

118TH CONGRESS
2D SESSION

H. R. 3058

IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2024

Received; read twice and referred to the Committee on Finance

AN ACT

To amend parts B and E of title IV of the Social Security Act to improve foster and adoptive parent recruitment and retention, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Recruiting Families
3 Using Data Act of 2023”.

4 **SEC. 2. STATE PLAN AMENDMENT.**

5 (a) IN GENERAL.—Section 422 of the Social Security
6 Act (42 U.S.C. 622) is amended—

7 (1) in subsection (b)(7), by inserting “through
8 the development and implementation of a family
9 partnership plan which meets the requirements of
10 subsection (d) for identification, recruitment, screen-
11 ing, licensing, support, and retention of foster and
12 adoptive families” after “are needed”; and

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

14 “(d) FAMILY PARTNERSHIP PLAN REQUIRE-
15 MENTS.—For purposes of subsection (b)(7), the require-
16 ments for a family partnership plan (in this subsection
17 referred to as the ‘plan’) are the following:

18 “(1) The plan is developed in consultation with
19 birth, kinship, foster and adoptive families, commu-
20 nity-based service providers, technical assistance
21 providers, and youth with lived experience with fos-
22 ter care and adoption.

23 “(2) The plan describes—

24 “(A) how the State plans to identify, no-
25 tify, engage, and support relatives (and others

1 connected to the child) as potential placement
2 resources for children;

3 “(B) how the State plans to develop and
4 implement child-specific recruitment plans for
5 every child in or entering foster care who needs
6 a foster or adoptive family;

7 “(C) how the State plans to authentically
8 engage children and youth in recruitment ef-
9 forts on their behalf;

10 “(D) how the State plans to use data to
11 establish goals, assess needs, measure progress,
12 reduce unnecessary placements in congregate
13 care, increase permanency, improve placement
14 stability, increase the rate of kinship place-
15 ments, improve recruitment and retention of
16 families for teens, sibling groups, and other spe-
17 cial populations, and align the composition of
18 foster and adoptive families with the needs of
19 children in or entering foster care; and

20 “(E) how the State will stand up or sup-
21 port foster family advisory boards for the pur-
22 pose of improving recruitment and retention of
23 foster and adoptive families.

24 “(3) The plan provides that, not less than an-
25 nually, the State shall collect and report on the

1 State’s actual foster family capacity and congregate
2 care utilization, including the number, demo-
3 graphics, and characteristics of licensed foster fami-
4 lies, including prospective adoptive families, the
5 number of such families that haven’t received a
6 placement or are not being fully utilized and the rea-
7 sons therefor, and the number, demographics, and
8 characteristics of children placed in congregate care
9 in-State and out-of-State.

10 “(4) The plan includes, and shall update not
11 less than annually, a summary of the most recent
12 feedback from foster and adoptive parents and youth
13 regarding licensure, training, support, and reasons
14 why parents stop fostering or why adoptive or legal
15 guardianship placements out of foster care fail or
16 foster and such adoptive or legal guardianship fami-
17 lies struggle to meet children’s needs.

18 “(5) The plan includes, and shall update annu-
19 ally, a report on the State’s analysis of specific chal-
20 lenges or barriers to recruiting, licensing, and uti-
21 lizing families who reflect the racial and ethnic back-
22 ground of children in foster care in the State, and
23 the State’s efforts to overcome those challenges and
24 barriers.

1 “(6) The plan includes such other information
2 relating to foster and adoptive parent recruitment
3 and retention as the Secretary may require.”.

4 (b) EFFECTIVE DATE.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), the amendment made by this subsection
7 shall take effect on October 1, 2024.

8 (2) DELAY PERMITTED IF STATE LEGISLATION
9 REQUIRED.—In the case of a State plan approved
10 under subpart 1 of part B of title IV of the Social
11 Security Act which the Secretary of Health and
12 Human Services determines requires State legisla-
13 tion (other than legislation appropriating funds) in
14 order for the plan to meet the additional require-
15 ments imposed by this subsection, the State plan
16 shall not be regarded as failing to comply with the
17 requirements of such part solely on the basis of the
18 failure of the plan to meet such additional require-
19 ments before the first day of the first calendar quar-
20 ter beginning after the close of the first regular ses-
21 sion of the State legislature that begins after the
22 date of enactment of this subsection. For purposes
23 of the previous sentence, in the case of a State that
24 has a 2-year legislative session, each year of such

1 session shall be deemed to be a separate regular ses-
2 sion of the State legislature.

3 **SEC. 3. INCLUSION OF INFORMATION ON FOSTER AND**
4 **ADOPTIVE FAMILIES IN ANNUAL CHILD WEL-**
5 **FARE OUTCOMES REPORT TO CONGRESS.**

6 Section 479A(a) of the Social Security Act (42
7 U.S.C. 679b(a)) is amended—

8 (1) in paragraph (6)(C), by striking “and”
9 after the semicolon;

10 (2) in paragraph (7)(B), by striking the period
11 and inserting “; and”; and

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

13 “(8) include in the report submitted pursuant
14 to paragraph (5) for fiscal year 2025 or any suc-
15 ceeding fiscal year—

16 “(A) State-by-State data on the number,
17 demographics, and characteristics of foster and
18 adoptive families in the State, and the number
19 of potential foster and adoptive families not
20 being utilized in the State and the reasons why;

21 “(B) a summary of the challenges of, and
22 barriers to, being a foster or adoptive parent,
23 including with respect to recruitment, licensure,
24 engagement, retention, and why parents stop
25 fostering, adoptions disrupt or dissolve, or fos-

ter or adoptive families struggle, as reported by
States based on surveys of foster and adoptive
parents; and

4 “(C) a summary of the challenges and bar-
5 riers States reported on efforts to recruit a pool
6 of families that reflect the racial and ethnic
7 background of children in foster care in the
8 State, and efforts to overcome those barriers.”.

Passed the House of Representatives January 18,
2024.

Attest: KEVIN F. MCCUMBER,
Clerk.