

# Union Calendar No. 487

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

# H. R. 5456

[Report No. 114-628]

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

JUNE 21, 2016

Additional sponsors: Ms. BASS, Mr. REICHERT, Mr. LANGEVIN, Mr. PAULSEN, and Mr. FRANKS of Arizona

JUNE 21, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on June 13, 2016]

# **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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Family First Prevention*  
 5 *Services Act of 2016”.*

6 **SEC. 2. TABLE OF CONTENTS.**

7 *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 fa-*  
*talities.*

*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 qualified*  
*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 Fed-*  
*5 eral funds available under parts B and E of title IV of*  
*6 the Social Security Act to provide enhanced support to chil-*  
*7 dren and families and prevent foster care placements*  
*8 through the provision of mental health and substance abuse*  
*9 prevention and treatment services, in-home parent skill-*  
**10 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 473,*  
10             *and, at the option of the State, services or programs*  
11             *specified in subsection (e)(1) of this section for chil-*  
12             *dren who are candidates for foster care or who are*  
13             *pregnant or parenting foster youth and the parents or*  
14             *kin caregivers of the children, in accordance with the*  
15             *requirements of that subsection;”;* and

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 make***  
21             ***a payment to a State for providing the following serv-***  
22             ***ices or programs for a child described in paragraph***  
23             ***(2) and the parents or kin caregivers of the child***  
24             ***when the need of the child, such a parent, or such a***  
25             ***caregiver for the services or programs are directly re-***

1 *lated to the safety, permanence, or well-being of the*  
2 *child or to preventing the child from entering foster*  
3 *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-month*  
9 *period that begins on any date described in*  
10 *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 begins*  
14 *on any date described in paragraph (3) with re-*  
15 *spect to the child and that include parenting*  
16 *skills training, parent education, and individual*  
17 *and family counseling.*

18 “(2) *CHILD DESCRIBED.—For purposes of para-*  
19 *graph (1), a child described in this paragraph is the*  
20 *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 identified*  
7           *in a prevention plan maintained under para-*  
8           *graph (4) as a child who is a candidate for foster*  
9           *care (as defined in section 475(13)).*”

10          “(B) *The date on which a child is identified*  
11          *in a prevention plan maintained under para-*  
12          *graph (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 (A)*  
20          *and the requirements in subparagraphs (B) through*  
21          *(E) are met:*

22          “(A) *PREVENTION PLAN.—The State main-*  
23          *tains a written prevention plan for the child that*  
24          *meets the following requirements (as 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 programs*  
13 *to be provided to or on behalf of the*  
14 *child to ensure the success of that pre-*  
15 *vention 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 prevention*  
23 *plan shall—*

24           “(I) *be included in the child’s case*  
25 *plan required under section 475(1);*



1                   “(II) list the services or programs  
2                   to be provided to or on behalf of the  
3                   youth to ensure that the youth is pre-  
4                   pared (in the case of a pregnant foster  
5                   youth) or able (in the case of a par-  
6                   enting foster youth) to be a parent;

7                   “(III) describe the foster care pre-  
8                   vention strategy for any child born to  
9                   the youth; and

10                   “(IV) comply with such other re-  
11                   quirements as the Secretary shall es-  
12                   tablish.

13                   “(B) *TRAUMA-INFORMED.*—The services or  
14                   programs to be provided to or on behalf of a  
15                   child are provided under an organizational  
16                   structure and treatment framework that involves  
17                   understanding, recognizing, and responding to  
18                   the effects of all types of trauma and in accord-  
19                   ance with recognized principles of a trauma-in-  
20                   formed approach and trauma-specific interven-  
21                   tions to address trauma’s consequences and fa-  
22                   cilitate healing.

23                   “(C) *ONLY SERVICES AND PROGRAMS PRO-*  
24                   *VIDED IN ACCORDANCE WITH PROMISING, SUP-*

1           PORTED, OR WELL-SUPPORTED PRACTICES PER-  
2           MITTED.—

3                   “(i) *IN GENERAL.*—Only State expend-  
4                   itures for services or programs specified in  
5                   subparagraph (A) or (B) of paragraph (1)  
6                   that are provided in accordance with prac-  
7                   tices that meet the requirements specified in  
8                   clause (ii) of this subparagraph and that  
9                   meet the requirements specified in clause  
10                  (iii), (iv), or (v), respectively, for being a  
11                  promising, supported, or well-supported  
12                  practice, shall be eligible for a Federal  
13                  matching payment under section  
14                  474(a)(6)(A).

15                  “(ii) *GENERAL PRACTICE REQUIRE-*  
16                  MENTS.—The general practice requirements  
17                  specified in this clause are the following:

18                         “(I) *The practice has a book,*  
19                         *manual, or other available writings*  
20                         *that specify the components of the*  
21                         *practice protocol and describe how to*  
22                         *administer the practice.*

23                         “(II) *There is no empirical basis*  
24                         *suggesting that, compared to its likely*

1 *benefits, the practice constitutes a risk*  
2 *of harm to those receiving it.*

3 *“(III) If multiple outcome studies*  
4 *have been conducted, the overall weight*  
5 *of evidence supports the benefits of the*  
6 *practice.*

7 *“(IV) Outcome measures are reli-*  
8 *able and valid, and are administrated*  
9 *consistently and accurately across all*  
10 *those receiving the practice.*

11 *“(V) There is no case data sug-*  
12 *gesting a risk of harm that was prob-*  
13 *ably caused by the treatment and that*  
14 *was severe or frequent.*

15 *“(iii) PROMISING PRACTICE.—A prac-*  
16 *tice shall be considered to be a ‘promising*  
17 *practice’ if the practice is superior to an*  
18 *appropriate comparison practice using con-*  
19 *ventional standards of statistical signifi-*  
20 *cance (in terms of demonstrated meaningful*  
21 *improvements in validated measures of im-*  
22 *portant child and parent outcomes, such as*  
23 *mental health, substance abuse, and child*  
24 *safety and well-being), as established by the*

1                   *results or outcomes of at least 1 study*  
2                   *that—*

3                   “*(I) was rated by an independent*  
4                   *systematic review for the quality of the*  
5                   *study design and execution and deter-*  
6                   *mined to be well-designed and well-exe-*  
7                   *cuted; and*

8                   “*(II) utilized some form of control*  
9                   *(such as an untreated group, a placebo*  
10                  *group, or a wait list study).*

11                  “*(iv) SUPPORTED PRACTICE.—A prac-*  
12                  *tice shall be considered to be a ‘supported*  
13                  *practice’ if—*

14                  “*(I) the practice is superior to an*  
15                  *appropriate comparison practice using*  
16                  *conventional standards of statistical*  
17                  *significance (in terms of demonstrated*  
18                  *meaningful improvements in validated*  
19                  *measures of important child and par-*  
20                  *ent outcomes, such as mental health,*  
21                  *substance abuse, and child safety and*  
22                  *well-being), as established by the re-*  
23                  *sults or outcomes of at least 1 study*  
24                  *that—*

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

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

11          “(cc) was carried out in a  
12          usual care or practice setting; and

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

19          “(v) *WELL-SUPPORTED PRACTICE*.—A  
20          practice shall be considered to be a ‘well-  
21          supported practice’ if—

22                 “(I) the practice is superior to an  
23                 appropriate comparison practice using  
24                 conventional standards of statistical  
25                 significance (in terms of demonstrated

1            *meaningful improvements in validated*  
2            *measures of important child and par-*  
3            *ent outcomes, such as mental health,*  
4            *substance abuse, and child safety and*  
5            *well-being), as established by the re-*  
6            *sults or outcomes of at least 2 studies*  
7            *that—*

8                    *“(aa) were rated by an inde-*  
9                    *pendent systematic review for the*  
10                   *quality of the study design and*  
11                   *execution and determined to be*  
12                   *well-designed and well-executed;*

13                   *“(bb) were rigorous random-*  
14                   *controlled trials (or, if not avail-*  
15                   *able, studies using a rigorous*  
16                   *quasi-experimental research de-*  
17                   *sign); and*

18                   *“(cc) were carried out in a*  
19                   *usual care or practice setting; and*

20                   *“(II) at least 1 of the studies de-*  
21                   *scribed in subclause (I) established that*  
22                   *the practice has a sustained effect*  
23                   *(when compared to a control group) for*  
24                   *at least 1 year beyond the end of treat-*  
25                   *ment.*

1           “(D) *GUIDANCE ON PRACTICES CRITERIA*  
2           *AND PRE-APPROVED SERVICES AND PROGRAMS.*—

3           “(i) *IN GENERAL.*—*Not later than Oc-*  
4           *tober 1, 2018, the Secretary shall issue guid-*  
5           *ance to States regarding the practices cri-*  
6           *teria required for services or programs to*  
7           *satisfy the requirements of subparagraph*  
8           *(C). The guidance shall include a pre-ap-*  
9           *proved list of services and programs that*  
10          *satisfy the requirements.*

11          “(ii) *UPDATES.*—*The Secretary shall*  
12          *issue updates to the guidance required by*  
13          *clause (i) as often as the Secretary deter-*  
14          *mines necessary.*

15          “(E) *OUTCOME ASSESSMENT AND REPORT-*  
16          *ING.*—*The State shall collect and report to the*  
17          *Secretary the following information with respect*  
18          *to each child for whom, or on whose behalf men-*  
19          *tal health and substance abuse prevention and*  
20          *treatment services or in-home parent skill-based*  
21          *programs are provided during a 12-month pe-*  
22          *riod beginning on the date the child is deter-*  
23          *mined by the State to be a child described in*  
24          *paragraph (2):*

1           “(i) *The specific services or programs*  
2           *provided and the total expenditures for each*  
3           *of the services or programs.*

4           “(ii) *The duration of the services or*  
5           *programs provided.*

6           “(iii) *In the case of a child described*  
7           *in paragraph (2)(A), the child’s placement*  
8           *status at the beginning, and at the end, of*  
9           *the 1-year period, respectively, and whether*  
10          *the child entered foster care within 2 years*  
11          *after being determined a candidate for fos-*  
12          *ter care.*

13          “(5) *STATE PLAN COMPONENT.—*

14               “(A) *IN GENERAL.—A State electing to pro-*  
15               *vide services or programs specified in paragraph*  
16               *(1) shall submit as part of the State plan re-*  
17               *quired by subsection (a) a prevention services*  
18               *and programs plan component that meets the re-*  
19               *quirements of subparagraph (B).*

20               “(B) *PREVENTION SERVICES AND PRO-*  
21               *GRAMS PLAN COMPONENT.—In order to meet the*  
22               *requirements of this subparagraph, a prevention*  
23               *services and programs plan component, with re-*  
24               *spect to each 5-year period for which the plan*



1           *component is in operation in the State, shall in-*  
2           *clude the following:*

3                     “(i) *How providing services and pro-*  
4                     *grams specified in paragraph (1) is ex-*  
5                     *pected to improve specific outcomes for chil-*  
6                     *dren and families.*

7                     “(ii) *How the State will monitor and*  
8                     *oversee the safety of children who receive*  
9                     *services and programs specified in para-*  
10                    *graph (1), including through periodic risk*  
11                    *assessments throughout the period in which*  
12                    *the services and programs are provided on*  
13                    *behalf of a child and reexamination of the*  
14                    *prevention plan maintained for the child*  
15                    *under paragraph (4) for the provision of the*  
16                    *services or programs if the State determines*  
17                    *the risk of the child entering foster care re-*  
18                    *remains high despite the provision of the serv-*  
19                    *ices or programs.*

20                    “(iii) *With respect to the services and*  
21                    *programs specified in subparagraphs (A)*  
22                    *and (B) of paragraph (1), information on*  
23                    *the specific promising, supported, or well-*  
24                    *supported practices the State plans to use to*

1           *provide the services or programs, including*  
2           *a description of—*

3                     *“(I) the services or programs and*  
4                     *whether the practices used are prom-*  
5                     *ising, supported, or well-supported;*

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

16                    *“(III) how the State selected the*  
17                    *services or programs;*

18                    *“(IV) the target population for the*  
19                    *services or programs; and*

20                    *“(V) how each service or program*  
21                    *provided will be evaluated through a*  
22                    *well-designed and rigorous process,*  
23                    *which may consist of an ongoing,*  
24                    *cross-site evaluation approved by the*  
25                    *Secretary.*

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

15          “(v) A description of how the State  
16          shall assess children and their parents or  
17          kin caregivers to determine eligibility for  
18          services or programs specified in paragraph  
19          (1).

