

116TH CONGRESS
2D SESSION

H. R. 8443

To amend part E of title IV of the Social Security Act to require States to provide for the placement of a foster child in a cottage home, and to make a child so placed eligible for foster care maintenance payments.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2020

Mr. DUNN (for himself and Mr. HASTINGS) introduced the following bill;
which was referred to the Committee on Ways and Means

A BILL

To amend part E of title IV of the Social Security Act to require States to provide for the placement of a foster child in a cottage home, and to make a child so placed eligible for foster care maintenance payments.

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 “Cottage Homes to Im-
5 prove Lives for Dependents (CHILD) Act”.

1 **SEC. 2. PLACEMENT OF FOSTER CHILDREN IN COTTAGE**
2 **HOMES.**

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

5 (1) by striking “and” at the end of paragraph
6 (36);

7 (2) by striking the period at the end of para-
8 graph (37) and inserting “; and”; and

9 (3) by adding at the end the following:

10 “(38) provides that, with respect to a child who
11 has attained 6 years of age and who is removed
12 from the child’s home, if a suitable relative or other
13 designated caregiver is not available as a placement
14 for the child, placing the child in a foster family
15 home or a cottage home shall be considered the least
16 restrictive setting for the child.”.

17 (b) ELIGIBILITY FOR FOSTER CARE MAINTENANCE
18 PAYMENTS OF CERTAIN CHILDREN PLACED IN A COT-
19 TAGE HOME.—Section 472(a)(2)(C) of such Act (42
20 U.S.C. 672(a)(2)(C)) is amended—

21 (1) by striking “or”; and

22 (2) by inserting “, or (if the child has attained
23 6 years of age and a suitable relative or other des-
24 ignated caregiver is not available as a placement for
25 the child) in a cottage home that is not a foster fam-
26 ily home or child-care institution” before the period.

1 (c) DEFINITION OF COTTAGE HOME.—Section
2 472(c) of such Act (42 U.S.C. 672(c)) is amended by add-
3 ing at the end the following:

4 “(3) COTTAGE HOME.—The term ‘cottage
5 home’ means a residential operation—

6 “(A) in which not more than 12 children
7 reside;

8 “(B) that has and implements a trauma-
9 informed care plan for its residents;

10 “(C) that involves family members of a
11 child in the plan of service for the child, and
12 maintains contact with the family of the child,
13 if available and if the involvement supports the
14 well-being of the child; and

15 “(D) that is licensed by the State in which
16 it is situated or has been approved, by the
17 agency of the State responsible for licensing or
18 approval of institutions of this type.”.

19 (d) EFFECTIVE DATE.—

20 (1) IN GENERAL.—The amendments made by
21 this section shall take effect on the date of the en-
22 actment of this Act, and shall apply to payments
23 under part E of title IV of the Social Security Act
24 for calendar quarters beginning on or after such
25 date.

1 (2) DELAY PERMITTED IF STATE LEGISLATION
2 REQUIRED.—If the Secretary of Health and Human
3 Services determines that State legislation (other
4 than legislation appropriating funds) is required in
5 order for a State plan under part E of title IV of
6 the Social Security Act to meet the additional re-
7 quirements imposed by the amendments made by
8 this section, the plan shall not be regarded as failing
9 to meet any of the additional requirements before
10 the first day of the first calendar quarter beginning
11 after the first regular session of the State legislature
12 that begins after the date of the enactment of this
13 Act. For purposes of the preceding sentence, if the
14 State has a 2-year legislative session, each year of
15 the session is deemed to be a separate regular ses-
16 sion of the State legislature.

○