesignating clause (iii) as  
6 clause (v) and inserting after clause (ii)  
7 the following:

8 “(iii) improve the substance abuse  
9 treatment outcomes for parents including  
10 retention in treatment and successful com-  
11 pletion of treatment;

12 “(iv) facilitate the implementation, de-  
13 livery, and effectiveness of prevention serv-  
14 ices and programs under section 471(e);  
15 and”;

16 (B) in subparagraph (D), by striking  
17 “where appropriate,”; and

18 (C) by striking subparagraphs (E) and (F)  
19 and inserting the following:

20 “(E) A description of a plan for sustaining  
21 the services provided by or activities funded  
22 under the grant after the conclusion of the  
23 grant period, including through the use of pre-  
24 vention services and programs under section  
25 471(e) and other funds provided to the State

1           for child welfare and substance abuse preven-  
2           tion and treatment services.

3           “(F) Additional information needed by the  
4           Secretary to determine that the proposed activi-  
5           ties and implementation will be consistent with  
6           research or evaluations showing which practices  
7           and approaches are most effective.”;

8           (5) in paragraph (5)(A), by striking “abuse  
9           treatment” and inserting “use disorder treatment in-  
10          cluding medication assisted treatment and in-home  
11          substance abuse disorder treatment and recovery”;

12          (6) in paragraph (7)—

13                (A) by striking “and” at the end of sub-  
14                paragraph (C); and

15                (B) by redesignating subparagraph (D) as  
16                subparagraph (E) and inserting after subpara-  
17                graph (C) the following:

18                   “(D) demonstrate a track record of suc-  
19                   cessful collaboration among child welfare, sub-  
20                   stance abuse disorder treatment and mental  
21                   health agencies; and”;

22          (7) in paragraph (8)—

23                (A) in subparagraph (A)—

1 (i) by striking “establish indicators  
2 that will be” and inserting “review indica-  
3 tors that are”; and

4 (ii) by striking “in using funds made  
5 available under such grants to achieve the  
6 purpose of this subsection” and inserting  
7 “and establish a set of core indicators re-  
8 lated to child safety, parental recovery,  
9 parenting capacity, and family well-being.  
10 In developing the core indicators, to the  
11 extent possible, indicators shall be made  
12 consistent with the outcome measures de-  
13 scribed in section 471(e)(6)”;

14 (B) in subparagraph (B)—

15 (i) in the matter preceding clause (i),  
16 by inserting “base the performance meas-  
17 ures on lessons learned from prior rounds  
18 of regional partnership grants under this  
19 subsection, and” before “consult”; and

20 (ii) by striking clauses (iii) and (iv)  
21 and inserting the following:

22 “(iii) Other stakeholders or constitu-  
23 encies as determined by the Secretary.”;

24 (8) in paragraph (9)(A), by striking clause (i)  
25 and inserting the following:

1                   “(i) SEMIANNUAL REPORTS.—Not  
2                   later than September 30 of each fiscal year  
3                   in which a recipient of a grant under this  
4                   subsection is paid funds under the grant,  
5                   and every 6 months thereafter, the grant  
6                   recipient shall submit to the Secretary a  
7                   report on the services provided and activi-  
8                   ties carried out during the reporting pe-  
9                   riod, progress made in achieving the goals  
10                  of the program, the number of children,  
11                  adults, and families receiving services, and  
12                  such additional information as the Sec-  
13                  retary determines is necessary. The report  
14                  due not later than September 30 of the  
15                  last such fiscal year shall include, at a  
16                  minimum, data on each of the performance  
17                  indicators included in the evaluation of the  
18                  regional partnership.”; and  
19                  (9) in paragraph (10), by striking “2012  
20                  through 2016” and inserting “2017 through 2021”.

## **Subtitle C—Miscellaneous**

### **SEC. 131. REVIEWING AND IMPROVING LICENSING STANDARDS FOR PLACEMENT IN A RELATIVE FOSTER FAMILY HOME.**

(a) IDENTIFICATION OF REPUTABLE MODEL LICENSING STANDARDS.—Not later than October 1, 2017, the Secretary of Health and Human Services shall identify reputable model licensing standards with respect to the licensing of foster family homes (as defined in section 472(c)(1) of the Social Security Act).

(b) STATE PLAN REQUIREMENT.—Section 471(a) of the Social Security Act is amended—

(1) in paragraph (34)(B), by striking “and” after the semicolon;

(2) in paragraph (35)(B), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(36) provides that, not later than April 1, 2018, the State shall submit to the Secretary information addressing—

“(A) whether the State licensing standards are in accord with model standards identified by the Secretary, and if not, the reason for the specific deviation and a description as to why having a standard that is reasonably in accord

1 with the corresponding national model stand-  
2 ards is not appropriate for the State;

3 “(B) whether the State has elected to  
4 waive standards established in 471(a)(10)(A)  
5 for relative foster family homes (pursuant to  
6 waiver authority provided by 471(a)(10)(D)), a  
7 description of which standards the State most  
8 commonly waives, and if the State has not  
9 elected to waive the standards, the reason for  
10 not waiving these standards;

11 “(C) if the State has elected to waive  
12 standards specified in subparagraph (B), how  
13 caseworkers are trained to use the waiver au-  
14 thority and whether the State has developed a  
15 process or provided tools to assist caseworkers  
16 in waiving nonsafety standards per the author-  
17 ity provided in 471(a)(10)(D) to quickly place  
18 children with relatives; and

19 “(D) a description of the steps the State is  
20 taking to improve caseworker training or the  
21 process, if any; and”.



1 **SEC. 132. DEVELOPMENT OF A STATEWIDE PLAN TO PRE-**  
2 **VENT CHILD ABUSE AND NEGLECT FATALI-**  
3 **TIES.**

4 Section 422(b)(19) of the Social Security Act (42  
5 U.S.C. 622(b)(19)) is amended to read as follows:

6 “(19) document steps taken to track and pre-  
7 vent child maltreatment deaths by including—

8 “(A) a description of the steps the State is  
9 taking to compile complete and accurate infor-  
10 mation on the deaths required by Federal law  
11 to be reported by the State agency referred to  
12 in paragraph (1), including gathering relevant  
13 information on the deaths from the relevant or-  
14 ganizations in the State including entities such  
15 as State vital statistics department, child death  
16 review teams, law enforcement agencies, offices  
17 of medical examiners or coroners; and

18 “(B) a description of the steps the State is  
19 taking to develop and implement of a com-  
20 prehensive, statewide plan to prevent the fatali-  
21 ties that involves and engages relevant public  
22 and private agency partners, including those in  
23 public health, law enforcement, and the  
24 courts.”.