20          “(vi) A description of how the services  
21          or programs specified in paragraph (1) that  
22          are provided for or on behalf of a child and  
23          the parents or kin caregivers of the child  
24          will be coordinated with other child and  
25          family services provided to the child and the

1           *parents or kin caregivers of the child under*  
2           *the State plan under part B.*

3           “(vii) *Descriptions of steps the State is*  
4           *taking to support and enhance a competent,*  
5           *skilled, and professional child welfare work-*  
6           *force to deliver trauma-informed and evi-*  
7           *dence-based services, including—*

8                   “(I) *ensuring that staff is quali-*  
9                   *fied to provide services or programs*  
10                  *that are consistent with the promising,*  
11                  *supported, or well-supported practice*  
12                  *models selected; and*

13                   “(II) *developing appropriate pre-*  
14                   *vention plans, and conducting the risk*  
15                   *assessments required under clause (iii).*

16           “(viii) *A description of how the State*  
17           *will provide training and support for case-*  
18           *workers in assessing what children and*  
19           *their families need, connecting to the fami-*  
20           *lies served, knowing how to access and de-*  
21           *liver the needed trauma-informed and evi-*  
22           *dence-based services, and overseeing and*  
23           *evaluating the continuing appropriateness*  
24           *of the services.*

1           “(ix) A description of how caseload size  
2           and type for prevention caseworkers will be  
3           determined, managed, and overseen.

4           “(x) An assurance that the State will  
5           report to the Secretary such information  
6           and data as the Secretary may require with  
7           respect to the provision of services and pro-  
8           grams specified in paragraph (1), including  
9           information and data necessary to deter-  
10          mine the performance measures for the  
11          State under paragraph (6) and compliance  
12          with paragraph (7).

13          “(C) REIMBURSEMENT FOR SERVICES  
14          UNDER THE PREVENTION PLAN COMPONENT.—

15               “(i) LIMITATION.—Except as provided  
16               in subclause (ii), a State may not receive a  
17               Federal payment under this part for a  
18               given promising, supported, or well-sup-  
19               ported practice unless (in accordance with  
20               subparagraph (B)(iii)(V)) the plan includes  
21               a well-designed and rigorous evaluation  
22               strategy for that practice.

23               “(ii) WAIVER OF LIMITATION.—The  
24               Secretary may waive the requirement for a  
25               well-designed and rigorous evaluation of

1           *any well-supported practice if the Secretary*  
2           *deems the evidence of the effectiveness of the*  
3           *practice to be compelling and the State*  
4           *meets the continuous quality improvement*  
5           *requirements included in subparagraph*  
6           *(B)(iii)(II) with regard to the practice.*

7           “(6) *PREVENTION SERVICES MEASURES.—*

8           “*(A) ESTABLISHMENT; ANNUAL UPDATES.—*  
9           *Beginning with fiscal year 2021, and annually*  
10           *thereafter, the Secretary shall establish the fol-*  
11           *lowing prevention services measures based on in-*  
12           *formation and data reported by States that elect*  
13           *to provide services and programs specified in*  
14           *paragraph (1):*

15           “*(i) PERCENTAGE OF CANDIDATES FOR*  
16           *FOSTER CARE WHO DO NOT ENTER FOSTER*  
17           *CARE.—The percentage of candidates for*  
18           *foster care for whom, or on whose behalf, the*  
19           *services or programs are provided who do*  
20           *not enter foster care, including those placed*  
21           *with a kin caregiver outside of foster care,*  
22           *during the 12-month period in which the*  
23           *services or programs are provided and*  
24           *through the end of the succeeding 12-month-*  
25           *period.*

1                   “(i) *PER-CHILD SPENDING.*—*The total*  
2                   *amount of expenditures made for mental*  
3                   *health and substance abuse prevention and*  
4                   *treatment services or in-home parent skill-*  
5                   *based programs, respectively, for, or on be-*  
6                   *half of, each child described in paragraph*  
7                   *(2).*

8                   “(B) *DATA.*—*The Secretary shall establish*  
9                   *and annually update the prevention services*  
10                  *measures—*

11                  “(i) *based on the median State values*  
12                  *of the information reported under each*  
13                  *clause of subparagraph (A) for the 3 then*  
14                  *most recent years; and*

15                  “(ii) *taking into account State dif-*  
16                  *ferences in the price levels of consumption*  
17                  *goods and services using the most recent re-*  
18                  *gional price parities published by the Bu-*  
19                  *reau of Economic Analysis of the Depart-*  
20                  *ment of Commerce or such other data as the*  
21                  *Secretary determines appropriate.*

22                  “(C) *PUBLICATION OF STATE PREVENTION*  
23                  *SERVICES MEASURES.*—*The Secretary shall an-*  
24                  *nually make available to the public the preven-*  
25                  *tion services measures of each State.*

1           “(7) *MAINTENANCE OF EFFORT FOR STATE FOS-*  
2           *TER CARE PREVENTION EXPENDITURES.*—

3           “(A) *IN GENERAL.*—*If a State elects to pro-*  
4           *vide services and programs specified in para-*  
5           *graph (1) for a fiscal year, the State foster care*  
6           *prevention expenditures for the fiscal year shall*  
7           *not be less than the amount of the expenditures*  
8           *for fiscal year 2014.*

9           “(B) *STATE FOSTER CARE PREVENTION EX-*  
10           *PENDITURES.*—*The term ‘State foster care pre-*  
11           *vention expenditures’ means the following:*

12           “(i) *TANF; IV-B; SSBG.*—*State ex-*  
13           *penditures for foster care prevention services*  
14           *and activities under the State program*  
15           *funded under part A (including from*  
16           *amounts made available by the Federal*  
17           *Government), under the State plan devel-*  
18           *oped under part B (including any such*  
19           *amounts), or under the Social Services*  
20           *Block Grant Programs under subtitle A of*  
21           *title XX (including any such amounts).*

22           “(ii) *OTHER STATE PROGRAMS.*—*State*  
23           *expenditures for foster care prevention serv-*  
24           *ices and activities under any State program*  
25           *that is not described in clause (i) (other*



1           *than any State expenditures for foster care*  
2           *prevention services and activities under the*  
3           *State program under this part (including*  
4           *under a waiver of the program)).*

5           “(C) *STATE EXPENDITURES.*—*The term*  
6           *‘State expenditures’ means all State or local*  
7           *funds that are expended by the State or a local*  
8           *agency including State or local funds that are*  
9           *matched or reimbursed by the Federal Govern-*  
10           *ment and State or local funds that are not*  
11           *matched or reimbursed by the Federal Govern-*  
12           *ment.*

13           “(D) *DETERMINATION OF PREVENTION*  
14           *SERVICES AND ACTIVITIES.*—*The Secretary shall*  
15           *require each State that elects to provide services*  
16           *and programs specified in paragraph (1) to re-*  
17           *port the expenditures specified in subparagraph*  
18           *(B) for fiscal year 2014 and for such fiscal years*  
19           *thereafter as are necessary to determine whether*  
20           *the State is complying with the maintenance of*  
21           *effort requirement in subparagraph (A). The Sec-*  
22           *retary shall specify the specific services and ac-*  
23           *tivities under each program referred to in sub-*  
24           *paragraph (B) that are ‘prevention services and*  
25           *activities’ for purposes of the reports.*

1           “(8) *PROHIBITION AGAINST USE OF STATE FOS-*  
2           *TER CARE PREVENTION EXPENDITURES AND FEDERAL*  
3           *IV-E PREVENTION FUNDS FOR MATCHING OR EXPENDI-*  
4           *TURE REQUIREMENT.*—*A State that elects to provide*  
5           *services and programs specified in paragraph (1)*  
6           *shall not use any State foster care prevention expend-*  
7           *itures for a fiscal year for the State share of expendi-*  
8           *tures under section 474(a)(6) for a fiscal year.*

9           “(9) *ADMINISTRATIVE COSTS.*—*Expenditures de-*  
10           *scribed in section 474(a)(6)(B)—*

11                   “(A) *shall not be eligible for payment under*  
12                   *subparagraph (A), (B), or (E) of section*  
13                   *474(a)(3); and*

14                   “(B) *shall be eligible for payment under sec-*  
15                   *tion 474(a)(6)(B) without regard to whether the*  
16                   *expenditures are incurred on behalf of a child*  
17                   *who is, or is potentially, eligible for foster care*  
18                   *maintenance payments under this part.*

19           “(10) *APPLICATION.*—*The provision of services*  
20           *or programs under this subsection to or on behalf of*  
21           *a child described in paragraph (2) shall not be con-*  
22           *sidered to be receipt of aid or assistance under the*  
23           *State plan under this part for purposes of eligibility*  
24           *for any other program established under this Act.”.*

1       (b) *DEFINITION.*—Section 475 of such Act (42 U.S.C.  
2 675) is amended by adding at the end the following:

3           “(13) The term ‘child who is a candidate for fos-  
4 ter care’ means, a child who is identified in a preven-  
5 tion plan under section 471(e)(4)(A) as being at im-  
6 minent risk of entering foster care (without regard to  
7 whether the child would be eligible for foster care  
8 maintenance payments under section 472 or is or  
9 would be eligible for adoption assistance or kinship  
10 guardianship assistance payments under section 473)  
11 but who can remain safely in the child’s home or in  
12 a kinship placement as long as services or programs  
13 specified in section 471(e)(1) that are necessary to  
14 prevent the entry of the child into foster care are pro-  
15 vided. The term includes a child whose adoption or  
16 guardianship arrangement is at risk of a disruption  
17 or dissolution that would result in a foster care place-  
18 ment.”.

