

114TH CONGRESS
2D SESSION

H. R. 4843

To amend the Child Abuse Prevention and Treatment Act to require certain monitoring and oversight, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2016

Mr. BARLETTA (for himself, Mr. WALBERG, Mr. KLINE, Ms. CLARK of Massachusetts, Mr. POLIS, and Mr. SCOTT of Virginia) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Child Abuse Prevention and Treatment Act to require certain monitoring and oversight, 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 “Improving Safe Care
5 for the Prevention of Infant Abuse and Neglect Act”.

6 **SEC. 2. BEST PRACTICES FOR DEVELOPMENT OF PLANS OF**
7 **SAFE CARE.**

8 Section 103(b) of the Child Abuse Prevention and
9 Treatment Act (42 U.S.C. 5104(b)) is amended—

1 (1) by redesignating paragraphs (5) through
2 (8) as paragraphs (6) through (9), respectively; and

3 (2) by inserting after paragraph (4), the fol-
4 lowing:

5 “(5) maintain and disseminate information
6 about the best practices relating to the development
7 of plans of safe care as described in section
8 106(b)(2)(B)(iii) for infants born and identified as
9 being affected by illegal substance abuse or with-
10 drawal symptoms, or a Fetal Alcohol Spectrum Dis-
11 order;”.

12 **SEC. 3. STATE PLANS.**

13 Section 106(b)(2)(B)(iii) of the Child Abuse Preven-
14 tion and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(iii))
15 is amended by inserting before the period at the end the
16 following: “to ensure the safety and well-being of such in-
17 fant following release from the care of healthcare pro-
18 viders, including through addressing the health of the af-
19 fected family or caregiver”.

20 **SEC. 4. DATA REPORTS.**

21 (a) IN GENERAL.—Section 106(d) of the Child Abuse
22 Prevention and Treatment Act (42 U.S.C. 5106a(d)) is
23 amended by adding at the end of the following:

24 “(17) The total number of infants—

1 “(A) identified under subsection
2 (b)(2)(B)(ii);

3 “(B) for whom a plan of safe care was de-
4 veloped under subsection (b)(2)(B)(iii); and

5 “(C) for whom referrals are made for ap-
6 propriate services, including services for the af-
7 fected family or caregiver, as may be necessary
8 under subsection (b)(2)(B)(iii).”.

9 (b) REDESIGNATION.—Effective on May 29, 2017,
10 section 106(d) of the Child Abuse Prevention and Treat-
11 ment Act (42 U.S.C. 5106a(d)) is amended by redesi-
12 gnating paragraph (17) (as added by subsection (a)) as
13 paragraph (18).

14 **SEC. 5. MONITORING AND OVERSIGHT.**

15 (a) AMENDMENT.—Title I of the Child Abuse Preven-
16 tion and Treatment Act (42 U.S.C. 5101 et seq.) is fur-
17 ther amended by adding at the end the following:

18 **“SEC. 114. MONITORING AND OVERSIGHT.**

19 “The Secretary shall conduct monitoring to ensure
20 that each State that receives a grant under section 106
21 is in compliance with the requirements of section 106(b),
22 which—

23 “(1) shall—

1 “(A) be in addition to the review of the
2 State plan upon its submission under section
3 106(b)(1)(A); and

4 “(B) include monitoring of State policies
5 and procedures required under clauses (ii) and
6 (iii) of section 106(b)(2)(B); and

7 “(2) may include—

8 “(A) a comparison of activities carried out
9 by the State to comply with the requirements of
10 section 106(b) with the State plan most re-
11 cently approved under section 432 of the Social
12 Security Act;

13 “(B) information available on the Website
14 of the State relating to its compliance with the
15 requirements of section 106(b);

16 “(C) site visits, as may be necessary to
17 carry out such monitoring; and

18 “(D) information available in the State’s
19 Annual Progress and Services Report most re-
20 cently submitted under section 1357.16 of title
21 45, Code of Federal Regulations (or successor
22 regulations).”.

23 (b) TABLE OF CONTENTS.—The table of contents in
24 section 1(b) of the Child Abuse Prevention and Treatment

1 Act (42 U.S.C. 5101 note) is amended by inserting after
2 the item relating to section 113, the following:

“Sec. 114. Monitoring and oversight.”.

3 **SEC. 6. RULE OF CONSTRUCTION.**

4 Nothing in this Act shall be construed to authorize
5 the Secretary of Health and Human Services or any other
6 officer of the Federal Government to add new require-
7 ments to section 106(b) of the Child Abuse Prevention and
8 Treatment Act (42 U.S.C. 5106a(b)), as amended by this
9 Act.

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