1 **SEC. 133. MODERNIZING THE TITLE AND PURPOSE OF**  
2 **TITLE IV-E.**

3 (a) PART HEADING.—The heading for part E of title  
4 IV of the Social Security Act (42 U.S.C. 670 et seq.) is  
5 amended to read as follows:

6 **“Subtitle E—Federal Payments for**  
7 **Foster Care, Prevention, and**  
8 **Permanency”.**

9 (b) PURPOSE.—The first sentence of section 470 of  
10 such Act (42 U.S.C. 670) is amended—

11 (1) by striking “1995) and” and inserting  
12 “1995),”;

13 (2) by inserting “kinship guardianship assist-  
14 ance, and prevention services or programs specified  
15 in section 471(e)(1),” after “needs,”; and

16 (3) by striking “(commencing with the fiscal  
17 year which begins October 1, 1980)”.

18 **SEC. 134. EFFECTIVE DATES.**

19 (a) EFFECTIVE DATES.—

20 (1) IN GENERAL.—Except as provided in para-  
21 graph (2), subject to subsection (b), the amend-  
22 ments made by this title shall take effect on October  
23 1, 2016.

24 (2) EXCEPTIONS.—The amendments made by  
25 sections 131 and 133 shall take effect on the date  
26 of enactment of this Act.

1 (b) TRANSITION RULE.—

2 (1) IN GENERAL.—In the case of a State plan  
3 under part B or E of title IV of the Social Security  
4 Act which the Secretary of Health and Human Serv-  
5 ices determines requires State legislation (other than  
6 legislation appropriating funds) in order for the plan  
7 to meet the additional requirements imposed by the  
8 amendments made by this title, the State plan shall  
9 not be regarded as failing to comply with the re-  
10 quirements of such part solely on the basis of the  
11 failure of the plan to meet such additional require-  
12 ments before the first day of the first calendar quar-  
13 ter beginning after the close of the first regular ses-  
14 sion of the State legislature that begins after the  
15 date of enactment of this Act. For purposes of the  
16 previous sentence, in the case of a State that has a  
17 2-year legislative session, each year of the session  
18 shall be deemed to be a separate regular session of  
19 the State legislature.

20 (2) APPLICATION TO PROGRAMS OPERATED BY  
21 INDIAN TRIBAL ORGANIZATIONS.—In the case of an  
22 Indian tribe, tribal organization, or tribal consortium  
23 which the Secretary of Health and Human Services  
24 determines requires time to take action necessary to  
25 comply with the additional requirements imposed by

1 the amendments made by this title (whether the  
2 tribe, organization, or tribal consortium has a plan  
3 under section 479B of the Social Security Act or a  
4 cooperative agreement or contract entered into with  
5 a State), the Secretary shall provide the tribe, orga-  
6 nization, or tribal consortium with such additional  
7 time as the Secretary determines is necessary for the  
8 tribe, organization, or tribal consortium to take the  
9 action to comply with the additional requirements  
10 before being regarded as failing to comply with the  
11 requirements.

12 **TITLE II—ENSURING THE NE-**  
13 **CESSITY OF A PLACEMENT**  
14 **THAT IS NOT IN A FOSTER**  
15 **FAMILY HOME**

16 **SEC. 201. LIMITATION ON FEDERAL FINANCIAL PARTICIPA-**  
17 **TION FOR PLACEMENTS THAT ARE NOT IN**  
18 **FOSTER FAMILY HOMES.**

19 (a) LIMITATION ON FEDERAL FINANCIAL PARTICIPA-  
20 TION.—

21 (1) IN GENERAL.—Section 472 of the Social  
22 Security Act (42 U.S.C. 672), as amended by sec-  
23 tion 112, is amended—

1 (A) in subsection (a)(2)(C), by inserting “,  
2 but only to the extent permitted under sub-  
3 section (k)” after “institution”; and

4 (B) by adding at the end the following:

5 “(k) LIMITATION ON FEDERAL FINANCIAL PARTICI-  
6 PATION.—

7 “(1) IN GENERAL.—Beginning with the third  
8 week for which foster care maintenance payments  
9 are made under this section on behalf of a child  
10 placed in a child-care institution, no Federal pay-  
11 ment shall be made to the State under section  
12 474(a)(1) for amounts expended for foster care  
13 maintenance payments on behalf of the child un-  
14 less—

15 “(A) the child is placed in a child-care in-  
16 stitution that is a setting specified in paragraph  
17 (2) (or is placed in a licensed residential family-  
18 based treatment facility consistent with sub-  
19 section (j)); and

20 “(B) in the case of a child placed in a  
21 qualified residential treatment program (as de-  
22 fined in paragraph (4)), the requirements speci-  
23 fied in paragraph (3) and section 475A(c) are  
24 met.

1           “(2) SPECIFIED SETTINGS FOR PLACEMENT.—

2           The settings for placement specified in this para-  
3           graph are the following:

4                   “(A) A qualified residential treatment pro-  
5                   gram (as defined in paragraph (4)).

6                   “(B) A setting specializing in providing  
7                   prenatal, post-partum, or parenting supports  
8                   for youth.

9                   “(C) In the case of a child who has at-  
10                  tained 18 years of age, a supervised setting in  
11                  which the child is living independently.

12           “(3) ASSESSMENT TO DETERMINE APPRO-  
13           PRIATENESS OF PLACEMENT IN A QUALIFIED RESI-  
14           DENTIAL TREATMENT PROGRAM.—

15                   “(A) DEADLINE FOR ASSESSMENT.—In  
16                   the case of a child who is placed in a qualified  
17                   residential treatment program, if the assess-  
18                   ment required under section 475A(c)(1) is not  
19                   completed within 30 days after the placement is  
20                   made, no Federal payment shall be made to the  
21                   State under section 474(a)(1) for any amounts  
22                   expended for foster care maintenance payments  
23                   on behalf of the child during the placement.

24                   “(B) DEADLINE FOR TRANSITION OUT OF  
25                   PLACEMENT.—If the assessment required under

1           section 475A(c)(1) determines that the place-  
2           ment of a child in a qualified residential treat-  
3           ment program is not appropriate, a court dis-  
4           approves such a placement under section  
5           475A(c)(2), or a child who has been in an ap-  
6           proved placement in a qualified residential  
7           treatment program is going to return home or  
8           be placed with a fit and willing relative, a legal  
9           guardian, or an adoptive parent, or in a foster  
10          family home, Federal payments shall be made  
11          to the State under section 474(a)(1) for  
12          amounts expended for foster care maintenance  
13          payments on behalf of the child while the child  
14          remains in the qualified residential treatment  
15          program only during the period necessary for  
16          the child to transition home or to such a place-  
17          ment. In no event shall a State receive Federal  
18          payments under section 474(a)(1) for amounts  
19          expended for foster care maintenance payments  
20          on behalf of a child who remains placed in a  
21          qualified residential treatment program after  
22          the end of the 30-day period that begins on the  
23          date a determination is made that the place-  
24          ment is no longer the recommended or approved  
25          placement for the child.