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

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

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

24           “(6) subject to section 471(e)—

25           “(A) for each quarter—

1 “(i) subject to clause (ii)—

2 “(I) beginning after September  
3 30, 2019, and before October 1, 2025,  
4 an amount equal to 50 percent of the  
5 total amount expended during the  
6 quarter for the provision of services or  
7 programs specified in subparagraph  
8 (A) or (B) of section 471(e)(1) that are  
9 provided in accordance with prom-  
10 ising, supported, or well-supported  
11 practices that meet the applicable cri-  
12 teria specified for the practices in sec-  
13 tion 471(e)(4)(C); and

14 “(II) beginning after September  
15 30, 2025, an amount equal to the Fed-  
16 eral medical assistance percentage  
17 (which shall be as defined in section  
18 1905(b), in the case of a State other  
19 than the District of Columbia, or 70  
20 percent, in the case of the District of  
21 Columbia) of the total amount ex-  
22 pended during the quarter for the pro-  
23 vision of services or programs specified  
24 in subparagraph (A) or (B) of section  
25 471(e)(1) that are provided in accord-

1            *ance with promising, supported, or*  
2            *well-supported practices that meet the*  
3            *applicable criteria specified for the*  
4            *practices in section 471(e)(4)(C) (or,*  
5            *with respect to the payments made*  
6            *during the quarter under a cooperative*  
7            *agreement or contract entered into by*  
8            *the State and an Indian tribe, tribal*  
9            *organization, or tribal consortium for*  
10           *the administration or payment of*  
11           *funds under this part, an amount*  
12           *equal to the Federal medical assistance*  
13           *percentage that would apply under sec-*  
14           *tion 479B(d) (in this paragraph re-*  
15           *ferred to as the ‘tribal FMAP’) if the*  
16           *Indian tribe, tribal organization, or*  
17           *tribal consortium made the payments*  
18           *under a program operated under that*  
19           *section, unless the tribal FMAP is less*  
20           *than the Federal medical assistance*  
21           *percentage that applies to the State);*  
22           *except that*  
23           *“(ii) not less than 50 percent of the*  
24           *total amount payable to a State under*  
25           *clause (i) for a fiscal year shall be for the*

1           *provision of services or programs specified*  
2           *in subparagraph (A) or (B) of section*  
3           *471(e)(1) that are provided in accordance*  
4           *with well-supported practices; plus*

5           *“(B) for each quarter specified in subpara-*  
6           *graph (A), an amount equal to the sum of the*  
7           *following proportions of the total amount ex-*  
8           *pended during the quarter:*

9                   *“(i) 50 percent of so much of the ex-*  
10                   *penditures as are found necessary by the*  
11                   *Secretary for the proper and efficient ad-*  
12                   *ministration of the State plan for the provi-*  
13                   *sion of services or programs specified in sec-*  
14                   *tion 471(e)(1), including expenditures for*  
15                   *activities approved by the Secretary that*  
16                   *promote the development of necessary proc-*  
17                   *esses and procedures to establish and imple-*  
18                   *ment the provision of the services and pro-*  
19                   *grams for individuals who are eligible for*  
20                   *the services and programs and expenditures*  
21                   *attributable to data collection and report-*  
22                   *ing; and*

23                   *“(ii) 50 percent of so much of the ex-*  
24                   *penditures with respect to the provision of*  
25                   *services and programs specified in section*

1           471(e)(1) as are for training of personnel  
2           employed or preparing for employment by  
3           the State agency or by the local agency ad-  
4           ministering the plan in the political sub-  
5           division and of the members of the staff of  
6           State-licensed or State-approved child wel-  
7           fare agencies providing services to children  
8           described in section 471(e)(2) and their par-  
9           ents or kin caregivers, including on how to  
10          determine who are individuals eligible for  
11          the services or programs, how to identify  
12          and provide appropriate services and pro-  
13          grams, and how to oversee and evaluate the  
14          ongoing appropriateness of the services and  
15          programs.”.

16          (d) *TECHNICAL ASSISTANCE AND BEST PRACTICES,*  
17 *CLEARINGHOUSE, AND DATA COLLECTION AND EVALUA-*  
18 *TIONS.*—Section 476 of such Act (42 U.S.C. 676) is amend-  
19 ed by adding at the end the following:

20          “(d) *TECHNICAL ASSISTANCE AND BEST PRACTICES,*  
21 *CLEARINGHOUSE, DATA COLLECTION, AND EVALUATIONS*  
22 *RELATING TO PREVENTION SERVICES AND PROGRAMS.*—

23                 “(1) *TECHNICAL ASSISTANCE AND BEST PRAC-*  
24 *TICES.*—The Secretary shall provide to States and, as  
25          applicable, to Indian tribes, tribal organizations, and

1     *tribal consortia, technical assistance regarding the*  
2     *provision of services and programs described in sec-*  
3     *tion 471(e)(1) and shall disseminate best practices*  
4     *with respect to the provision of the services and pro-*  
5     *grams, including how to plan and implement a well-*  
6     *designed and rigorous evaluation of a promising, sup-*  
7     *ported, or well-supported practice.*

8             “(2) *CLEARINGHOUSE OF PROMISING, SUP-*  
9     *PORTED, AND WELL-SUPPORTED PRACTICES.—The*  
10    *Secretary shall, directly or through grants, contracts,*  
11    *or interagency agreements, evaluate research on the*  
12    *practices specified in clauses (iii), (iv), and (v), re-*  
13    *spectively, of section 471(e)(4)(C), and programs that*  
14    *meet the requirements described in section 427(a)(1),*  
15    *including culturally specific, or location- or popu-*  
16    *lation-based adaptations of the practices, to identify*  
17    *and establish a public clearinghouse of the practices*  
18    *that satisfy each category described by such clauses.*  
19    *In addition, the clearinghouse shall include informa-*  
20    *tion on the specific outcomes associated with each*  
21    *practice, including whether the practice has been*  
22    *shown to prevent child abuse and neglect and reduce*  
23    *the likelihood of foster care placement by supporting*  
24    *birth families and kinship families and improving*



1       *targeted supports for pregnant and parenting youth*  
2       *and their children.*

3               “(3) *DATA COLLECTION AND EVALUATIONS.*—*The*  
4       *Secretary, directly or through grants, contracts, or*  
5       *interagency agreements, may collect data and conduct*  
6       *evaluations with respect to the provision of services*  
7       *and programs described in section 471(e)(1) for pur-*  
8       *poses of assessing the extent to which the provision of*  
9       *the services and programs—*

10               “(A) *reduces the likelihood of foster care*  
11       *placement;*

12               “(B) *increases use of kinship care arrange-*  
13       *ments; or*

14               “(C) *improves child well-being.*

15               “(4) *REPORTS TO CONGRESS.*—

16               “(A) *IN GENERAL.*—*The Secretary shall*  
17       *submit to the Committee on Finance of the Sen-*  
18       *ate and the Committee on Ways and Means of*  
19       *the House of Representatives periodic reports*  
20       *based on the provision of services and programs*  
21       *described in section 471(e)(1) and the activities*  
22       *carried out under this subsection.*

23               “(B) *PUBLIC AVAILABILITY.*—*The Secretary*  
24       *shall make the reports to Congress submitted*  
25       *under this paragraph publicly available.*

1           “(5) *APPROPRIATION.*—*Out of any money in the*  
2           *Treasury of the United States not otherwise appro-*  
3           *priated, there is appropriated to the Secretary*  
4           *\$1,000,000 for fiscal year 2016 and each fiscal year*  
5           *thereafter to carry out this subsection.*”.

6           *(e) APPLICATION TO PROGRAMS OPERATED BY INDIAN*  
7           *TRIBAL ORGANIZATIONS.*—

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

10           *(A) in subsection (c)(1)—*

11           *(i) in subparagraph (C)(i)—*

12           *(I) in subclause (II), by striking*

13           *“and” after the semicolon;*

14           *(II) in subclause (III), by striking*

15           *the period at the end and inserting “;*

16           *and”;* and

17           *(III) by adding at the end the fol-*

18           *lowing:*

19           *“(IV) at the option of the tribe,*

20           *organization, or consortium, services*

21           *and programs specified in section*

22           *471(e)(1) to children described in sec-*

23           *tion 471(e)(2) and their parents or kin*

24           *caregivers, in accordance with section*

25           *471(e) and subparagraph (E).*”; and

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

2                   “(E) PREVENTION SERVICES AND PRO-  
3 GRAMS FOR CHILDREN AND THEIR PARENTS AND  
4 KIN CAREGIVERS.—

5                   “(i) IN GENERAL.—In the case of a  
6 tribe, organization, or consortium that  
7 elects to provide services and programs spec-  
8 ified in section 471(e)(1) to children de-  
9 scribed in section 471(e)(2) and their par-  
10 ents or kin caregivers under the plan, the  
11 Secretary shall specify the requirements ap-  
12 plicable to the provision of the services and  
13 programs. The requirements shall, to the  
14 greatest extent practicable, be consistent  
15 with the requirements applicable to States  
16 under section 471(e) and shall permit the  
17 provision of the services and programs in  
18 the form of services and programs that are  
19 adapted to the culture and context of the  
20 tribal communities served.

21                   “(ii) PERFORMANCE MEASURES.—The  
22 Secretary shall establish specific perform-  
23 ance measures for each tribe, organization,  
24 or consortium that elects to provide services  
25 and programs specified in section 471(e)(1).

1           *The performance measures shall, to the*  
2           *greatest extent practicable, be consistent*  
3           *with the prevention services measures re-*  
4           *quired for States under section 471(e)(6)*  
5           *but shall allow for consideration of factors*  
6           *unique to the provision of the services by*  
7           *tribes, organizations, or consortia.”; and*

8           *(B) in subsection (d)(1), by striking “and*  
9           *(5)” and inserting “(5), and (6)(A)”.*

10           (2) *CONFORMING AMENDMENT.—The heading for*  
11           *subsection (d) of section 479B of such Act (42 U.S.C.*  
12           *679c) is amended by striking “FOR FOSTER CARE*  
13           *MAINTENANCE AND ADOPTION ASSISTANCE PAY-*  
14           *MENTS”.*

15   **SEC. 112. FOSTER CARE MAINTENANCE PAYMENTS FOR**  
16                           **CHILDREN WITH PARENTS IN A LICENSED**  
17                           **RESIDENTIAL FAMILY-BASED TREATMENT FA-**  
18                           **CILITY FOR SUBSTANCE ABUSE.**

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

21                   (1) *in subsection (a)(2)(C), by striking “or” and*  
22                   *inserting “, with a parent residing in a licensed resi-*  
23                   *dential family-based treatment facility, but only to*  
24                   *the extent permitted under subsection (j), or in a”;*  
25                   *and*

1           (2) *by adding at the end the following:*

2           “(j) *CHILDREN PLACED WITH A PARENT RESIDING IN*  
3 *A LICENSED RESIDENTIAL FAMILY-BASED TREATMENT FA-*  
4 *CILITY FOR SUBSTANCE ABUSE.—*

5           “(1) *IN GENERAL.—Notwithstanding the pre-*  
6 *ceding provisions of this section, a child who is eligi-*  
7 *ble for foster care maintenance payments under this*  
8 *section, or who would be eligible for the payments if*  
9 *the eligibility were determined without regard to*  
10 *paragraphs (1)(B) and (3) of subsection (a), shall be*  
11 *eligible for the payments for a period of not more*  
12 *than 12 months during which the child is placed with*  
13 *a parent who is in a licensed residential family-based*  
14 *treatment facility for substance abuse, but only if—*

15           “(A) *the recommendation for the placement*  
16 *is specified in the child’s case plan before the*  
17 *placement;*

18           “(B) *the treatment facility provides, as part*  
19 *of the treatment for substance abuse, parenting*  
20 *skills training, parent education, and individual*  
21 *and family counseling; and*

22           “(C) *the substance abuse treatment, par-*  
23 *enting skills training, parent education, and in-*  
24 *dividual and family counseling is provided*  
25 *under an organizational structure and treatment*



1           “(7) an amount equal to 50 percent of the  
 2           amounts expended by the State during the quarter as  
 3           the Secretary determines are for kinship navigator  
 4           programs that meet the requirements described in sec-  
 5           tion 427(a)(1) and that the Secretary determines are  
 6           operated in accordance with promising, supported, or  
 7           well-supported practices that meet the applicable cri-  
 8           teria specified for the practices in section  
 9           471(e)(4)(C), without regard to whether the expendi-  
 10          tures are incurred on behalf of children who are, or  
 11          are potentially, eligible for foster care maintenance  
 12          payments under this part.”.

