

114TH CONGRESS
2D SESSION

S. 2574

To amend title IV of the Social Security Act to require States to adopt a centralized electronic system to help expedite the placement of children in foster care or guardianship, or for adoption, across State lines, and to provide grants to aid States in developing such a system, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 2016

Mr. GRASSLEY (for himself, Mrs. GILLIBRAND, Mr. FRANKEN, and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title IV of the Social Security Act to require States to adopt a centralized electronic system to help expedite the placement of children in foster care or guardianship, or for adoption, across State lines, and to provide grants to aid States in developing such a system, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Modernizing the Inter-
5 state Placement of Children in Foster Care Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds that—

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

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

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16 because of the outdated, administratively burden-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

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

21 (5) the National Electronic Interstate Compact
22 Enterprise (NEICE) was launched in August 2014
23 in Indiana, Nevada, Florida, South Carolina, Wis-
24 consin, and the District of Columbia, and is expected
25 to be expanded into additional States to improve the

1 administrative process by which children are placed
 2 with families across State lines;

3 (6) States using this centralized electronic
 4 interstate case processing system have reduced ad-
 5 ministrative costs and the amount of staff time re-
 6 quired to process these cases, and caseworkers can
 7 spend more time helping children instead of copying
 8 and mailing paperwork between States;

9 (7) since NEICE was launched, placement time
 10 has decreased by 30 percent for interstate foster
 11 care placements; and

12 (8) on average, States using this centralized
 13 electronic interstate case processing system have
 14 been able to reduce from 24 days to 13 days the
 15 time it takes to identify a family for a child and pre-
 16 pare the paperwork required to start the ICPC proc-
 17 ess.

18 **SEC. 3. STATE PLAN REQUIREMENT.**

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

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

23 (2) by inserting “, which, not later than Octo-
 24 ber 1, 2022, shall include a centralized electronic

1 interstate case processing system” before the 1st
2 semicolon.

3 (b) EFFECTIVE DATE.—

4 (1) IN GENERAL.—The amendments made by
5 subsection (a) shall take effect on the 1st day of the
6 1st calendar quarter beginning on or after the date
7 of the enactment of this Act, and shall apply to pay-
8 ments under part E of title IV of the Social Security
9 Act for calendar quarters beginning on or after such
10 date.

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

1 each year of the session is deemed to be a separate
 2 regular session of the State legislature.

3 **SEC. 4. GRANTS FOR THE DEVELOPMENT OF A CENTRAL-**
 4 **IZED ELECTRONIC SYSTEM TO EXPEDITE THE**
 5 **INTERSTATE PLACEMENT OF CHILDREN IN**
 6 **FOSTER CARE OR GUARDIANSHIP, OR FOR**
 7 **ADOPTION.**

8 (a) IN GENERAL.—Section 437 of the Social Security
 9 Act (42 U.S.C. 637) is amended by adding at the end the
 10 following:

11 “(g) GRANTS FOR THE DEVELOPMENT OF A CEN-
 12 TRALIZED ELECTRONIC SYSTEM TO EXPEDITE THE
 13 INTERSTATE PLACEMENT OF CHILDREN IN FOSTER
 14 CARE OR GUARDIANSHIP, OR FOR ADOPTION.—

15 “(1) PURPOSE.—The purpose of this subsection
 16 is to facilitate the development of a centralized elec-
 17 tronic system for the exchange of data and docu-
 18 ments to expedite the placements of children in fos-
 19 ter, guardianship, or adoptive homes across State
 20 lines.

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

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

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

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

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

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

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

23 “(D) Such other information as the Sec-
24 retary may require.

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

4 “(4) USE OF FUNDS.—A State to which a grant
5 is made under this subsection shall use the grant for
6 the development of the centralized electronic system
7 described in paragraph (1).

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

14 “(A) How using the centralized electronic
15 system developed pursuant to paragraph (4)
16 has changed the time it takes for children to be
17 placed across State lines.

18 “(B) The number of cases subject to the
19 Interstate Compact on the Placement of Chil-
20 dren that were processed through the central-
21 ized electronic system, and the number of inter-
22 state child placement cases that were processed
23 outside the centralized electronic system, by
24 each State in each year.

1 “(C) The progress made by States in im-
2 plementing the centralized electronic system.

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

8 “(E) How using the centralized electronic
9 system has affected administrative costs and
10 caseworker time spent on placing children
11 across State lines.

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

20 “(A) connecting the system with other
21 data systems (such as systems operated by
22 State law enforcement and judicial agencies,
23 systems operated by the Federal Bureau of In-
24 vestigation for the purposes of the Innocence
25 Lost National Initiative, and other systems);

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

“(C) improving the ability of States to quickly comply with background check requirements of section 471(a)(20), including checks of child abuse and neglect registries as required by section 471(a)(20)(B).”.

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

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

SEC. 6. RESERVATION OF FUNDS TO IMPROVE THE INTERSTATE PLACEMENT OF CHILDREN.

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

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

- 1 amount so reserved shall remain available through
- 2 fiscal year 2021.”.