1           “(4) QUALIFIED RESIDENTIAL TREATMENT  
2 PROGRAM.—For purposes of this part, the term  
3 ‘qualified residential treatment program’ means a  
4 program that—

5           “(A) has a trauma-informed treatment  
6 model that is designed to address the needs, in-  
7 cluding clinical needs as appropriate, of chil-  
8 dren with serious emotional or behavioral dis-  
9 orders or disturbances and, with respect to a  
10 child, is able to implement the treatment identi-  
11 fied for the child by the assessment of the child  
12 required under section 475A(c);

13           “(B) has registered or licensed nursing  
14 staff and other licensed clinical staff who—

15           “(i) provide care within the scope of  
16 their practice as defined by State law;

17           “(ii) are on-site during business  
18 hours; and

19           “(iii) are available 24 hours a day and  
20 7 days a week;

21           “(C) to the extent appropriate, and in ac-  
22 cordance with the child’s best interests, facili-  
23 tates participation of family members in the  
24 child’s treatment program;



1           “(D) facilitates outreach to the family  
2 members of the child, including siblings, docu-  
3 ments how the outreach is made (including con-  
4 tact information), and maintains contact infor-  
5 mation for any known biological family and fic-  
6 tive kin of the child;

7           “(E) documents how family members are  
8 integrated into the treatment process for the  
9 child, including post-discharge, and how sibling  
10 connections are maintained;

11           “(F) provides discharge planning and fam-  
12 ily-based aftercare support for at least 6  
13 months post-discharge; and

14           “(G) is licensed in accordance with section  
15 471(a)(10) and is accredited by any of the fol-  
16 lowing independent, not-for-profit organizations:

17           “(i) The Commission on Accreditation  
18 of Rehabilitation Facilities (CARF).

19           “(ii) The Joint Commission on Ac-  
20 creditation of Healthcare Organizations  
21 (JCAHO).

22           “(iii) The Council on Accreditation  
23 (COA).

1 “(iv) Any other independent, not-for-  
 2 profit accrediting organization approved by  
 3 the Secretary.”.

4 (2) CONFORMING AMENDMENT.—Section  
 5 474(a)(1) of the Social Security Act (42 U.S.C.  
 6 674(a)(1)), as amended by section 112(b), is amend-  
 7 ed by striking “subsection (j)” and inserting “sub-  
 8 sections (j) and (k)”.

9 (b) DEFINITION OF FOSTER FAMILY HOME, CHILD-  
 10 CARE INSTITUTION.—Section 472(c) of such Act (42  
 11 U.S.C. 672(c)(1)) is amended to read as follows:

12 “(c) DEFINITIONS.—For purposes of this part:

13 “(1) FOSTER FAMILY HOME.—

14 “(A) IN GENERAL.—The term ‘foster fam-  
 15 ily home’ means the home of an individual or  
 16 family—

17 “(i) that is licensed or approved by  
 18 the State in which it is situated as a foster  
 19 family home that meets the standards es-  
 20 tablished for the licensing or approval; and

21 “(ii) in which a child in foster care  
 22 has been placed in the care of an indi-  
 23 vidual, who resides with the child and who  
 24 has been licensed or approved by the State  
 25 to be a foster parent—

1 “(I) that the State deems capable  
2 of adhering to the reasonable and pru-  
3 dent parent standard;

4 “(II) that provides 24-hour sub-  
5 stitute care for children placed away  
6 from their parents or other care-  
7 takers; and

8 “(III) that provides the care for  
9 not more than 6 children in foster  
10 care.

11 “(B) STATE FLEXIBILITY.—The number of  
12 foster children that may be cared for in a home  
13 under subparagraph (A) may exceed the numer-  
14 ical limitation in subparagraph (A)(ii)(III), at  
15 the option of the State, for any of the following  
16 reasons:

17 “(i) To allow a parenting youth in fos-  
18 ter care to remain with the child of the  
19 parenting youth.

20 “(ii) To allow siblings to remain to-  
21 gether.

22 “(iii) To allow a child with an estab-  
23 lished meaningful relationship with the  
24 family to remain with the family.

1                   “(iv) To allow a family with special  
2                   training or skills to provide care to a child  
3                   who has a severe disability.

4                   “(C) RULE OF CONSTRUCTION.—Subpara-  
5                   graph (A) shall not be construed as prohibiting  
6                   a foster parent from renting the home in which  
7                   the parent cares for a foster child placed in the  
8                   parent’s care.

9                   “(2) CHILD-CARE INSTITUTION.—

10                  “(A) IN GENERAL.—The term ‘child-care  
11                  institution’ means a private child-care institu-  
12                  tion, or a public child-care institution which ac-  
13                  commodates no more than 25 children, which is  
14                  licensed by the State in which it is situated or  
15                  has been approved by the agency of the State  
16                  responsible for licensing or approval of institu-  
17                  tions of this type as meeting the standards es-  
18                  tablished for the licensing.

19                  “(B) SUPERVISED SETTINGS.—In the case  
20                  of a child who has attained 18 years of age, the  
21                  term shall include a supervised setting in which  
22                  the individual is living independently, in accord-  
23                  ance with such conditions as the Secretary shall  
24                  establish in regulations.

1                   “(C) EXCLUSIONS.—The term shall not in-  
2                   clude detention facilities, forestry camps, train-  
3                   ing schools, or any other facility operated pri-  
4                   marily for the detention of children who are de-  
5                   termined to be delinquent.”.

6           (c) TRAINING FOR STATE JUDGES, ATTORNEYS, AND  
7 OTHER LEGAL PERSONNEL IN CHILD WELFARE  
8 CASES.—Section 438(b)(1) of such Act (42 U.S.C.  
9 629h(b)(1)) is amended in the matter preceding subpara-  
10 graph (A) by inserting “shall provide for the training of  
11 judges, attorneys, and other legal personnel in child wel-  
12 fare cases on Federal child welfare policies and payment  
13 limitations with respect to children in foster care who are  
14 placed in settings that are not a foster family home,” after  
15 “with respect to the child,”.

16           (d) ASSURANCE OF NONIMPACT ON JUVENILE JUS-  
17 TICE SYSTEM.—

18           (1) STATE PLAN REQUIREMENT.—Section  
19 471(a) of such Act (42 U.S.C. 671(a)), as amended  
20 by section 131, is further amended by adding at the  
21 end the following:

22           “(37) includes a certification that, in response  
23 to the limitation imposed under section 472(k) with  
24 respect to foster care maintenance payments made  
25 on behalf of any child who is placed in a setting that

1 is not a foster family home, the State will not enact  
2 or advance policies or practices that would result in  
3 a significant increase in the population of youth in  
4 the State’s juvenile justice system.”.

5 (2) GAO STUDY AND REPORT.—The Comp-  
6 troller General of the United States shall evaluate  
7 the impact, if any, on State juvenile justice systems  
8 of the limitation imposed under section 472(k) of  
9 the Social Security Act (as added by section  
10 201(a)(1)) on foster care maintenance payments  
11 made on behalf of any child who is placed in a set-  
12 ting that is not a foster family home, in accordance  
13 with the amendments made by subsections (a) and  
14 (b) of this section. In particular, the Comptroller  
15 General shall evaluate the extent to which children  
16 in foster care who also are subject to the juvenile  
17 justice system of the State are placed in a facility  
18 under the jurisdiction of the juvenile justice system  
19 and whether the lack of available congregate care  
20 placements under the jurisdiction of the child wel-  
21 fare systems is a contributing factor to that result.  
22 Not later than December 31, 2023, the Comptroller  
23 General shall submit to Congress a report on the re-  
24 sults of the evaluation.

1 **SEC. 202. ASSESSMENT AND DOCUMENTATION OF THE**  
2 **NEED FOR PLACEMENT IN A QUALIFIED RES-**  
3 **IDENTIAL TREATMENT PROGRAM.**

4 Section 475A of the Social Security Act (42 U.S.C.  
5 675a) is amended by adding at the end the following:

6 “(c) ASSESSMENT, DOCUMENTATION, AND JUDICIAL  
7 DETERMINATION REQUIREMENTS FOR PLACEMENT IN A  
8 QUALIFIED RESIDENTIAL TREATMENT PROGRAM.—In  
9 the case of any child who is placed in a qualified residen-  
10 tial treatment program (as defined in section 472(k)(4)),  
11 the following requirements shall apply for purposes of ap-  
12 proving the case plan for the child and the case system  
13 review procedure for the child:

14 “(1)(A) Within 30 days of the start of each  
15 placement in such a setting, a qualified individual  
16 (as defined in subparagraph (D)) shall—

17 “(i) assess the strengths and needs of the  
18 child using an age-appropriate, evidence-based,  
19 validated, functional assessment tool approved  
20 by the Secretary;

21 “(ii) determine whether the needs of the  
22 child can be met with family members or  
23 through placement in a foster family home or,  
24 if not, which setting from among the settings  
25 specified in section 472(k)(2) would provide the  
26 most effective and appropriate level of care for

1           the child in the least restrictive environment  
2           and be consistent with the short- and long-term  
3           goals for the child, as specified in the perma-  
4           nency plan for the child; and

5           “(iii) develop a list of child-specific short-  
6           and long-term mental and behavioral health  
7           goals.

8           “(B)(i) The State shall assemble a family and  
9           permanency team for the child in accordance with  
10          the requirements of clauses (ii) and (iii). The quali-  
11          fied individual conducting the assessment required  
12          under subparagraph (A) shall work in conjunction  
13          with the family of, and permanency team for, the  
14          child while conducting and making the assessment.

15          “(ii) The family and permanency team shall  
16          consist of all appropriate biological family members,  
17          relative, and fictive kin of the child, as well as, as  
18          appropriate, professionals who are a resource to the  
19          family of the child, such as teachers, medical or  
20          mental health providers who have treated the child,  
21          or clergy. In the case of a child who has attained  
22          age 14, the family and permanency team shall in-  
23          clude the members of the permanency planning team  
24          for the child that are selected by the child in accord-  
25          ance with section 475(5)(C)(iv).



1           “(iii) The State shall document in the child’s  
2 case plan—

3           “(I) the reasonable and good faith effort of  
4 the State to identify and include all such indi-  
5 viduals on the family of, and permanency team  
6 for, the child;

7           “(II) all contact information for members  
8 of the family and permanency team, as well as  
9 contact information for other family members  
10 and fictive kin who are not part of the family  
11 and permanency team;

12           “(III) evidence that meetings of the family  
13 and permanency team, including meetings relat-  
14 ing to the assessment required under subpara-  
15 graph (A), are held at a time and place conven-  
16 ient for family;

17           “(IV) if reunification is the goal, evidence  
18 demonstrating that the parent from whom the  
19 child was removed provided input on the mem-  
20 bers of the family and permanency team;

21           “(V) evidence that the assessment required  
22 under subparagraph (A) is determined in con-  
23 junction with the family and permanency team;  
24 and

1           “(VI) the placement preferences of the  
2           family and permanency team relative to the as-  
3           sessment and, if the placement preferences of  
4           the family and permanency team and child are  
5           not the placement setting recommended by the  
6           qualified individual conducting the assessment  
7           under subparagraph (A), the reasons why the  
8           preferences of the team and of the child were  
9           not recommended.

10          “(C) In the case of a child who the qualified in-  
11          dividual conducting the assessment under subpara-  
12          graph (A) determines should not be placed in a fos-  
13          ter family home, the qualified individual shall specify  
14          in writing the reasons why the needs of the child  
15          cannot be met by the family of the child or in a fos-  
16          ter family home. A shortage or lack of foster family  
17          homes shall not be an acceptable reason for deter-  
18          mining that a needs of the child cannot be met in  
19          a foster family home. The qualified individual also  
20          shall specify in writing why the recommended place-  
21          ment in a qualified residential treatment program is  
22          the setting that will provide the child with the most  
23          effective and appropriate level of care in the least re-  
24          strictive environment and how that placement is con-  
25          sistent with the short- and long-term goals for the

1 child, as specified in the permanency plan for the  
2 child.

3 “(D)(i) Subject to clause (ii), in this subsection,  
4 the term ‘qualified individual’ means a trained pro-  
5 fessional or licensed clinician who is not an employee  
6 of the State agency and who is not connected to, or  
7 affiliated with, any placement setting in which chil-  
8 dren are placed by the State.

9 “(ii) The Secretary may approve a request of a  
10 State to waive any requirement in clause (i) upon a  
11 submission by the State, in accordance with criteria  
12 established by the Secretary, that certifies that the  
13 trained professionals or licensed clinicians with re-  
14 sponsibility for performing the assessments de-  
15 scribed in subparagraph (A) shall maintain objec-  
16 tivity with respect to determining the most effective  
17 and appropriate placement for a child.

18 “(2) Within 60 days of the start of each place-  
19 ment in a qualified residential treatment program, a  
20 family or juvenile court or another court (including  
21 a tribal court) of competent jurisdiction, or an ad-  
22 ministrative body appointed or approved by the  
23 court, independently, shall—

24 “(A) consider the assessment, determina-  
25 tion, and documentation made by the qualified

1 individual conducting the assessment under  
2 paragraph (1);

3 “(B) determine whether the needs of the  
4 child can be met through placement in a foster  
5 family home or, if not, whether placement of  
6 the child in a qualified residential treatment  
7 program provides the most effective and appro-  
8 priate level of care for the child in the least re-  
9 strictive environment and whether that place-  
10 ment is consistent with the short- and long-  
11 term goals for the child, as specified in the per-  
12 manency plan for the child; and

13 “(C) approve or disapprove the placement.

14 “(3) The written documentation made under  
15 paragraph (1)(C) and documentation of the deter-  
16 mination and approval or disapproval of the place-  
17 ment in a qualified residential treatment program by  
18 a court or administrative body under paragraph (2)  
19 shall be included in and made part of the case plan  
20 for the child.

21 “(4) As long as a child remains placed in a  
22 qualified residential treatment program, the State  
23 agency shall submit evidence at each status review  
24 and each permanency hearing held with respect to  
25 the child—

1           “(A) demonstrating that ongoing assess-  
2           ment of the strengths and needs of the child  
3           continues to support the determination that the  
4           needs of the child cannot be met through place-  
5           ment in a foster family home, that the place-  
6           ment in a qualified residential treatment pro-  
7           gram provides the most effective and appro-  
8           priate level of care for the child in the least re-  
9           strictive environment, and that the placement is  
10          consistent with the short- and long-term goals  
11          for the child, as specified in the permanency  
12          plan for the child;

13           “(B) documenting the specific treatment or  
14          service needs that will be met for the child in  
15          the placement and the length of time the child  
16          is expected to need the treatment or services;  
17          and

18           “(C) documenting the efforts made by the  
19          State agency to prepare the child to return  
20          home or to be placed with a fit and willing rel-  
21          ative, a legal guardian, or an adoptive parent,  
22          or in a foster family home.

23           “(5) In the case of any child who is placed in  
24          a qualified residential treatment program for more  
25          than 12 consecutive months or 18 nonconsecutive

months (or, in the case of a child who has not attained age 13, for more than 6 consecutive or non-consecutive months), the State agency shall submit to the Secretary—

“(A) the most recent versions of the evidence and documentation specified in paragraph (4); and

“(B) the signed approval of the head of the State agency for the continued placement of the child in that setting.”.

**SEC. 203. PROTOCOLS TO PREVENT INAPPROPRIATE DIAGNOSES.**

(a) STATE PLAN REQUIREMENT.—Section 422(b)(15)(A) of the Social Security Act (42 U.S.C. 622(b)(15)(A)) is amended—

(1) in clause (vi), by striking “and” after the semicolon;

(2) by redesignating clause (vii) as clause (viii); and

(3) by inserting after clause (vi) the following:

“(vii) the procedures and protocols the State has established to ensure that children in foster care placements are not inappropriately diagnosed with mental illness, other emotional or behavioral dis-

1 orders, medically fragile conditions, or de-  
2 velopmental disabilities, and placed in set-  
3 tings that are not foster family homes as  
4 a result of the inappropriate diagnoses;  
5 and”.

6 (b) EVALUATION.—Section 476 of such Act (42  
7 U.S.C. 676), as amended by sections 111(d) and 131(a),  
8 is further amended by adding at the end the following:

9 “(f) EVALUATION OF STATE PROCEDURES AND PRO-  
10 TOCOLS TO PREVENT INAPPROPRIATE DIAGNOSES OF  
11 MENTAL ILLNESS OR OTHER CONDITIONS.—The Sec-  
12 retary shall conduct an evaluation of the procedures and  
13 protocols established by States in accordance with the re-  
14 quirements of section 422(b)(15)(A)(vii). The evaluation  
15 shall analyze the extent to which States comply with and  
16 enforce the procedures and protocols and the effectiveness  
17 of various State procedures and protocols and shall iden-  
18 tify best practices. Not later than January 1, 2019, the  
19 Secretary shall submit a report on the results of the eval-  
20 uation to Congress.”.

1 **SEC. 204. ADDITIONAL DATA AND REPORTS REGARDING**  
2 **CHILDREN PLACED IN A SETTING THAT IS**  
3 **NOT A FOSTER FAMILY HOME.**

4 Section 479A(a)(7)(A) of the Social Security Act (42  
5 U.S.C. 679b(a)(7)(A)) is amended by striking clauses (i)  
6 through (vi) and inserting the following:

7 “(i) with respect to each such place-  
8 ment—

9 “(I) the type of the placement  
10 setting, including whether the place-  
11 ment is shelter care, a group home  
12 and if so, the range of the child popu-  
13 lation in the home, a residential treat-  
14 ment facility, a hospital or institution  
15 providing medical, rehabilitative, or  
16 psychiatric care, a setting specializing  
17 in providing prenatal, post-partum or  
18 parenting supports, or some other  
19 kind of child-care institution and if so,  
20 what kind;

21 “(II) the number of children in  
22 the placement setting and the age,  
23 race, ethnicity, and gender of each of  
24 the children;

25 “(III) for each child in the place-  
26 ment setting, the length of the place-



1                   ment of the child in the setting,  
 2                   whether the placement of the child in  
 3                   the setting is the first placement of  
 4                   the child and if not, the number and  
 5                   type of previous placements of the  
 6                   child, and whether the child has spe-  
 7                   cial needs or another diagnosed men-  
 8                   tal or physical illness or condition;  
 9                   and

10                   “(IV) the extent of any special-  
 11                   ized education, treatment, counseling,  
 12                   or other services provided in the set-  
 13                   ting; and

14                   “(ii) separately, the number and ages  
 15                   of children in the placements who have a  
 16                   permanency plan of another planned per-  
 17                   manent living arrangement; and”.

18 **SEC. 205. EFFECTIVE DATES; APPLICATION TO WAIVERS.**

19       (a) **EFFECTIVE DATES.**—

20           (1) **IN GENERAL.**—Subject to paragraph (2)  
 21           and subsections (b) and (c), the amendments made  
 22           by this title shall take effect on October 1, 2016.

23           (2) **TRANSITION RULE.**—In the case of a State  
 24           plan under part B or E of title IV of the Social Se-  
 25           curity Act which the Secretary of Health and

1 Human Services determines requires State legisla-  
2 tion (other than legislation appropriating funds) in  
3 order for the plan to meet the additional require-  
4 ments imposed by the amendments made by this  
5 title, the State plan shall not be regarded as failing  
6 to comply with the requirements of such part solely  
7 on the basis of the failure of the plan to meet the  
8 additional requirements before the first day of the  
9 first calendar quarter beginning after the close of  
10 the first regular session of the State legislature that  
11 begins after the date of enactment of this Act. For  
12 purposes of the previous sentence, in the case of a  
13 State that has a 2-year legislative session, each year  
14 of the session shall be deemed to be a separate reg-  
15 ular session of the State legislature.

16 (b) LIMITATION ON FEDERAL FINANCIAL PARTICI-  
17 PATION FOR PLACEMENTS THAT ARE NOT IN FOSTER  
18 FAMILY HOMES AND RELATED PROVISIONS.—The  
19 amendments made by sections 201(a), 201(b), 201(d),  
20 and 202 shall take effect on October 1, 2019.

21 (c) APPLICATION TO STATES WITH WAIVERS.—In  
22 the case of a State that, on the date of enactment of this  
23 Act, has in effect a waiver approved under section 1130  
24 of the Social Security Act (42 U.S.C. 1320a–9), the  
25 amendments made by this title shall not apply with respect

1 to the State before the expiration (determined without re-  
 2 gard to any extensions) of the waiver to the extent the  
 3 amendments are inconsistent with the terms of the waiver.

4 **TITLE III—CONTINUING SUP-**  
 5 **PORT FOR CHILD AND FAM-**  
 6 **ILY SERVICES**

7 **SEC. 301. SUPPORTING AND RETAINING FOSTER FAMILIES**  
 8 **FOR CHILDREN.**

9 Section 431(a)(2)(B) of the Social Security Act (42  
 10 U.S.C. 631(a)(2)(B)) is amended by redesignating clauses  
 11 (iii) through (vi) as clauses (iv) through (vii), respectively,  
 12 and inserting after clause (ii) the following:

13 “(iii) To support and retain foster  
 14 families so they can provide quality family-  
 15 based settings for children in foster care.”.

16 **SEC. 302. EXTENSION OF CHILD AND FAMILY SERVICES**  
 17 **PROGRAMS.**

18 (a) EXTENSION OF STEPHANIE TUBBS JONES CHILD  
 19 WELFARE SERVICES PROGRAM.—Section 425 of the So-  
 20 cial Security Act (42 U.S.C. 625) is amended by striking  
 21 “2012 through 2016” and inserting “2017 through  
 22 2021”.

23 (b) EXTENSION OF PROMOTING SAFE AND STABLE  
 24 FAMILIES PROGRAM AUTHORIZATIONS.—

1           (1) IN GENERAL.—Section 436(a) of such Act  
2           (42 U.S.C. 629f(a)) is amended by striking all that  
3           follows “\$345,000,000” and inserting “for each of  
4           fiscal years 2017 through 2021.”.

5           (2) DISCRETIONARY GRANTS.—Section 437(a)  
6           of such Act (42 U.S.C. 629g(a)) is amended by  
7           striking “2012 through 2016” and inserting “2017  
8           through 2021”.

9           (c) EXTENSION OF FUNDING RESERVATIONS FOR  
10          MONTHLY CASEWORKER VISITS AND REGIONAL PART-  
11          NERSHIP GRANTS.—Section 436(b) of such Act (42  
12          U.S.C. 629f(b)) is amended—

13               (1) in paragraph (4)(A), by striking “2012  
14               through 2016” and inserting “2017 through 2021”;  
15               and

16               (2) in paragraph (5), by striking “2012  
17               through 2016” and inserting “2017 through 2021”.

18          (d) REAUTHORIZATION OF FUNDING FOR STATE  
19          COURTS.—

20               (1) EXTENSION OF PROGRAM.—Section  
21               438(c)(1) of such Act (42 U.S.C. 629h(c)(1)) is  
22               amended by striking “2012 through 2016” and in-  
23               serting “2017 through 2021”.

24               (2) EXTENSION OF FEDERAL SHARE.—Section  
25               438(d) of such Act (42 U.S.C. 629h(d)) is amended

1 by striking “2012 through 2016” and inserting  
 2 “2017 through 2021”.

3 (e) REPEAL OF EXPIRED PROVISIONS.—Section  
 4 438(e) of such Act (42 U.S.C. 629h(e)) is repealed.

5 **SEC. 303. IMPROVEMENTS TO THE JOHN H. CHAFEE FOS-**  
 6 **TER CARE INDEPENDENCE PROGRAM AND**  
 7 **RELATED PROVISIONS.**

8 (a) AUTHORITY TO SERVE FORMER FOSTER YOUTH  
 9 UP TO AGE 23.—Section 477 of the Social Security Act  
 10 (42 U.S.C. 677) is amended—

11 (1) in subsection (a)(5), by inserting “(or 23  
 12 years of age, in the case of a State with a certifi-  
 13 cation under subsection (b)(3)(A)(ii) to provide as-  
 14 sistance and services to youths who have aged out  
 15 of foster care and have not attained such age, in ac-  
 16 cordance with such subsection)” after “21 years of  
 17 age”;

18 (2) in subsection (b)(3)(A)—

19 (A) by inserting “(i)” before “A certifi-  
 20 cation”;

21 (B) by striking “children who have left fos-  
 22 ter care” and all that follows through the pe-  
 23 riod and inserting “youths who have aged out  
 24 of foster care and have not attained 21 years of  
 25 age.”; and

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

2 “(ii) If the State has elected under  
3 section 475(8)(B) to extend eligibility for  
4 foster care to all children who have not at-  
5 tained 21 years of age, or if the Secretary  
6 determines that the State agency respon-  
7 sible for administering the State plans  
8 under this part and part B uses State  
9 funds or any other funds not provided  
10 under this part to provide services and as-  
11 sistance for youths who have aged out of  
12 foster care that are comparable to the  
13 services and assistance the youths would  
14 receive if the State had made such an elec-  
15 tion, the certification required under clause  
16 (i) may provide that the State will provide  
17 assistance and services to youths who have  
18 aged out of foster care and have not at-  
19 tained 23 years of age.”; and

20 (3) in subsection (b)(3)(B), by striking “chil-  
21 dren who have left foster care” and all that follows  
22 through the period and inserting “youths who have  
23 aged out of foster care and have not attained 21  
24 years of age (or 23 years of age, in the case of a  
25 State with a certification under subparagraph (A)(i)

1 to provide assistance and services to youths who  
2 have aged out of foster care and have not attained  
3 such age, in accordance with subparagraph  
4 (A)(ii)).”.

5 (b) AUTHORITY TO REDISTRIBUTE UNSPENT  
6 FUNDS.—Section 477(d) of such Act (42 U.S.C. 677(d)  
7 is amended—

8 (1) in paragraph (4), by inserting “or does not  
9 expend allocated funds within the time period speci-  
10 fied under 477(d)(3)” after “provided by the Sec-  
11 retary”; and

12 (2) by adding at the end the following:

13 “(5) REDISTRIBUTION OF UNEXPENDED  
14 AMOUNTS.—

15 “(A) AVAILABILITY OF AMOUNTS.—To the  
16 extent that amounts paid to States under this  
17 section in a fiscal year remain unexpended by  
18 the States at the end of the succeeding fiscal  
19 year, the Secretary may make the amounts  
20 available for redistribution in the second suc-  
21 ceeding fiscal year among the States that apply  
22 for additional funds under this section for that  
23 second succeeding fiscal year.

24 “(B) REDISTRIBUTION.—

1                   “(i) IN GENERAL.—The Secretary  
2                   shall redistribute the amounts made avail-  
3                   able under subparagraph (A) for a fiscal  
4                   year among eligible applicant States. In  
5                   this subparagraph, the term ‘eligible appli-  
6                   cant State’ means a State that has applied  
7                   for additional funds for the fiscal year  
8                   under subparagraph (A) if the Secretary  
9                   determines that the State will use the  
10                  funds for the purpose for which originally  
11                  allotted under this section.

12                  “(ii) AMOUNT TO BE REDISTRIB-  
13                  UTED.—The amount to be redistributed to  
14                  each eligible applicant State shall be the  
15                  amount so made available multiplied by the  
16                  State foster care ratio, (as defined in sub-  
17                  section (c)(4), except that, in such sub-  
18                  section, ‘all eligible applicant States (as de-  
19                  fined in subsection (d)(5)(B)(i))’ shall be  
20                  substituted for ‘all States’).

21                  “(iii) TREATMENT OF REDISTRIBUTED  
22                  AMOUNT.—Any amount made available to  
23                  a State under this paragraph shall be re-  
24                  garded as part of the allotment of the



1 State under this section for the fiscal year  
 2 in which the redistribution is made.

3 “(C) TRIBES.—For purposes of this para-  
 4 graph, the term ‘State’ includes an Indian tribe,  
 5 tribal organization, or tribal consortium that re-  
 6 ceives an allotment under this section.”.

7 (c) EXPANDING AND CLARIFYING THE USE OF EDU-  
 8 CATION AND TRAINING VOUCHERS.—

9 (1) IN GENERAL.—Section 477(i)(3) of such  
 10 Act (42 U.S.C. 677(i)(3)) is amended—

11 (A) by striking “on the date” and all that  
 12 follows through “23” and inserting “to remain  
 13 eligible until they attain 26 years of age”; and

14 (B) by inserting “, but in no event may a  
 15 youth participate in the program for more than  
 16 5 years (whether or not consecutive)” before  
 17 the period.

18 (2) CONFORMING AMENDMENT.—Section  
 19 477(i)(1) of such Act (42 U.S.C. 677(i)(1)) is  
 20 amended by inserting “who have attained 14 years  
 21 of age” before the period.

22 (d) OTHER IMPROVEMENTS.—Section 477 of such  
 23 Act (42 U.S.C. 677), as amended by subsections (a), (b),  
 24 and (c) is amended—

(1) in the section heading, by striking “**INDEPENDENCE PROGRAM**” and inserting “**PROGRAM FOR SUCCESSFUL TRANSITION TO ADULTHOOD**”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “identify children who are likely to remain in foster care until 18 years of age and to help these children make the transition to self-sufficiency by providing services” and inserting “support all youth who have experienced foster care at age 14 or older in their transition to adulthood through transitional services”;

(ii) by inserting “and post-secondary education” after “high school diploma”;  
and

(iii) by striking “training in daily living skills, training in budgeting and financial management skills” and inserting “training and opportunities to practice daily living skills (such as financial literacy training and driving instruction)”;

(B) in paragraph (2), by striking “who are likely to remain in foster care until 18 years of

1 age receive the education, training, and services  
2 necessary to obtain employment” and inserting  
3 “who have experienced foster care at age 14 or  
4 older achieve meaningful, permanent connec-  
5 tions with a caring adult”;

6 (C) in paragraph (3), by striking “who are  
7 likely to remain in foster care until 18 years of  
8 age prepare for and enter postsecondary train-  
9 ing and education institutions” and inserting  
10 “who have experienced foster care at age 16 or  
11 older engage in age or developmentally appro-  
12 priate activities, positive youth development,  
13 and experiential learning that reflects what  
14 their peers in intact families experience”; and

15 (D) by striking paragraph (4) and redesign-  
16 ating paragraphs (5) through (8) as para-  
17 graphs (4) through (7);

18 (3) in subsection (b)—

19 (A) in paragraph (2)(D), by striking “ado-  
20 lescents” and inserting “youth”; and

21 (B) in paragraph (3)—

22 (i) in subparagraph (D)—

23 (I) by inserting “including train-  
24 ing on youth development” after “to  
25 provide training”; and

1 (II) by striking “adolescents pre-  
 2 paring for independent living” and all  
 3 that follows through the period and  
 4 inserting “youth preparing for a suc-  
 5 cessful transition to adulthood and  
 6 making a permanent connection with  
 7 a caring adult”;

8 (ii) in subparagraph (H), by striking  
 9 “adolescents” each place it appears and in-  
 10 serting “youth”; and

11 (iii) in subparagraph (K)—

12 (I) by striking “an adolescent”  
 13 and inserting “a youth”; and

14 (II) by striking “the adolescent”  
 15 each place it appears and inserting  
 16 “the youth”; and

17 (4) in subsection (f), by striking paragraph (2)  
 18 and inserting the following:

19 “(2) REPORT TO CONGRESS.—Not later than  
 20 October 1, 2017, the Secretary shall submit to the  
 21 Committee on Ways and Means of the House of  
 22 Representatives and the Committee on Finance of  
 23 the Senate a report on the National Youth in Tran-  
 24 sition Database and any other databases in which  
 25 States report outcome measures relating to children

1 in foster care and children who have aged out of fos-  
2 ter care or left foster care for kinship guardianship  
3 or adoption. The report shall include the following:

4 “(A) A description of the reasons for entry  
5 into foster care and of the foster care experi-  
6 ences, such as length of stay, number of place-  
7 ment settings, case goal, and discharge reason  
8 of 17-year-olds who are surveyed by the Na-  
9 tional Youth in Transition Database and an  
10 analysis of the comparison of that description  
11 with the reasons for entry and foster care expe-  
12 riences of children of other ages who exit from  
13 foster care before attaining age 17.

14 “(B) A description of the characteristics of  
15 the individuals who report poor outcomes at  
16 ages 19 and 21 to the National Youth in Tran-  
17 sition Database.

18 “(C) Benchmarks for determining what  
19 constitutes a poor outcome for youth who re-  
20 main in or have exited from foster care and  
21 plans the executive branch will take to incor-  
22 porate these benchmarks in efforts to evaluate  
23 child welfare agency performance in providing  
24 services to children transitioning from foster  
25 care.

1           “(D) An analysis of the association be-  
 2           tween types of placement, number of overall  
 3           placements, time spent in foster care, and other  
 4           factors, and outcomes at ages 19 and 21.

5           “(E) An analysis of the differences in out-  
 6           comes for children in and formerly in foster  
 7           care at age 19 and 21 among States.”.

8           (e) CLARIFYING DOCUMENTATION PROVIDED TO  
 9 FOSTER YOUTH LEAVING FOSTER CARE.—Section  
 10 475(5)(I) of such Act (42 U.S.C. 675) is amended by in-  
 11 serting after “REAL ID Act of 2005” the following: “,  
 12 and any official documentation necessary to prove that the  
 13 child was previously in foster care”.

14 **TITLE IV—CONTINUING INCEN-**  
 15 **TIVES TO STATES TO PRO-**  
 16 **MOTE ADOPTION AND LEGAL**  
 17 **GUARDIANSHIP**

18 **SEC. 401. REAUTHORIZING ADOPTION AND LEGAL GUARD-**  
 19 **IANSHIP INCENTIVE PROGRAMS.**

20           Section 473A of the Social Security Act (42 U.S.C.  
 21 673b) is amended—

22           (1) in subsection (b)(4), by striking “2013  
 23 through 2015” and inserting “2016 through 2020”;

24           (2) in subsection (h)(1)(D), by striking “2016”  
 25 and inserting “2021”; and

(3) in subsection (h)(2), by striking “2016”  
and inserting “2021”.

## **TITLE V—TECHNICAL CORRECTIONS**

### **SEC. 501. TECHNICAL CORRECTIONS TO DATA EXCHANGE STANDARDS TO IMPROVE PROGRAM COORDI- NATION.**

(a) IN GENERAL.—Section 440 of the Social Security  
Act (42 U.S.C. 629m) is amended to read as follows:

#### **“SEC. 440. DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.**

“(a) DESIGNATION.—The Secretary shall, in con-  
sultation with an interagency work group established by  
the Office of Management and Budget and considering  
State government perspectives, by rule, designate data ex-  
change standards to govern, under this part—

“(1) necessary categories of information that  
State agencies operating programs under State  
plans approved under this part are required under  
applicable Federal law to electronically exchange  
with another State agency; and

“(2) Federal reporting and data exchange re-  
quired under applicable Federal law.

1       “(b) REQUIREMENTS.—The data exchange standards  
2 required by paragraph (1) shall, to the extent prac-  
3 ticable—

4               “(1) incorporate a widely accepted, non-propri-  
5 etary, searchable, computer-readable format, such as  
6 the eXtensible Markup Language;

7               “(2) contain interoperable standards developed  
8 and maintained by intergovernmental partnerships,  
9 such as the National Information Exchange Model;

10              “(3) incorporate interoperable standards devel-  
11 oped and maintained by Federal entities with au-  
12 thority over contracting and financial assistance;

13              “(4) be consistent with and implement applica-  
14 ble accounting principles;

15              “(5) be implemented in a manner that is cost-  
16 effective and improves program efficiency and effec-  
17 tiveness; and

18              “(6) be capable of being continually upgraded  
19 as necessary.

20       “(c) RULE OF CONSTRUCTION.—Nothing in this sub-  
21 section shall be construed to require a change to existing  
22 data exchange standards found to be effective and effi-  
23 cient.”.

24       (b) EFFECTIVE DATE.—Not later than the date that  
25 is 24 months after the date of the enactment of this sec-



tion, the Secretary of Health and Human Services shall  
 issue a proposed rule that—

(1) identifies federally required data exchanges,  
 include specification and timing of exchanges to be  
 standardized, and address the factors used in deter-  
 mining whether and when to standardize data ex-  
 changes; and

(2) specifies State implementation options and  
 describes future milestones.

**SEC. 502. TECHNICAL CORRECTIONS TO STATE REQUIRE-  
 MENT TO ADDRESS THE DEVELOPMENTAL  
 NEEDS OF YOUNG CHILDREN.**

Section 422(b)(18) of the Social Security Act (42  
 U.S.C. 622(b)(18)) is amended by striking “such chil-  
 dren” and inserting “all vulnerable children under 5 years  
 of age”.

**TITLE VI—ENSURING STATES  
 REINVEST SAVINGS RESULT-  
 ING FROM INCREASE IN  
 ADOPTION ASSISTANCE**

**SEC. 601. DELAY OF ADOPTION ASSISTANCE PHASE-IN.**

Section 473(e)(1) of the Social Security Act (42  
 U.S.C. 673(e)(1)) is amended—

1           (1) in subparagraph (A), by striking “fiscal  
2       year” each place it appears and inserting “period”;  
3       and

4           (2) in subparagraph (B)—

5                (A) in the matter preceding the table, by  
6       striking “fiscal year” and inserting “period”;  
7       and

8                (B) in the table—

9                   (i) by striking “of fiscal year:” and in-  
10       serting “of.”;

11                  (ii) by striking “2010” and inserting  
12       “Fiscal year 2010”;

13                  (iii) by striking “2011” and inserting  
14       “Fiscal year 2011”;

15                  (iv) by striking “2012” and inserting  
16       “Fiscal year 2012”;

17                  (v) by striking “2013” and inserting  
18       “Fiscal year 2013”;

19                  (vi) by striking “2014” and inserting  
20       “Fiscal year 2014”;

21                  (vii) by striking “2015” and inserting  
22       “Fiscal year 2015”;

23                  (viii) by striking “2016” and inserting  
24       “October 1, 2015, through March 31,  
25       2019”;

1 (ix) by striking “2017” and inserting  
 2 “April 1, 2019, through March 31, 2020”;  
 3 and  
 4 (x) by striking “2018” and inserting  
 5 “April 1, 2020,”.

6 **SEC. 602. GAO STUDY AND REPORT ON STATE REINVEST-**  
 7 **MENT OF SAVINGS RESULTING FROM IN-**  
 8 **CREASE IN ADOPTION ASSISTANCE.**

9 (a) STUDY.—The Comptroller General of the United  
 10 States shall study the extent to which States are com-  
 11 plying with the requirements of section 473(a)(8) of the  
 12 Social Security Act relating to the effects of phasing out  
 13 the AFDC income eligibility requirements for adoption as-  
 14 sistance payments under section 473 of the Social Security  
 15 Act, as enacted by section 402 of the Fostering Connec-  
 16 tions to Success and Increasing Adoptions Act of 2008  
 17 (Public Law 110–351; 122 Stat. 3975) and amended by  
 18 section 206 of the Preventing Sex Trafficking and  
 19 Strengthening Families Act (Public Law 113–183; 128  
 20 Stat. 1919). In particular, the Comptroller General shall  
 21 analyze the extent to which States are complying with the  
 22 following requirements under section 473(a)(8)(D) of the  
 23 Social Security Act:

24 (1) The requirement to spend an amount equal  
 25 to the amount of the savings (if any) in State ex-

1       penditures under part E of title IV of the Social Se-  
2       curity resulting from phasing out the AFDC income  
3       eligibility requirements for adoption assistance pay-  
4       ments under section 473 of such Act to provide to  
5       children of families any service that may be provided  
6       under part B or E of title IV of such Act.

7           (2) The requirement that a State shall spend  
8       not less than 30 percent of the amount of any sav-  
9       ings described in subparagraph (A) on post-adoption  
10      services, post-guardianship services, and services to  
11      support and sustain positive permanent outcomes for  
12      children who otherwise might enter into foster care  
13      under the responsibility of the State, with at least  $\frac{2}{3}$   
14      of the spending by the State to comply with the 30  
15      percent requirement being spent on post-adoption  
16      and post-guardianship services.

17      (b) REPORT.—The Comptroller General of the  
18      United States shall submit to the Committee on Finance  
19      of the Senate, the Committee on Ways and Means of the  
20      House of Representatives, and the Secretary of Health  
21      and Human Services a report that contains the results of  
22      the study required by subsection (a), including rec-  
23      ommendations to ensure compliance with laws referred to  
24      in subsection (a).

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