13           ***Subtitle B—Enhanced Support***  
 14           ***Under Title IV-B***

15          ***SEC. 121. ELIMINATION OF TIME LIMIT FOR FAMILY REUNI-***  
 16                           ***FICATION SERVICES WHILE IN FOSTER CARE***  
 17                           ***AND PERMITTING TIME-LIMITED FAMILY RE-***  
 18                           ***UNIFICATION SERVICES WHEN A CHILD RE-***  
 19                           ***TURNS HOME FROM FOSTER CARE.***

20          (a) *IN GENERAL.*—Section 431(a)(7) of the Social Se-  
 21          curity Act (42 U.S.C. 629a(a)(7)) is amended—

22                  (1) in the paragraph heading, by striking  
 23                  “*TIME-LIMITED FAMILY*” and inserting “*FAMILY*”;  
 24                  and

25                  (2) in subparagraph (A)—

1           (A) by striking “time-limited family” and  
2           inserting “family”;

3           (B) by inserting “or a child who has been  
4           returned home” after “child care institution”;  
5           and

6           (C) by striking “, but only during the 15-  
7           month period that begins on the date that the  
8           child, pursuant to section 475(5)(F), is consid-  
9           ered to have entered foster care” and inserting  
10          “and to ensure the strength and stability of the  
11          reunification. In the case of a child who has been  
12          returned home, the services and activities shall  
13          only be provided during the 15-month period  
14          that begins on the date that the child returns  
15          home”.

16          (b) CONFORMING AMENDMENTS.—

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

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



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

4 (a) *STATE PLAN REQUIREMENT.*—Section 471(a)(25)  
5 of the Social Security Act (42 U.S.C. 671(a)(25)) is amend-  
6 ed—

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

9 (2) by inserting “, which, not later than October  
10 1, 2026, shall include the use of an electronic inter-  
11 state case-processing system” before the 1st semicolon.

12 (b) *GRANTS FOR THE DEVELOPMENT OF AN ELEC-*  
13 *TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EXPE-*  
14 *DITE THE INTERSTATE PLACEMENT OF CHILDREN IN FOS-*  
15 *TER CARE OR GUARDIANSHIP, OR FOR ADOPTION.*—Section  
16 437 of such Act (42 U.S.C. 629g) is amended by adding  
17 at the end the following:

18 “(g) *GRANTS FOR THE DEVELOPMENT OF AN ELEC-*  
19 *TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EXPE-*  
20 *DITE THE INTERSTATE PLACEMENT OF CHILDREN IN FOS-*  
21 *TER CARE OR GUARDIANSHIP, OR FOR ADOPTION.*—

22 (1) *PURPOSE.*—The purpose of this subsection  
23 is to facilitate the development of an electronic inter-  
24 state case-processing system for the exchange of data  
25 and documents to expedite the placements of children

1       *in foster, guardianship, or adoptive homes across*  
2       *State lines.*

3               “(2) *APPLICATION REQUIREMENTS.*—*A State*  
4       *that desires a grant under this subsection shall submit*  
5       *to the Secretary an application containing the fol-*  
6       *lowing:*

7               “(A) *A description of the goals and out-*  
8       *comes to be achieved during the period for which*  
9       *grant funds are sought, which goals and out-*  
10       *comes must result in—*

11               “(i) *reducing the time it takes for a*  
12       *child to be provided with a safe and appro-*  
13       *priate permanent living arrangement across*  
14       *State lines;*

15               “(ii) *improving administrative proc-*  
16       *esses and reducing costs in the foster care*  
17       *system; and*

18               “(iii) *the secure exchange of relevant*  
19       *case files and other necessary materials in*  
20       *real time, and timely communications and*  
21       *placement decisions regarding interstate*  
22       *placements of children.*

23               “(B) *A description of the activities to be*  
24       *funded in whole or in part with the grant funds,*  
25       *including the sequencing of the activities.*

1           “(C) *A description of the strategies for inte-*  
2           *grating programs and services for children who*  
3           *are placed across State lines.*

4           “(D) *Such other information as the Sec-*  
5           *retary may require.*

6           “(3) *GRANT AUTHORITY.—The Secretary may*  
7           *make a grant to a State that complies with para-*  
8           *graph (2).*

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

14          “(5) *EVALUATIONS.—Not later than 1 year after*  
15          *the final year in which grants are awarded under this*  
16          *subsection, the Secretary shall submit to the Congress,*  
17          *and make available to the general public by posting*  
18          *on a website, a report that contains the following in-*  
19          *formation:*

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

24                 “(B) *The number of cases subject to the*  
25                 *Interstate Compact on the Placement of Children*

1           *that were processed through the electronic inter-*  
2           *state case-processing system, and the number of*  
3           *interstate child placement cases that were proc-*  
4           *essed outside the electronic interstate case-proc-*  
5           *essing system, by each State in each year.*

6           “(C) *The progress made by States in imple-*  
7           *menting the electronic interstate case-processing*  
8           *system.*

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

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

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

1           “(A) connecting the system with other data  
2 systems (such as systems operated by State law  
3 enforcement and judicial agencies, systems oper-  
4 ated by the Federal Bureau of Investigation for  
5 the purposes of the Innocence Lost National Ini-  
6 tiative, and other systems);

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

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

17           (c) *RESERVATION OF FUNDS TO IMPROVE THE INTER-*  
18 *STATE PLACEMENT OF CHILDREN.*—Section 437(b) of such  
19 Act (42 U.S.C. 629g(b)) is amended by adding at the end  
20 the following:

21           “(4) *IMPROVING THE INTERSTATE PLACEMENT*  
22 *OF CHILDREN.*—The Secretary shall reserve  
23 \$5,000,000 of the amount made available for fiscal  
24 year 2017 for grants under subsection (g), and the



1           “(i) *The State child welfare agency*  
2           *that is responsible for the administration of*  
3           *the State plan under this part and part E.*

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

9           “(B) *MANDATORY PARTNERS FOR PARTNER-*  
10          *SHIP GRANTS PROPOSING TO SERVE CHILDREN*  
11          *IN OUT-OF-HOME PLACEMENTS.—If the partner-*  
12          *ship proposes to serve children in out-of-home*  
13          *placements, the Juvenile Court or Administrative*  
14          *Office of the Court that is most appropriate to*  
15          *oversee the administration of court programs in*  
16          *the region to address the population of families*  
17          *who come to the attention of the court due to*  
18          *child abuse or neglect.*

19          “(C) *OPTIONAL PARTNERS.—At the option*  
20          *of the partnership, any of the following:*

21                 “(i) *An Indian tribe or tribal consor-*  
22                 *tium.*

23                 “(ii) *Nonprofit child welfare service*  
24                 *providers.*

1           “(iii) *For-profit child welfare service*  
2           *providers.*

3           “(iv) *Community health service pro-*  
4           *viders, including substance abuse treatment*  
5           *providers.*

6           “(v) *Community mental health pro-*  
7           *viders.*

8           “(vi) *Local law enforcement agencies.*

9           “(vii) *School personnel.*

10          “(viii) *Tribal child welfare agencies*  
11          *(or a consortia of the agencies).*

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

17          “(D) *EXCEPTION FOR REGIONAL PARTNER-*  
18          *SHIPS WHERE THE LEAD APPLICANT IS AN IN-*  
19          *DIAN TRIBE OR TRIBAL CONSORTIA.—If an In-*  
20          *Indian tribe or tribal consortium enters into a re-*  
21          *gional partnership for purposes of this sub-*  
22          *section, the Indian tribe or tribal consortium—*

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



1           “(ii) may not enter into a collaborative  
2 agreement only with tribal child welfare  
3 agencies (or a consortium of the agencies);  
4 and

5           “(iii) if the condition described in  
6 paragraph (2)(B) applies, may include trib-  
7 al court organizations in lieu of other judi-  
8 cial partners.”;

9       (3) in paragraph (3)—

10       (A) in subparagraph (A)—

11           (i) by striking “2012 through 2016”  
12 and inserting “2017 through 2021”; and

13           (ii) by striking “\$500,000 and not  
14 more than \$1,000,000” and inserting  
15 “\$250,000 and not more than \$1,000,000”;

16       (B) in subparagraph (B)—

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

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

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

24           “(iii) SUFFICIENT PLANNING.—A grant  
25 awarded under this subsection shall be dis-

1           bursed in 2 phases: a planning phase (not  
2           to exceed 2 years); and an implementation  
3           phase. The total disbursement to a grantee  
4           for the planning phase may not exceed  
5           \$250,000, and may not exceed the total an-  
6           ticipated funding for the implementation  
7           phase.”; and

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

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

18          (4) in paragraph (4)—

19               (A) in subparagraph (B)—

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

22                   (ii) in clause (ii), by striking “safety  
23                   and permanence for such children; and”  
24                   and inserting “safe, permanent caregiving  
25                   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) the*  
7           *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 grant*  
23           *period, including through the use of prevention*  
24           *services and programs under section 471(e) and*  
25           *other funds provided to the State for child wel-*

1        *fare and substance abuse prevention and treat-*  
2        *ment 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 success-*  
19        *ful collaboration among child welfare, substance*  
20        *abuse disorder treatment and mental health*  
21        *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, par-  
9           enting capacity, and family well-being. In  
10          developing the core indicators, to the extent  
11          possible, indicators shall be made consistent  
12          with the outcome measures described in sec-  
13          tion 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 of  
18                 regional partnership grants under this sub-  
19                 section, 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 later  
2                   than September 30 of each fiscal year in  
3                   which a recipient of a grant under this sub-  
4                   section is paid funds under the grant, and  
5                   every 6 months thereafter, the grant recipi-  
6                   ent shall submit to the Secretary a report  
7                   on the services provided and activities car-  
8                   ried out during the reporting period,  
9                   progress made in achieving the goals of the  
10                  program, the number of children, adults,  
11                  and families receiving services, and such  
12                  additional information as the Secretary de-  
13                  termines is necessary. The report due not  
14                  later than September 30 of the last such fis-  
15                  cal year shall include, at a minimum, data  
16                  on each of the performance indicators in-  
17                  cluded in the evaluation of the regional  
18                  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 (42 U.S.C. 671(a)) 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 with

1           *the corresponding national model standards is*  
2           *not appropriate for the State;*

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

11          “(C) *if the State has elected to waive stand-*  
12          *ards specified in subparagraph (B), how case-*  
13          *workers are trained to use the waiver authority*  
14          *and whether the State has developed a process or*  
15          *provided tools to assist caseworkers in waiving*  
16          *nonsafety standards per the authority provided*  
17          *in 471(a)(10)(D) to quickly place children with*  
18          *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 prevent*  
7 *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 to*  
11 *be reported by the State agency referred to in*  
12 *paragraph (1), including gathering relevant in-*  
13 *formation on the deaths from the relevant orga-*  
14 *nizations in the State including entities such as*  
15 *State vital statistics department, child death re-*  
16 *view teams, law enforcement agencies, offices of*  
17 *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 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 **“PART E—FEDERAL PAYMENTS FOR FOSTER**  
7 **CARE, PREVENTION, AND PERMANENCY”.**

8 (b) *PURPOSE.*—The 1st sentence of section 470 of such  
9 Act (42 U.S.C. 670) is amended—

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

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

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

17 **SEC. 134. EFFECTIVE DATES.**

18 (a) *EFFECTIVE DATES.*—

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

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

25 (b) *TRANSITION RULE.*—

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

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

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

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

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

17        *(a) LIMITATION ON FEDERAL FINANCIAL PARTICIPA-*  
 18    *TION.—*

19                    *(1) IN GENERAL.—Section 472 of the Social Se-*  
 20        *curity Act (42 U.S.C. 672), as amended by section*  
 21        *112, is amended—*

22                                    *(A) in subsection (a)(2)(C), by inserting “,*  
 23                                    *but only to the extent permitted under subsection*  
 24                                    *(k)” after “institution”; and*

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

1       “(k) *LIMITATION ON FEDERAL FINANCIAL PARTICIPA-*  
2 *TION.—*

3               “(1) *IN GENERAL.—Beginning with the third*  
4 *week for which foster care maintenance payments are*  
5 *made under this section on behalf of a child placed*  
6 *in a child-care institution, no Federal payment shall*  
7 *be made to the State under section 474(a)(1) for*  
8 *amounts expended for foster care maintenance pay-*  
9 *ments on behalf of the child unless—*

10               “(A) *the child is placed in a child-care in-*  
11 *stitution that is a setting specified in paragraph*  
12 *(2) (or is placed in a licensed residential family-*  
13 *based treatment facility consistent with sub-*  
14 *section (j)); and*

15               “(B) *in the case of a child placed in a*  
16 *qualified residential treatment program (as de-*  
17 *fined in paragraph (4)), the requirements speci-*  
18 *fied in paragraph (3) and section 475A(c) are*  
19 *met.*

20               “(2) *SPECIFIED SETTINGS FOR PLACEMENT.—*  
21 *The settings for placement specified in this paragraph*  
22 *are the following:*

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

1           “(B) *A setting specializing in providing*  
2           *prenatal, post-partum, or parenting supports for*  
3           *youth.*

4           “(C) *In the case of a child who has attained*  
5           *18 years of age, a supervised setting in which the*  
6           *child is living independently.*

7           “(3) *ASSESSMENT TO DETERMINE APPROPRIATE-*  
8           *NESS OF PLACEMENT IN A QUALIFIED RESIDENTIAL*  
9           *TREATMENT PROGRAM.—*

10           “(A) *DEADLINE FOR ASSESSMENT.—In the*  
11           *case of a child who is placed in a qualified resi-*  
12           *dential treatment program, if the assessment re-*  
13           *quired under section 475A(c)(1) is not completed*  
14           *within 30 days after the placement is made, no*  
15           *Federal payment shall be made to the State*  
16           *under section 474(a)(1) for any amounts ex-*  
17           *pended for foster care maintenance payments on*  
18           *behalf of the child during the placement.*

19           “(B) *DEADLINE FOR TRANSITION OUT OF*  
20           *PLACEMENT.—If the assessment required under*  
21           *section 475A(c)(1) determines that the placement*  
22           *of a child in a qualified residential treatment*  
23           *program is not appropriate, a court disapproves*  
24           *such a placement under section 475A(c)(2), or a*  
25           *child who has been in an approved placement in*

1           *a qualified residential treatment program is*  
2           *going to return home or be placed with a fit and*  
3           *willing relative, a legal guardian, or an adoptive*  
4           *parent, or in a foster family home, Federal pay-*  
5           *ments shall be made to the State under section*  
6           *474(a)(1) for amounts expended for foster care*  
7           *maintenance payments on behalf of the child*  
8           *while the child remains in the qualified residen-*  
9           *tial treatment program only during the period*  
10           *necessary for the child to transition home or to*  
11           *such a placement. In no event shall a State re-*  
12           *ceive Federal payments under section 474(a)(1)*  
13           *for amounts expended for foster care mainte-*  
14           *nance payments on behalf of a child who re-*  
15           *remains placed in a qualified residential treat-*  
16           *ment program after the end of the 30-day period*  
17           *that begins on the date a determination is made*  
18           *that the placement is no longer the recommended*  
19           *or approved placement for the child.*

20           “(4) *QUALIFIED RESIDENTIAL TREATMENT PRO-*  
21           *GRAM.—For purposes of this part, the term ‘qualified*  
22           *residential treatment program’ means a program*  
23           *that—*

24                   “(A) *has a trauma-informed treatment*  
25                   *model that is designed to address the needs, in-*

1           *cluding clinical needs as appropriate, of children*  
2           *with serious emotional or behavioral disorders or*  
3           *disturbances and, with respect to a child, is able*  
4           *to implement the treatment identified for the*  
5           *child by the assessment of the child required*  
6           *under section 475A(c);*

7           *“(B) has registered or licensed nursing staff*  
8           *and other licensed clinical staff who—*

9                   *“(i) provide care within the scope of*  
10                   *their practice as defined by State law;*

11                   *“(ii) are on-site during business hours;*  
12                   *and*

13                   *“(iii) are available 24 hours a day and*  
14                   *7 days a week;*

15           *“(C) to extent appropriate, and in accord-*  
16           *ance with the child’s best interests, facilitates*  
17           *participation of family members in the child’s*  
18           *treatment program;*

19           *“(D) facilitates outreach to the family mem-*  
20           *bers of the child, including siblings, documents*  
21           *how the outreach is made (including contact in-*  
22           *formation), and maintains contact information*  
23           *for any known biological family and fictive kin*  
24           *of the child;*



1           “(E) documents how family members are  
2 integrated into the treatment process for the  
3 child, including post-discharge, and how sibling  
4 connections are maintained;

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

8           “(G) is licensed in accordance with section  
9 471(a)(10) and is accredited by any of the fol-  
10 lowing independent, not-for-profit organizations:

11           “(i) The Commission on Accreditation  
12 of Rehabilitation Facilities (CARF).

13           “(ii) The Joint Commission on Accred-  
14 itation of Healthcare Organizations  
15 (JCAHO).

16           “(iii) The Council on Accreditation  
17 (COA).

18           “(iv) Any other independent, not-for-  
19 profit accrediting organization approved by  
20 the Secretary.”.

21           (2)       CONFORMING       AMENDMENT.—Section  
22 474(a)(1) of the Social Security Act (42 U.S.C.  
23 674(a)(1)), as amended by section 112(b), is amended  
24 by striking “section 472(j)” and inserting “sub-  
25 sections (j) and (k) of section 472”.

1           (b) *DEFINITION OF FOSTER FAMILY HOME, CHILD-*  
2 *CARE INSTITUTION.*—Section 472(c) of such Act (42 U.S.C.  
3 672(c)(1)) is amended to read as follows:

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

5                   “(1) *FOSTER FAMILY HOME.*—

6                           “(A) *IN GENERAL.*—The term ‘foster family  
7 home’ means the home of an individual or fam-  
8 ily—

9                                   “(i) that is licensed or approved by the  
10 State in which it is situated as a foster  
11 family home that meets the standards estab-  
12 lished for the licensing or approval; and

13                                   “(ii) in which a child in foster care  
14 has been placed in the care of an indi-  
15 vidual, who resides with the child and who  
16 has been licensed or approved by the State  
17 to be a foster parent—

18                                   “(I) that the State deems capable  
19 of adhering to the reasonable and pru-  
20 dent parent standard;

21                                   “(II) that provides 24-hour sub-  
22 stitute care for children placed away  
23 from their parents or other caretakers;  
24 and

1                   “(III) that provides the care for  
2                   not more than 6 children in foster care.

3                   “(B) STATE FLEXIBILITY.—The number of  
4                   foster children that may be cared for in a home  
5                   under subparagraph (A) may exceed the numer-  
6                   ical limitation in subparagraph (A)(ii)(III), at  
7                   the option of the State, for any of the following  
8                   reasons:

9                   “(i) To allow a parenting youth in fos-  
10                  ter care to remain with the child of the par-  
11                  enting youth.

12                  “(ii) To allow siblings to remain to-  
13                  gether.

14                  “(iii) To allow a child with an estab-  
15                  lished meaningful relationship with the  
16                  family to remain with the family.

17                  “(iv) To allow a family with special  
18                  training or skills to provide care to a child  
19                  who has a severe disability.

20                  “(C) RULE OF CONSTRUCTION.—Subpara-  
21                  graph (A) shall not be construed as prohibiting  
22                  a foster parent from renting the home in which  
23                  the parent cares for a foster child placed in the  
24                  parent’s care.

25                  “(2) CHILD-CARE INSTITUTION.—

1           “(A) *IN GENERAL.*—The term ‘child-care in-  
2           stitution’ means a private child-care institution,  
3           or a public child-care institution which accom-  
4           modates no more than 25 children, which is li-  
5           censed by the State in which it is situated or has  
6           been approved by the agency of the State respon-  
7           sible for licensing or approval of institutions of  
8           this type as meeting the standards established for  
9           the licensing.

10           “(B) *SUPERVISED SETTINGS.*—In the case  
11           of a child who has attained 18 years of age, the  
12           term shall include a supervised setting in which  
13           the individual is living independently, in ac-  
14           cordance with such conditions as the Secretary  
15           shall establish in regulations.

16           “(C) *EXCLUSIONS.*—The term shall not in-  
17           clude detention facilities, forestry camps, train-  
18           ing schools, or any other facility operated pri-  
19           marily for the detention of children who are de-  
20           termined to be delinquent.”.

21           (c) *TRAINING FOR STATE JUDGES, ATTORNEYS, AND*  
22           *OTHER LEGAL PERSONNEL IN CHILD WELFARE CASES.*—  
23           Section 438(b)(1) of such Act (42 U.S.C. 629h(b)(1)) is  
24           amended in the matter preceding subparagraph (A) by in-  
25           serting “shall provide for the training of judges, attorneys,

1 *and other legal personnel in child welfare cases on Federal*  
2 *child welfare policies and payment limitations with respect*  
3 *to children in foster care who are placed in settings that*  
4 *are not a foster family home,” after “with respect to the*  
5 *child,”.*

6 *(d) ASSURANCE OF NONIMPACT ON JUVENILE JUSTICE*  
7 *SYSTEM.—*

8 *(1) STATE PLAN REQUIREMENT.—Section 471(a)*  
9 *of such Act (42 U.S.C. 671(a)), as amended by section*  
10 *131, is further amended by adding at the end the fol-*  
11 *lowing:*

12 *“(37) includes a certification that, in response to*  
13 *the limitation imposed under section 472(k) with re-*  
14 *spect to foster care maintenance payments made on*  
15 *behalf of any child who is placed in a setting that is*  
16 *not a foster family home, the State will not enact or*  
17 *advance policies or practices that would result in a*  
18 *significant increase in the population of youth in the*  
19 *State’s juvenile justice system.”.*

20 *(2) GAO STUDY AND REPORT.—The Comptroller*  
21 *General of the United States shall evaluate the im-*  
22 *pect, if any, on State juvenile justice systems of the*  
23 *limitation imposed under section 472(k) of the Social*  
24 *Security Act (as added by section 201(a)(1)) on foster*  
25 *care maintenance payments made on behalf of any*

1 *child who is placed in a setting that is not a foster*  
2 *family home, in accordance with the amendments*  
3 *made by subsections (a) and (b) of this section. In*  
4 *particular, the Comptroller General shall evaluate the*  
5 *extent to which children in foster care who also are*  
6 *subject to the juvenile justice system of the State are*  
7 *placed in a facility under the jurisdiction of the juve-*  
8 *nile justice system and whether the lack of available*  
9 *congregate care placements under the jurisdiction of*  
10 *the child welfare systems is a contributing factor to*  
11 *that result. Not later than December 31, 2023, the*  
12 *Comptroller General shall submit to Congress a report*  
13 *on the results of the evaluation.*

14 **SEC. 202. ASSESSMENT AND DOCUMENTATION OF THE**  
15 **NEED FOR PLACEMENT IN A QUALIFIED RESI-**  
16 **DENTIAL TREATMENT PROGRAM.**

17 *Section 475A of the Social Security Act (42 U.S.C.*  
18 *675a) is amended by adding at the end the following:*

19 *“(c) ASSESSMENT, DOCUMENTATION, AND JUDICIAL*  
20 *DETERMINATION REQUIREMENTS FOR PLACEMENT IN A*  
21 *QUALIFIED RESIDENTIAL TREATMENT PROGRAM.—In the*  
22 *case of any child who is placed in a qualified residential*  
23 *treatment program (as defined in section 472(k)(4)), the fol-*  
24 *lowing requirements shall apply for purposes of approving*

1 *the case plan for the child and the case system review proce-*  
2 *dure for the child:*

3           “(1)(A) *Within 30 days of the start of each*  
4 *placement in such a setting, a qualified individual*  
5 *(as defined in subparagraph (D)) shall—*

6                   “(i) *assess the strengths and needs of the*  
7 *child using an age-appropriate, evidence-based,*  
8 *validated, functional assessment tool approved by*  
9 *the Secretary;*

10                   “(ii) *determine whether the needs of the*  
11 *child can be met with family members or*  
12 *through placement in a foster family home or, if*  
13 *not, which setting from among the settings speci-*  
14 *fied in section 472(k)(2) would provide the most*  
15 *effective and appropriate level of care for the*  
16 *child in the least restrictive environment and be*  
17 *consistent with the short- and long-term goals for*  
18 *the child, as specified in the permanency plan*  
19 *for the child; and*

20                   “(iii) *develop a list of child-specific short-*  
21 *and long-term mental and behavioral health*  
22 *goals.*

23           “(B)(i) *The State shall assemble a family and*  
24 *permanency team for the child in accordance with the*  
25 *requirements of clauses (ii) and (iii). The qualified*

1        *individual conducting the assessment required under*  
2        *subparagraph (A) shall work in conjunction with the*  
3        *family of, and permanency team for, the child while*  
4        *conducting and making the assessment.*

5            *“(ii) The family and permanency team shall*  
6        *consist of all appropriate biological family members,*  
7        *relative, and fictive kin of the child, as well as, as ap-*  
8        *propriate, professionals who are a resource to the*  
9        *family of the child, such as teachers, medical or men-*  
10       *tal health providers who have treated the child, or*  
11       *clergy. In the case of a child who has attained age 14,*  
12       *the family and permanency team shall include the*  
13       *members of the permanency planning team for the*  
14       *child that are selected by the child in accordance with*  
15       *section 475(5)(C)(iv).*

16            *“(iii) The State shall document in the child’s*  
17       *case plan—*

18            *“(I) the reasonable and good faith effort of*  
19        *the State to identify and include all such indi-*  
20        *viduals on the family of, and permanency team*  
21        *for, the child;*

22            *“(II) all contact information for members of*  
23        *the family and permanency team, as well as con-*  
24        *tact information for other family members and*



1 *fictive kin who are not part of the family and*  
2 *permanency team;*

3 *“(III) evidence that meetings of the family*  
4 *and permanency team, including meetings relat-*  
5 *ing to the assessment required under subpara-*  
6 *graph (A), are held at a time and place conven-*  
7 *ient for family;*

8 *“(IV) if reunification is the goal, evidence*  
9 *demonstrating that the parent from whom the*  
10 *child was removed provided input on the mem-*  
11 *bers of the family and permanency team;*

12 *“(V) evidence that the assessment required*  
13 *under subparagraph (A) is determined in con-*  
14 *junction with the family and permanency team;*  
15 *and*

16 *“(VI) the placement preferences of the fam-*  
17 *ily and permanency team relative to the assess-*  
18 *ment and, if the placement preferences of the*  
19 *family and permanency team and child are not*  
20 *the placement setting recommended by the quali-*  
21 *fied individual conducting the assessment under*  
22 *subparagraph (A), the reasons why the pref-*  
23 *erences of the team and of the child were not rec-*  
24 *ommended.*

1           “(C) In the case of a child who the qualified in-  
2           dividual conducting the assessment under subpara-  
3           graph (A) determines should not be placed in a foster  
4           family home, the qualified individual shall specify in  
5           writing the reasons why the needs of the child cannot  
6           be met by the family of the child or in a foster family  
7           home. A shortage or lack of foster family homes shall  
8           not be an acceptable reason for determining that a  
9           needs of the child cannot be met in a foster family  
10          home. The qualified individual also shall specify in  
11          writing why the recommended placement in a quali-  
12          fied residential treatment program is the setting that  
13          will provide the child with the most effective and ap-  
14          propriate level of care in the least restrictive environ-  
15          ment and how that placement is consistent with the  
16          short- and long-term goals for the child, as specified  
17          in the permanency plan for the child.

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

24           “(ii) The Secretary may approve a request of a  
25          State to waive any requirement in clause (i) upon a

1 *submission by the State, in accordance with criteria*  
2 *established by the Secretary, that certifies that the*  
3 *trained professionals or licensed clinicians with re-*  
4 *sponsibility for performing the assessments described*  
5 *in subparagraph (A) shall maintain objectivity with*  
6 *respect to determining the most effective and appro-*  
7 *priate placement for a child.*

8 *“(2) Within 60 days of the start of each place-*  
9 *ment in a qualified residential treatment program, a*  
10 *family or juvenile court or another court (including*  
11 *a tribal court) of competent jurisdiction, or an ad-*  
12 *ministrative body appointed or approved by the*  
13 *court, independently, shall—*

14 *“(A) consider the assessment, determination,*  
15 *and documentation made by the qualified indi-*  
16 *vidual conducting the assessment under para-*  
17 *graph (1);*

18 *“(B) determine whether the needs of the*  
19 *child can be met through placement in a foster*  
20 *family home or, if not, whether placement of the*  
21 *child in a qualified residential treatment pro-*  
22 *gram provides the most effective and appropriate*  
23 *level of care for the child in the least restrictive*  
24 *environment and whether that placement is con-*  
25 *sistent with the short- and long-term goals for*

1           *the child, as specified in the permanency plan*  
2           *for the child; and*

3           “(C) *approve or disapprove the placement.*

4           “(3) *The written documentation made under*  
5           *paragraph (1)(C) and documentation of the deter-*  
6           *mination and approval or disapproval of the place-*  
7           *ment in a qualified residential treatment program by*  
8           *a court or administrative body under paragraph (2)*  
9           *shall be included in and made part of the case plan*  
10          *for the child.*

11          “(4) *As long as a child remains placed in a*  
12          *qualified residential treatment program, the State*  
13          *agency shall submit evidence at each status review*  
14          *and each permanency hearing held with respect to the*  
15          *child—*

16          “(A) *demonstrating that ongoing assessment*  
17          *of the strengths and needs of the child continues*  
18          *to support the determination that the needs of*  
19          *the child cannot be met through placement in a*  
20          *foster family home, that the placement in a*  
21          *qualified residential treatment program provides*  
22          *the most effective and appropriate level of care*  
23          *for the child in the least restrictive environment,*  
24          *and that the placement is consistent with the*

1           *short- and long-term goals for the child, as speci-*  
2           *fied in the permanency plan for the child;*

3           “(B) *documenting the specific treatment or*  
4           *service needs that will be met for the child in the*  
5           *placement and the length of time the child is ex-*  
6           *pected to need the treatment or services; and*

7           “(C) *documenting the efforts made by the*  
8           *State agency to prepare the child to return home*  
9           *or to be placed with a fit and willing relative,*  
10          *a legal guardian, or an adoptive parent, or in*  
11          *a foster family home.*

12          “(5) *In the case of any child who is placed in*  
13          *a qualified residential treatment program for more*  
14          *than 12 consecutive months or 18 nonconsecutive*  
15          *months (or, in the case of a child who has not at-*  
16          *tained age 13, for more than 6 consecutive or non-*  
17          *consecutive months), the State agency shall submit to*  
18          *the Secretary—*

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

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

1 **SEC. 203. PROTOCOLS TO PREVENT INAPPROPRIATE DIAG-**  
2 **NOSES.**

3 (a) *STATE PLAN REQUIREMENT.*—Section  
4 422(b)(15)(A) of the Social Security Act (42 U.S.C.  
5 622(b)(15)(A)) is amended—

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

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

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

11 “(vii) the procedures and protocols the  
12 State has established to ensure that children  
13 in foster care placements are not inappro-  
14 priately diagnosed with mental illness,  
15 other emotional or behavioral disorders,  
16 medically fragile conditions, or develop-  
17 mental disabilities, and placed in settings  
18 that are not foster family homes as a result  
19 of the inappropriate diagnoses; and”.

20 (b) *EVALUATION.*—Section 476 of such Act (42 U.S.C.  
21 676), as amended by section 111(d), is further amended by  
22 adding at the end the following:

23 “(e) *EVALUATION OF STATE PROCEDURES AND PRO-*  
24 *TOCOLS TO PREVENT INAPPROPRIATE DIAGNOSES OF MEN-*  
25 *TAL ILLNESS OR OTHER CONDITIONS.*—The Secretary shall  
26 conduct an evaluation of the procedures and protocols estab-

1 lished by States in accordance with the requirements of sec-  
 2 tion 422(b)(15)(A)(vii). The evaluation shall analyze the ex-  
 3 tent to which States comply with and enforce the procedures  
 4 and protocols and the effectiveness of various State proce-  
 5 dures and protocols and shall identify best practices. Not  
 6 later than January 1, 2019, the Secretary shall submit a  
 7 report on the results of the evaluation to Congress.”.

8 **SEC. 204. ADDITIONAL DATA AND REPORTS REGARDING**  
 9 **CHILDREN PLACED IN A SETTING THAT IS**  
 10 **NOT A FOSTER FAMILY HOME.**

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

14 “(i) with respect to each such place-  
 15 ment—

16 “(I) the type of the placement set-  
 17 ting, including whether the placement  
 18 is shelter care, a group home and if so,  
 19 the range of the child population in the  
 20 home, a residential treatment facility,  
 21 a hospital or institution providing  
 22 medical, rehabilitative, or psychiatric  
 23 care, a setting specializing in pro-  
 24 viding prenatal, post-partum or par-  
 25 enting supports, or some other kind of

1 *child-care institution and if so, what*  
2 *kind;*

3 *“(II) the number of children in*  
4 *the placement setting and the age, race,*  
5 *ethnicity, and gender of each of the*  
6 *children;*

7 *“(III) for each child in the place-*  
8 *ment setting, the length of the place-*  
9 *ment of the child in the setting, wheth-*  
10 *er the placement of the child in the set-*  
11 *ting is the first placement of the child*  
12 *and if not, the number and type of*  
13 *previous placements of the child, and*  
14 *whether the child has special needs or*  
15 *another diagnosed mental or physical*  
16 *illness or condition; and*

17 *“(IV) the extent of any specialized*  
18 *education, treatment, counseling, or*  
19 *other services provided in the setting;*  
20 *and*

21 *“(ii) separately, the number and ages*  
22 *of children in the placements who have a*  
23 *permanency plan of another planned per-*  
24 *manent living arrangement; and”.*



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

2 (a) *EFFECTIVE DATES.*—

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

6 (2) *TRANSITION RULE.*—In the case of a State  
7 plan under part B or E of title IV of the Social Secu-  
8 rity Act which the Secretary of Health and Human  
9 Services determines requires State legislation (other  
10 than legislation appropriating funds) in order for the  
11 plan to meet the additional requirements imposed by  
12 the amendments made by this title, the State plan  
13 shall not be regarded as failing to comply with the re-  
14 quirements of such part solely on the basis of the fail-  
15 ure of the plan to meet the additional requirements  
16 before the first day of the first calendar quarter begin-  
17 ning after the close of the first regular session of the  
18 State legislature that begins after the date of enact-  
19 ment of this Act. For purposes of the previous sen-  
20 tence, in the case of a State that has a 2-year legisla-  
21 tive session, each year of the session shall be deemed  
22 to be a separate regular session of the State legisla-  
23 ture.

24 (b) *LIMITATION ON FEDERAL FINANCIAL PARTICIPA-*  
25 *TION FOR PLACEMENTS THAT ARE NOT IN FOSTER FAMILY*  
26 *HOMES AND RELATED PROVISIONS.*—The amendments

1 *made by sections 201(a), 201(b), 201(d), and 202 shall take*  
2 *effect on October 1, 2019.*

3 *(c) APPLICATION TO STATES WITH WAIVERS.—In the*  
4 *case of a State that, on the date of enactment of this Act,*  
5 *has in effect a waiver approved under section 1130 of the*  
6 *Social Security Act (42 U.S.C. 1320a-9), the amendments*  
7 *made by this title shall not apply with respect to the State*  
8 *before the expiration (determined without regard to any ex-*  
9 *tensions) of the waiver to the extent the amendments are*  
10 *inconsistent with the terms of the waiver.*

11 **TITLE III—CONTINUING SUP-**  
12 **PORT FOR CHILD AND FAMILY**  
13 **SERVICES**

14 **SEC. 301. SUPPORTING AND RETAINING FOSTER FAMILIES**  
15 **FOR CHILDREN.**

16 *(a) SUPPORTING AND RETAINING FOSTER PARENTS AS*  
17 *A FAMILY SUPPORT SERVICE.—Section 431(a)(2)(B) of the*  
18 *Social Security Act (42 U.S.C. 631(a)(2)(B)) is amended*  
19 *by redesignating clauses (iii) through (vi) as clauses (iv)*  
20 *through (vii), respectively, and inserting after clause (ii)*  
21 *the following:*

22 *“(iii) To support and retain foster*  
23 *families so they can provide quality family-*  
24 *based settings for children in foster care.”.*

1           **(b) SUPPORT FOR FOSTER FAMILY HOMES.**—Section  
2 436 of such Act (42 U.S.C. 629f) is amended by adding  
3 at the end the following:

4           “(c) **SUPPORT FOR FOSTER FAMILY HOMES.**—Out of  
5 any money in the Treasury of the United States not other-  
6 wise appropriated, there are appropriated to the Secretary  
7 for fiscal year 2018, \$8,000,000 for the Secretary to make  
8 competitive grants to States, Indian tribes, or tribal con-  
9 sortia to support the recruitment and retention of high-  
10 quality foster families to increase their capacity to place  
11 more children in family settings, focused on States, Indian  
12 tribes, or tribal consortia with the highest percentage of  
13 children in non-family settings. The amount appropriated  
14 under this subparagraph shall remain available through fis-  
15 cal year 2022.”.

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 Social  
20 Security Act (42 U.S.C. 625) is amended by striking “2012  
21 through 2016” and inserting “2017 through 2021”.

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

24                   **(1) IN GENERAL.**—Section 436(a) of such Act  
25 (42 U.S.C. 629f(a)) is amended by striking all that

1 follows “\$345,000,000” and inserting “for each of fis-  
2 cal years 2017 through 2021.”.

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

7 (c) *EXTENSION OF FUNDING RESERVATIONS FOR*  
8 *MONTHLY CASEWORKER VISITS AND REGIONAL PARTNER-*  
9 *SHIP GRANTS.*—Section 436(b) of such Act (42 U.S.C.  
10 629f(b)) is amended—

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

14 (2) in paragraph (5), by striking “2012 through  
15 2016” and inserting “2017 through 2021”.

16 (d) *REAUTHORIZATION OF FUNDING FOR STATE*  
17 *COURTS.*—

18 (1) *EXTENSION OF PROGRAM.*—Section 438(c)(1)  
19 of such Act (42 U.S.C. 629h(c)(1)) is amended by  
20 striking “2012 through 2016” and inserting “2017  
21 through 2021”.

22 (2) *EXTENSION OF FEDERAL SHARE.*—Section  
23 438(d) of such Act (42 U.S.C. 629h(d)) is amended by  
24 striking “2012 through 2016” and inserting “2017  
25 through 2021”.

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

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

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

9                   (1) *in subsection (a)(5), by inserting “(or 23*  
10 *years of age, in the case of a State with a certifi-*  
11 *cation under subsection (b)(3)(A)(i) to provide assist-*  
12 *ance and services to youths who have aged out of fos-*  
13 *ter care and have not attained such age, in accord-*  
14 *ance with such subsection)” after “21 years of age”;*

15                   (2) *in subsection (b)(3)(A)—*

16                           (A) *by inserting “(i)” before “A certifi-*  
17 *cation”;*

18                           (B) *by striking “children who have left fos-*  
19 *ter care” and all that follows through the period*  
20 *and inserting “youths who have aged out of fos-*  
21 *ter care and have not attained 21 years of age.”;*  
22 *and*

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

24                                   “(i) *If the State has elected under section*  
25 *475(8)(B) to extend eligibility for foster care to*

1           *all children who have not attained 21 years of*  
2           *age, or if the Secretary determines that the State*  
3           *agency responsible for administering the State*  
4           *plans under this part and part B uses State*  
5           *funds or any other funds not provided under this*  
6           *part to provide services and assistance for youths*  
7           *who have aged out of foster care that are com-*  
8           *parable to the services and assistance the youths*  
9           *would receive if the State had made such an elec-*  
10          *tion, the certification required under clause (i)*  
11          *may provide that the State will provide assist-*  
12          *ance and services to youths who have aged out*  
13          *of foster care and have not attained 23 years of*  
14          *age.”; and*

15           *(3) in subsection (b)(3)(B), by striking “children*  
16          *who have left foster care” and all that follows through*  
17          *the period and inserting “youths who have aged out*  
18          *of foster care and have not attained 21 years of age*  
19          *(or 23 years of age, in the case of a State with a cer-*  
20          *tification under subparagraph (A)(i) to provide as-*  
21          *sistance and services to youths who have aged out of*  
22          *foster care and have not attained such age, in accord-*  
23          *ance with subparagraph (A)(ii).”.*

1       (b) *AUTHORITY TO REDISTRIBUTE UNSPENT*  
2 *FUNDS.—Section 477(d) of such Act (42 U.S.C. 677(d)) is*  
3 *amended—*

4           (1) *in paragraph (4), by inserting “or does not*  
5 *expend allocated funds within the time period speci-*  
6 *fied under section 477(d)(3)” after “provided by the*  
7 *Secretary”; and*

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

9           “(5) *REDISTRIBUTION OF UNEXPENDED*  
10 *AMOUNTS.—*

11           “(A) *AVAILABILITY OF AMOUNTS.—To the*  
12 *extent that amounts paid to States under this*  
13 *section in a fiscal year remain unexpended by*  
14 *the States at the end of the succeeding fiscal*  
15 *year, the Secretary may make the amounts*  
16 *available for redistribution in the 2nd succeeding*  
17 *fiscal year among the States that apply for addi-*  
18 *tional funds under this section for that 2nd suc-*  
19 *ceeding fiscal year.*

20           “(B) *REDISTRIBUTION.—*

21           “(i) *IN GENERAL.—The Secretary shall*  
22 *redistribute the amounts made available*  
23 *under subparagraph (A) for a fiscal year*  
24 *among eligible applicant States. In this*  
25 *subparagraph, the term ‘eligible applicant*

1           *State’ means a State that has applied for*  
2           *additional funds for the fiscal year under*  
3           *subparagraph (A) if the Secretary deter-*  
4           *mines that the State will use the funds for*  
5           *the purpose for which originally allotted*  
6           *under this section.*

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

16           “(iii) *TREATMENT OF REDISTRIBUTED*  
17           *AMOUNT.—Any amount made available to a*  
18           *State under this paragraph shall be re-*  
19           *garded as part of the allotment of the State*  
20           *under this section for the fiscal year in*  
21           *which the redistribution is made.*

22           “(C) *TRIBES.—For purposes of this para-*  
23           *graph, the term ‘State’ includes an Indian tribe,*  
24           *tribal organization, or tribal consortium that re-*  
25           *ceives an allotment under this section.”.*



1           (c) *EXPANDING AND CLARIFYING THE USE OF EDU-*  
2 *CATION AND TRAINING VOUCHERS.*—

3           (1) *IN GENERAL.*—Section 477(i)(3) of such Act  
4 (42 U.S.C. 677(i)(3)) is amended—

5           (A) by striking “on the date” and all that  
6 follows through “23” and inserting “to remain  
7 eligible until they attain 26”; and

8           (B) by inserting “, but in no event may a  
9 youth participate in the program for more than  
10 5 years (whether or not consecutive)” before the  
11 period.

12          (2) *CONFORMING AMENDMENT.*—Section  
13 477(i)(1) of such Act (42 U.S.C. 677(i)(1)) is amend-  
14 ed by inserting “who have attained 14 years of age”  
15 before the period.

16          (d) *OTHER IMPROVEMENTS.*—Section 477 of such Act  
17 (42 U.S.C. 677), as amended by subsections (a), (b), and  
18 (c), is amended—

19           (1) in the section heading, by striking “**INDE-**  
20 **PENDENCE PROGRAM**” and inserting “**PROGRAM**  
21 **FOR SUCCESSFUL TRANSITION TO ADULT-**  
22 **HOOD**”;

23           (2) in subsection (a)—

24           (A) in paragraph (1)—

1           (i) by striking “identify children who  
2           are likely to remain in foster care until 18  
3           years of age and to help these children make  
4           the transition to self-sufficiency by pro-  
5           viding services” and inserting “support all  
6           youth who have experienced foster care at  
7           age 14 or older in their transition to adult-  
8           hood through transitional services”;

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

11          (iii) by striking “training in daily liv-  
12          ing skills, training in budgeting and finan-  
13          cial management skills” and inserting  
14          “training and opportunities to practice  
15          daily living skills (such as financial lit-  
16          eracy training and driving instruction)”;

17          (B) in paragraph (2), by striking “who are  
18          likely to remain in foster care until 18 years of  
19          age receive the education, training, and services  
20          necessary to obtain employment” and inserting  
21          “who have experienced foster care at age 14 or  
22          older achieve meaningful, permanent connections  
23          with a caring adult”;

24          (C) in paragraph (3), by striking “who are  
25          likely to remain in foster care until 18 years of

1           *age prepare for and enter postsecondary training*  
2           *and education institutions” and inserting “who*  
3           *have experienced foster care at age 14 or older*  
4           *engage in age or developmentally appropriate*  
5           *activities, positive youth development, and exper-*  
6           *iential learning that reflects what their peers in*  
7           *intact families experience”;* and

8                     *(D) by striking paragraph (4) and redesign-*  
9                     *ating paragraphs (5) through (8) as para-*  
10                    *graphs (4) through (7);*

11           *(3) in subsection (b)—*

12                     *(A) in paragraph (2)(D), by striking “ado-*  
13                     *lescents” and inserting “youth”;* and

14                     *(B) in paragraph (3)—*

15                         *(i) in subparagraph (D)—*

16                                 *(I) by inserting “including train-*  
17                                 *ing on youth development” after “to*  
18                                 *provide training”;* and

19                                 *(II) by striking “adolescents pre-*  
20                                 *paring for independent living” and all*  
21                                 *that follows through the period and in-*  
22                                 *serting “youth preparing for a success-*  
23                                 *ful transition to adulthood and making*  
24                                 *a permanent connection with a caring*  
25                                 *adult.”;*

1                   (ii) in subparagraph (H), by striking  
2                   “adolescents” each place it appears and in-  
3                   serting “youth”; and

4                   (iii) in subparagraph (K)—

5                   (I) by striking “an adolescent”  
6                   and inserting “a youth”; and

7                   (II) by striking “the adolescent”  
8                   each place it appears and inserting  
9                   “the youth”; and

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

12                  “(2) *REPORT TO CONGRESS.*—Not later than Oc-  
13                  tober 1, 2017, the Secretary shall submit to the Com-  
14                  mittee on Ways and Means of the House of Represent-  
15                  atives and the Committee on Finance of the Senate a  
16                  report on the National Youth in Transition Database  
17                  and any other databases in which States report out-  
18                  come measures relating to children in foster care and  
19                  children who have aged out of foster care or left foster  
20                  care for kinship guardianship or adoption. The report  
21                  shall include the following:

22                  “(A) A description of the reasons for entry  
23                  into foster care and of the foster care experiences,  
24                  such as length of stay, number of placement set-  
25                  tings, case goal, and discharge reason of 17-year-

1           *olds who are surveyed by the National Youth in*  
2           *Transition Database and an analysis of the com-*  
3           *parison of that description with the reasons for*  
4           *entry and foster care experiences of children of*  
5           *other ages who exit from foster care before at-*  
6           *taining age 17.*

7           “(B) *A description of the characteristics of*  
8           *the individuals who report poor outcomes at ages*  
9           *19 and 21 to the National Youth in Transition*  
10          *Database.*

11          “(C) *Benchmarks for determining what con-*  
12          *stitutes a poor outcome for youth who remain in*  
13          *or have exited from foster care and plans the Ex-*  
14          *ecutive branch will take to incorporate these*  
15          *benchmarks in efforts to evaluate child welfare*  
16          *agency performance in providing services to chil-*  
17          *dren transitioning from foster care.*

18          “(D) *An analysis of the association between*  
19          *types of placement, number of overall place-*  
20          *ments, time spent in foster care, and other fac-*  
21          *tors, and outcomes at ages 19 and 21.*

22          “(E) *An analysis of the differences in out-*  
23          *comes for children in and formerly in foster care*  
24          *at age 19 and 21 among States.”.*

1       (e) *CLARIFYING DOCUMENTATION PROVIDED TO FOS-*  
2 *TER YOUTH LEAVING FOSTER CARE.*—Section 475(5)(I) of  
3 *such Act (42 U.S.C. 675(5)(I)) is amended by inserting*  
4 *after “REAL ID Act of 2005” the following: “, and any*  
5 *official documentation necessary to prove that the child was*  
6 *previously in foster care”.*

7 ***TITLE IV—CONTINUING INCEN-***  
8 ***TIVES TO STATES TO PRO-***  
9 ***MOTE ADOPTION AND LEGAL***  
10 ***GUARDIANSHIP***

11 ***SEC. 401. REAUTHORIZING ADOPTION AND LEGAL GUARD-***  
12 ***IANSHIP INCENTIVE PROGRAMS.***

13       Section 473A of the Social Security Act (42 U.S.C.  
14 673b) is amended—

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

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

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

1                   **TITLE V—TECHNICAL**  
2                   **CORRECTIONS**

3 **SEC. 501. TECHNICAL CORRECTIONS TO DATA EXCHANGE**  
4                   **STANDARDS TO IMPROVE PROGRAM COORDI-**  
5                   **NATION.**

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

8 **“SEC. 440. DATA EXCHANGE STANDARDS FOR IMPROVED**  
9                   **INTEROPERABILITY.**

10           “(a) *DESIGNATION.*—The Secretary shall, in consulta-  
11 tion with an interagency work group established by the Of-  
12 fice of Management and Budget and considering State gov-  
13 ernment perspectives, by rule, designate data exchange  
14 standards to govern, under this part—

15                   “(1) *necessary categories of information that*  
16                   *State agencies operating programs under State plans*  
17                   *approved under this part are required under applica-*  
18                   *ble Federal law to electronically exchange with an-*  
19                   *other State agency; and*

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

22           “(b) *REQUIREMENTS.*—The data exchange standards  
23 required by paragraph (1) shall, to the extent practicable—

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

4           “(2) contain interoperable standards developed  
5           and maintained by intergovernmental partnerships,  
6           such as the National Information Exchange Model;

7           “(3) incorporate interoperable standards devel-  
8           oped and maintained by Federal entities with author-  
9           ity over contracting and financial assistance;

10           “(4) be consistent with and implement applica-  
11           ble accounting principles;

12           “(5) be implemented in a manner that is cost-  
13           effective and improves program efficiency and effec-  
14           tiveness; and

15           “(6) be capable of being continually upgraded as  
16           necessary.

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

21           (b) *EFFECTIVE DATE.*—Not later than the date that  
22           is 24 months after the date of the enactment of this section,  
23           the Secretary of Health and Human Services shall issue  
24           a proposed rule that—



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

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

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

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

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

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

20           *Section 473(e)(1) of the Social Security Act (42 U.S.C.*  
21 *673(e)(1)) is amended—*

22           (1) *in subparagraph (A), by striking “fiscal*  
23 *year” each place it appears and inserting “period”;*  
24 *and*

25           (2) *in subparagraph (B)—*

1           (A) *in the matter preceding the table, by*  
2 *striking “fiscal year” and inserting “period”;*  
3 *and*

4           (B) *in the table—*

5                 (i) *by striking “of fiscal year:” and in-*  
6 *serting “of:”;*

7                 (ii) *by striking “2010” and inserting*  
8 *“Fiscal year 2010”;*

9                 (iii) *by striking “2011” and inserting*  
10 *“Fiscal year 2011”;*

11                (iv) *by striking “2012” and inserting*  
12 *“Fiscal year 2012”;*

13                (v) *by striking “2013” and inserting*  
14 *“Fiscal year 2013”;*

15                (vi) *by striking “2014” and inserting*  
16 *“Fiscal year 2014”;*

17                (vii) *by striking “2015” and inserting*  
18 *“Fiscal year 2015”;*

19                (viii) *by striking “2016” and inserting*  
20 *“October 1, 2015, through March 31, 2019”;*

21                (ix) *by striking “2017” and inserting*  
22 *“April 1, 2019, through March 31, 2020”;*

23 *and*

24                (x) *by striking “2018” and inserting*  
25 *“April 1, 2020.”*

1 **SEC. 602. GAO STUDY AND REPORT ON STATE REINVEST-**  
2 **MENT OF SAVINGS RESULTING FROM IN-**  
3 **CREASE IN ADOPTION ASSISTANCE.**

4 (a) *STUDY.*—*The Comptroller General of the United*  
5 *States shall study the extent to which States are complying*  
6 *with the requirements of section 473(a)(8) of the Social Se-*  
7 *curity Act relating to the effects of phasing out the AFDC*  
8 *income eligibility requirements for adoption assistance pay-*  
9 *ments under section 473 of the Social Security Act, as en-*  
10 *acted by section 402 of the Fostering Connections to Success*  
11 *and Increasing Adoptions Act of 2008 (Public Law 110–*  
12 *351; 122 Stat. 3975) and amended by section 206 of the*  
13 *Preventing Sex Trafficking and Strengthening Families Act*  
14 *(Public Law 113–183; 128 Stat. 1919). In particular, the*  
15 *Comptroller General shall analyze the extent to which*  
16 *States are complying with the following requirements under*  
17 *section 473(a)(8)(D) of the Social Security Act:*

18 (1) *The requirement to spend an amount equal*  
19 *to the amount of the savings (if any) in State expend-*  
20 *itures under part E of title IV of the Social Security*  
21 *resulting from phasing out the AFDC income eligi-*  
22 *bility requirements for adoption assistance payments*  
23 *under section 473 of such Act to provide to children*  
24 *of families any service that may be provided under*  
25 *part B or E of title IV of such Act.*

1           (2) *The requirement that a State shall spend not*  
2           *less than 30 percent of the amount of any savings de-*  
3           *scribed in subparagraph (A) on post-adoption serv-*  
4           *ices, post-guardianship services, and services to sup-*  
5           *port and sustain positive permanent outcomes for*  
6           *children who otherwise might enter into foster care*  
7           *under the responsibility of the State, with at least  $\frac{2}{3}$*   
8           *of the spending by the State to comply with the 30*  
9           *percent requirement being spent on post-adoption and*  
10          *post-guardianship services.*

11          (b) *REPORT.—The Comptroller General of the United*  
12          *States shall submit to the Committee on Finance of the Sen-*  
13          *ate, the Committee on Ways and Means of the House of*  
14          *Representatives, and the Secretary of Health and Human*  
15          *Services a report that contains the results of the study re-*  
16          *quired by subsection (a), including recommendations to en-*  
17          *sure compliance with laws referred to in subsection (a).*



Union Calendar No. 487

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

**H. R. 5456**

[Report No. 114-628]

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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.

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JUNE 21, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed