

114TH CONGRESS
1ST SESSION

S. 1964

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 with their families, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2015

Mr. WYDEN (for himself, Ms. STABENOW, Mr. CASEY, Mr. BENNET, Mr. BROWN, Ms. CANTWELL, Mr. SCHUMER, and Mr. MENENDEZ) introduced the following bill; which was read twice and referred to the Committee on Finance

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 with their families, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Family Stability and Kinship Care Act of 2015”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Findings.
 Sec. 3. Purpose.
 Sec. 4. Time-limited family services under part E of title IV of the Social Security Act.
 Sec. 5. Ensuring funding under part B of title IV of the Social Security Act for prevention and post-permanency support.
 Sec. 6. Effective date.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Our Nation's child welfare financing system
 4 gives States and Indian Tribes few resources to in-
 5 vest in prevention and family services that help keep
 6 children safely at home or in the care of other family
 7 members.

8 (2) Title IV–E of the Social Security Act cur-
 9 rently provides States and Indian Tribes with man-
 10 datory Federal funding support for children only
 11 after they are placed in foster care. Title IV–E pro-
 12 vides few incentives for State and tribal efforts to
 13 prevent the need for out-of-home placements of chil-
 14 dren or to reduce the time children spend in foster
 15 care.

16 (3) In contrast, State and tribal innovations im-
 17 plemented through title IV–E waivers suggest that
 18 permitting State and tribal spending under title IV–
 19 E for front end prevention and family services may
 20 help reduce the prevalence and length of foster care

1 placements while maintaining or improving safety
2 and permanency outcomes for children.

3 (4) Additionally, State experiences with sub-
4 sidized guardianship demonstrate that when children
5 cannot remain with their parents, children placed
6 with relatives or kin experience greater stability than
7 children placed with non-relative foster families.
8 Kinship or relative care reduces the emotional trau-
9 ma associated with separation from parents, helps
10 keep siblings together, and preserves cultural herit-
11 age and community bonds. Providing supportive
12 services to relatives and kin can reduce the number
13 of children entering or re-entering foster care.

14 (5) At the same time, current Federal funding
15 for broad, community-based, primary prevention pro-
16 grams through title IV–B is too limited to ade-
17 quately reach the number of families in need.

18 (6) Greater access to prevention and family
19 services will help keep children safe and supported
20 at home with their parents or other family members,
21 give States and Indian Tribes the flexibility to adapt
22 evidence-based support services to the specific needs
23 of each family, and ensure that States and Indian
24 Tribes are held accountable for allocating services in
25 ways that maximize safety and permanency for chil-

1 dren, while minimizing the prevalence of lengthy fos-
 2 ter care placements.

3 **SEC. 3. PURPOSE.**

4 The purpose of this Act is to enable States to provide
 5 enhanced support to children and families and prevent fos-
 6 ter care placements through the provision of time-limited
 7 family services and expanded kinship supports.

8 **SEC. 4. TIME-LIMITED FAMILY SERVICES UNDER PART E OF**
 9 **TITLE IV OF THE SOCIAL SECURITY ACT.**

10 (a) TIME-LIMITED FAMILY SERVICES DEFINED.—
 11 Section 475 of such Act (42 U.S.C. 675) is amended by
 12 adding at the end the following:

13 “(13)(A) The term ‘time-limited family services’
 14 means supports and services that are among the
 15 services and supports specified in subparagraph (B)
 16 and that are provided to a child or to the parents
 17 or potential or designated kin caregivers of a child
 18 described in subparagraph (C) during a 12-month
 19 period that begins on a date described in subpara-
 20 graph (D). Such individuals shall remain eligible for
 21 time-limited family services for a full 12-month pe-
 22 riod without regard to whether any such individuals
 23 cease to be described in subparagraph (C) after the
 24 period begins.

1 “(B) The services and supports described in
2 this subparagraph are the following:

3 “(i) Parenting and family skills training
4 and parent education, including parent advo-
5 cates, peer-to-peer mentoring and support
6 groups for parents, primary caregivers, and po-
7 tential kinship caregivers.

8 “(ii) Individual, group, and family coun-
9 seling, mentoring, and therapy, including inten-
10 sive family preservation or reunification pro-
11 grams and trauma-informed care.

12 “(iii) Services or assistance to address bar-
13 riers to family preservation and reunification,
14 including mental health needs, domestic vio-
15 lence, substance abuse, and inadequate housing.

16 “(iv) Crisis assistance or services to sta-
17 bilize families in times of crisis or facilitate kin-
18 ship placement, such as transportation, cloth-
19 ing, household goods, assistance with housing
20 and utility payments, child care, respite care,
21 and assistance connecting families with other
22 community-based services.

23 “(C) Individuals described in this subparagraph
24 are the following:

1 “(i) A child who is a candidate for foster
2 care (as defined in paragraph 14) but can re-
3 main safely at home or in a kinship placement
4 with receipt of specified time-limited family
5 services.

6 “(ii) A child in foster care (without regard
7 to whether the child is or would be eligible for
8 payments under section 472 or 473).

9 “(iii) A child in foster care who is a preg-
10 nant or parenting foster youth.

11 “(iv) Parents or potential or designated
12 kin caregivers of a child described in clause (i),
13 (ii), or (iii) when their service needs are directly
14 related to the safety, permanence, or well-being
15 of the child or to the child’s ability not to enter
16 or re-enter foster care.

17 “(D) The dates described in this subparagraph
18 are the following:

19 “(i) The date on which a child is identified
20 in a case plan as a child who is a candidate for
21 foster care (as defined in paragraph (14)).

22 “(ii) The date on which a child is consid-
23 ered to have entered foster care pursuant to
24 paragraph (5)(F).

1 “(iii) The date on which a child is identi-
2 fied in a case plan as a pregnant or parenting
3 foster youth in need of time-limited family serv-
4 ices.

5 “(14) The term ‘child who is a candidate for foster
6 care’ means, a child who is identified in a case plan as
7 being at imminent risk of entering or re-entering foster
8 care (without regard to whether the child is or would be
9 eligible for payments under section 472 or 473) but who
10 can remain safely in the child’s current home or in a kin-
11 ship placement as long as the time-limited family services
12 that are necessary to prevent the child’s entry or reentry
13 into foster care are provided. Such term includes a child
14 whose adoption or guardianship arrangement is at risk of
15 a disruption or dissolution that would result in a foster
16 care placement.”.

17 (b) REQUIREMENTS.—Section 471 of such Act (42
18 U.S.C. 671) is amended—

19 (1) in subsection (a)(1), by striking “and” and
20 all that follows through the semicolon and inserting
21 “, adoption assistance in accordance with section
22 473, and, at the option of the State, time-limited
23 family services in accordance with subsection (e);”;
24 and

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

1 “(e) REQUIREMENTS FOR TIME-LIMITED FAMILY
2 SERVICES.—

3 “(1) IN GENERAL.—A State may provide time-
4 limited family services (as defined in section
5 475(13)) to individuals described in subparagraph
6 (C) of section 475(13) only if the State—

7 “(A) submits as part of the State plan re-
8 quired under subsection (a) a time-limited fam-
9 ily services plan component that meets the re-
10 quirements of paragraph (2); and

11 “(B) satisfies the general requirements
12 specified in paragraph (3) and the maintenance
13 of effort requirements specified in (5).

14 “(2) TIME-LIMITED FAMILY SERVICES PLAN
15 COMPONENT.—In order to meet the requirements of
16 this paragraph, a time-limited family services plan
17 component shall include, with respect to each 5-year
18 period for which the plan component is in operation
19 in the State, the following:

20 “(A) How the State intends to utilize the
21 Federal funding available for providing time-
22 limited family services, including a description
23 of how Federal funds provided for such services
24 will be used to supplement, and not supplant,

1 the level of State and local funds expended for
2 child welfare.

3 “(B) How providing time-limited family
4 services is expected to improve outcomes for
5 children and families, including which specific
6 outcomes the State expects to achieve and the
7 means by which those outcomes will be mon-
8 itored.

9 “(C) How the State will monitor and over-
10 see the safety of children who receive time-lim-
11 ited family services, including through periodic
12 risk assessments throughout the period in
13 which such services are provided on behalf of a
14 child remaining at home and re-examination of
15 the plan for service provision on behalf of a
16 child remaining at home or in foster care if
17 there is a determination that the child’s risk of
18 entering or re-entering into foster care, or of
19 being prevented from exiting foster care, re-
20 mains high over the course of the provision of
21 such services.

22 “(D) Information on the specific evidence-
23 based programs and promising practice models
24 the State plans to implement to provide time-

1 limited family services, including a description
2 of—

3 “(i) each such program or model;

4 “(ii) how the State plans to imple-
5 ment each such program or model;

6 “(iii) how the State selected such pro-
7 grams or models; and

8 “(iv) the target population for each
9 model.

10 “(E) A description of the collaboration be-
11 tween the State agencies responsible for admin-
12 istering the State plans under this part and
13 part B and the State agency responsible for ad-
14 ministering the State plan under title XIX, as
15 well as with other public and private agencies
16 with experience in administering child and fam-
17 ily services, including community-based organi-
18 zations, in order to foster a continuum of care
19 and services available for children and families.

20 “(F) A description of how the State shall
21 assess children and families to determine eligi-
22 bility for time-limited family services.

23 “(G) A description of training and support
24 for caseworkers handling prevention cases, in-

cluding how caseload size and type will be determined, managed, and overseen.

“(H) A description of training and support for parents or potential or designated kin caregivers of a child eligible for time-limited family services.

“(3) GENERAL REQUIREMENTS.—The general requirements for providing time-limited family services specified in this paragraph are the following:

“(A) SPECIFIED SERVICES IN ADVANCE OF PROVISION.—

“(i) IN GENERAL.—Except as provided in clause (ii), the specific services necessary to prevent the child’s entry or reentry into foster care or enable the child’s exit from foster care to be reunified with their family or placed with kin are specified in the child’s case plan in advance of the provision of such services.

“(ii) EXCEPTION FOR EMERGENCY OR OTHER EXIGENT CIRCUMSTANCES.—Clause (i) shall not apply to the provision of time-limited family services in emergency or exigent circumstances but the provision of such services shall be included in the

1 child's case plan as soon as practicable
 2 after the provision of the services.

3 “(B) PROMISING AND EVIDENCE-BASED
 4 PROGRAMS, ASSISTANCE, OR SERVICES.—

5 “(i) EVIDENCE-BASED PROGRAMS, AS-
 6 SISTANCE, OR SERVICES.—Not later than
 7 October 1, 2018, at least 25 percent of the
 8 total amount of expenditures by the State
 9 for time-limited family services are for evi-
 10 dence-based programs, assistance, or serv-
 11 ices that have demonstrated any of the fol-
 12 lowing outcomes, as determined by the
 13 Secretary and based on rigorous evalua-
 14 tion:

15 “(I) Reducing the likelihood or
 16 duration of foster care placement.

17 “(II) Decreasing use of con-
 18 gregate care settings.

19 “(III) Increasing use of kinship
 20 care arrangements.

21 “(ii) REQUIREMENT.—The State only
 22 provides time-limited family services that
 23 are promising programs, services, or assist-
 24 ance and through evidence-informed or cul-

1 turally specific or other adaptations of pro-
2 grams.

3 “(iii) GUIDANCE ON CRITERIA AND
4 PRE-APPROVED PROGRAMS, SERVICES, AND
5 ASSISTANCE.—

6 “(I) IN GENERAL.—Not later
7 than October 1, 2017, the Secretary
8 shall issue guidance to States that
9 specifies the level of evidence required
10 for a program, service, or form of as-
11 sistance to satisfy the requirements of
12 this subparagraph, and contains a
13 pre-approved list of programs, services
14 and forms of assistance that meet
15 such criteria or satisfy such require-
16 ments.

17 “(II) UPDATES.—The Secretary
18 shall issue updates to the guidance re-
19 quired under this clause as often as
20 the Secretary determines necessary.

21 “(C) PAYMENT ONLY IF NO OTHER FED-
22 ERAL FUNDING AVAILABLE.—Payment under
23 section 474(a)(6) for expenditures for time-lim-
24 ited family services shall not duplicate other
25 Federal funding sources for services and sup-

1 ports that are provided as time-limited family
2 services and shall only be made to the extent
3 that payment for services and supports provided
4 as time-limited family services cannot reason-
5 ably be expected to be available under another
6 federally funded program within a reasonable
7 time given the needs of the child and the child's
8 family during the child's 12-month eligibility
9 period.

10 “(D) OUTCOME ASSESSMENT AND REPORT-
11 ING.—

12 “(i) IN GENERAL.—The State shall
13 collect and report to the Secretary the fol-
14 lowing with respect to each child for whom,
15 or on whose behalf, time-limited family
16 services are provided during a 12-month
17 period:

18 “(I) With respect to each cat-
19 egory of services and supports de-
20 scribed in section 475(13)(B), the
21 specific services provided and the total
22 expenditures for each such service.

23 “(II) The child's placement sta-
24 tus at the beginning, and at the end,
25 of the period, respectively.

1 “(III) The child’s placement sta-
 2 tus 1 year after the end of the period.

3 “(ii) SIBLINGS.—If time-limited fam-
 4 ily services are provided over a 12-month
 5 period to or on behalf of 2 or more sib-
 6 lings, the aggregate amount of expendi-
 7 tures for such services to be reported
 8 under clause (i)(I) may be allocated to 1
 9 sibling or divided among such siblings so
 10 long as such siblings are all included in
 11 calculation of the per-child spending meas-
 12 ure under paragraph (4)(A)(i)(III).

13 “(4) AUTHORIZATION FOR OUTCOMES-RE-
 14 WARDED INCREASED MATCH.—

15 “(A) NATIONAL PERFORMANCE MEAS-
 16 URES.—

17 “(i) ESTABLISHMENT; ANNUAL UP-
 18 DATES.—Beginning with fiscal year 2021,
 19 and annually thereafter, the Secretary
 20 shall establish the following national per-
 21 formance measures:

22 “(I) PERCENTAGES OF CAN-
 23 DIDATES WHO DO NOT SUBSE-
 24 QUENTLY ENTER FOSTER CARE.—

25 With respect to all children for whom,

1 or on whose behalf, time-limited fam-
 2 ily services are provided during any
 3 12-month period, the percentages of
 4 such children initially determined to
 5 be candidates for foster care who do
 6 not enter a foster care placement
 7 (other than a kinship placement) dur-
 8 ing such period and through the end
 9 of the succeeding 12-month period.

10 “(II) PERCENTAGES OF CHIL-
 11 DREN WHO LEAVE FOSTER CARE FOR
 12 REUNIFICATION, KINSHIP PLACE-
 13 MENT, GUARDIANSHIP, OR ADOP-
 14 TION.—With respect to all children
 15 for whom, or on whose behalf, time-
 16 limited family services are provided
 17 during any 12-month period, the per-
 18 centages of such children who are ini-
 19 tially in a foster care placement who
 20 are returned to, or are placed with a
 21 biological or adoptive parent or in a
 22 kinship placement or guardianship at
 23 the end of such period and who re-
 24 main in each such placement through

1 the end of the succeeding 12-month
2 period.

3 “(III) PER-CHILD SPENDING ON
4 TIME-LIMITED FAMILY SERVICES.—

5 With respect to each 12-month period
6 for which percentages are determined
7 under subclauses (I) and (II) (other
8 than a percentage determined for a
9 succeeding 12-month period), the total
10 amount of expenditures for providing
11 time-limited family services for, or on
12 behalf of, each child during the pe-
13 riod.

14 “(ii) DATA.—The Secretary shall es-
15 tablish and update the national perform-
16 ance measures—

17 “(I) based on the median State
18 values of the information reported
19 under each subclause of clause (i) for
20 the 3 most recent years; and

21 “(II) taking into account State
22 differences in the price levels of con-
23 sumption goods and services using the
24 most recent regional price parities
25 published by the Bureau of Economic

1 Analysis of the Department of Com-
 2 merce or such other data as the Sec-
 3 retary determines appropriate.

4 “(iii) PUBLICATION OF STATE PER-
 5 FORMANCE.—The Secretary shall annually
 6 make available to the public each State’s
 7 performance with respect to the national
 8 performance measures.

9 “(B) APPLICATION TO MATCHING RATE.—

10 “(i) CRITERIA FOR INCREASE.—Be-
 11 ginning with fiscal year 2022, the Federal
 12 percentage applicable to payments to a
 13 State for a fiscal year under section
 14 474(a)(6) for expenditures attributable to
 15 time-limited family services shall be in-
 16 creased by such number of percentage
 17 points (not to exceed 10 percentage points)
 18 as the Secretary shall determine, for any
 19 State for which—

20 “(I) each of the State-specific
 21 percentages described in subclauses
 22 (I) and (II) of subparagraph (A)(i)
 23 are greater than the national average
 24 percentages determined under such

1 subclauses for the preceding fiscal
2 year; and

3 “(II) the State-specific per child
4 spending amount described in sub-
5 clause (III) of subparagraph (A)(i) is
6 less than the national average amount
7 determined under that subclause for
8 the preceding fiscal year.

9 “(ii) CRITERIA FOR REDUCTION.—Be-
10 ginning with fiscal year 2022, the Federal
11 percentage applicable to payments to a
12 State for a fiscal year under section
13 474(a)(6) for expenditures attributable to
14 time-limited family services shall be re-
15 duced by such number of percentage points
16 (not to exceed 10 percentage points) as the
17 Secretary shall determine, for any State
18 for which—

19 “(I) each of the State-specific
20 percentages described in subclauses
21 (I) and (II) of subparagraph (A)(i)
22 are less than the national average per-
23 centages determined under such sub-
24 clauses for the preceding fiscal year;
25 and

1 “(II) the State-specific per child
 2 spending amount described in sub-
 3 clause (III) of subparagraph (A)(i) is
 4 more than the national average
 5 amount determined under that sub-
 6 clause for the preceding fiscal year.

7 “(iii) NO CHANGE UNLESS ALL CRI-
 8 TERIA MET.—A State shall not be eligible
 9 for an increase in its applicable Federal
 10 matching rate under section 474(a)(6) for
 11 a fiscal year, or shall not be subject to a
 12 reduction in that rate for a fiscal year, un-
 13 less the State satisfies both of the condi-
 14 tions specified in clause (i) or (ii) (as ap-
 15 plicable).

16 “(5) MAINTENANCE OF EFFORT.—

17 “(A) CERTIFICATION.—The Governor of a
 18 State shall certify that payments under this
 19 part for time-limited family services are used to
 20 supplement, and not supplant, the level of State
 21 and local funds expended for child welfare for
 22 fiscal year 2015.

23 “(B) STATE REPORTS.—A State shall fur-
 24 nish reports to the Secretary, at such times, in
 25 such format, and containing such information

1 as the Secretary may require, that demonstrate
 2 the State's compliance with subparagraph (A).

3 “(6) ADMINISTRATIVE COSTS ASSOCIATED WITH
 4 THE PROVISION OF TIME-LIMITED FAMILY SERV-
 5 ICES.—Expenditures described in paragraph (6) or
 6 (7) of section 474(a)—

7 “(A) shall not be eligible for payment
 8 under paragraph (3) of section 474(a); and

9 “(B) shall be eligible for payment without
 10 regard to whether such expenditures are in-
 11 curred on behalf of a child who is, or is poten-
 12 tially, eligible for assistance payments under
 13 this part.

14 “(7) RULE OF CONSTRUCTION.—Nothing in
 15 this subsection shall be construed to reduce or limit
 16 the responsibility of the State agency responsible for
 17 administering the State plan approved under title
 18 XIX to administer and provide care and services for
 19 children with respect to whom services are provided
 20 under the State plan developed pursuant to this sub-
 21 part.”.

22 (c) PAYMENTS UNDER TITLE IV—E.—

23 (1) IN GENERAL.—Section 474(a) of the Social
 24 Security Act (42 U.S.C. 674(a)) is amended—

1 (A) in paragraph (5), by striking the pe-
2 riod at the end and inserting “; plus”; and

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

4 “(6) subject to section 471(e), for each quarter
5 beginning after September 30, 2015, an amount
6 equal to the Federal medical assistance percentage
7 (which shall be as defined in section 1905(b), in the
8 case of a State other than the District of Columbia,
9 or 70 percent, in the case of the District of Colum-
10 bia) of the total amount expended during such quar-
11 ter for the provision of time-limited family services
12 (as defined in section 475(13)) (or, with respect to
13 such payments made during such quarter under a
14 cooperative agreement or contract entered into by
15 the State and an Indian tribe, tribal organization, or
16 tribal consortium for the administration or payment
17 of funds under this part, an amount equal to the
18 Federal medical assistance percentage that would
19 apply under section 479B(d) (in this paragraph re-
20 ferred to as the ‘tribal FMAP’) if such Indian tribe,
21 tribal organization, or tribal consortium made such
22 payments under a program operated under that sec-
23 tion, unless the tribal FMAP is less than the Fed-
24 eral medical assistance percentage that applies to
25 the State); plus

1 “(7) subject to section 471(e)(6), for each quar-
2 ter beginning after September 30, 2015, an amount
3 equal to the sum of the following proportions of the
4 total amount expended during such quarter—

5 “(A) 50 percent of so much of such ex-
6 penditures as found necessary by the Secretary
7 for the proper and efficient administration of
8 the State plan for the provision of time-limited
9 family services (as defined in section 475(13)),
10 including expenditures for activities approved
11 by the Secretary that promote the development
12 of necessary infrastructure to establish and im-
13 plement the provision of time-limited family
14 services for individuals who are eligible for such
15 services; and

16 “(B) 50 percent of so much of such ex-
17 penditures as are for training of personnel em-
18 ployed or preparing for employment by the
19 State agency or by the local agency admin-
20 istering the plan in the political subdivision,
21 with respect to the provision of time-limited
22 family services, including on how to determine
23 who are individuals eligible for such services,
24 how to identify and provide appropriate time-
25 limited family services, and how to oversee and

1 evaluate the ongoing appropriateness of such
2 services.”.

3 (2) CONFORMING AMENDMENT.—Subsection (i)
4 of section 472 of such Act (42 U.S.C. 672) is
5 amended by adding after and below paragraph
6 (2)(B) of such subsection the following flush sen-
7 tence:

8 “Paragraphs (1) and (2) shall not apply to Federal match-
9 ing payments for administrative expenditures that are eli-
10 gible for payment under section 474(a)(7).”.

11 (d) TECHNICAL ASSISTANCE, DATA COLLECTION,
12 AND EVALUATION.—Section 476 of the Social Security
13 Act (42 U.S.C. 676) is amended by adding at the end the
14 following:

15 “(d) TECHNICAL ASSISTANCE, DATA COLLECTION,
16 AND EVALUATIONS RELATING TO TIME-LIMITED FAMILY
17 SERVICES.—

18 “(1) TECHNICAL ASSISTANCE; BEST PRAC-
19 TICES.—The Secretary shall provide to States and,
20 as applicable, to Indian tribes, tribal organizations,
21 and tribal consortia, technical assistance regarding
22 the provision of time-limited family services under
23 this part and shall disseminate best practices with
24 respect to the provision of such services.

1 “(2) DATA COLLECTION AND EVALUATIONS.—

2 The Secretary, directly or through grants, contracts,
3 or interagency agreements, shall collect data and
4 conduct research and evaluations with respect to the
5 provision of time-limited family services under this
6 part for purposes of assessing the extent to which
7 the provision of such services reduces the prevalence
8 and length of foster care placements and improves
9 safety, permanency, and well-being outcomes for
10 children on whose behalf services or assistance are
11 provided under this part.

12 “(3) REPORTS TO CONGRESS.—

13 “(A) IN GENERAL.—The Secretary shall
14 submit to the Committee on Ways and Means
15 of the House of Representatives and the Com-
16 mittee on Finance of the Senate periodic re-
17 ports based on the provision of time-limited
18 family services under this part and the activi-
19 ties carried out under this subsection.

20 “(B) PUBLIC AVAILABILITY.—The Sec-
21 retary shall make the reports to Congress sub-
22 mitted under this paragraph publicly available.

23 “(4) APPROPRIATION.—There is appropriated
24 to the Secretary, out of any money in the Treasury
25 of the United States not otherwise appropriated,

1 \$2,500,000 for fiscal year 2016 and each fiscal year
 2 thereafter to carry out this subsection.”.

3 (e) APPLICATION TO PROGRAMS OPERATED BY IN-
 4 DIAN TRIBAL ORGANIZATIONS.—

5 (1) IN GENERAL.—Section 479B of the Social
 6 Security Act (42 U.S.C. 679c) is amended—

7 (A) in subsection (c)(1)—

8 (i) in subparagraph (C)(i)—

9 (I) in subclause (II), by striking
 10 “and” after the semicolon;

11 (II) in subclause (III), by strik-
 12 ing the period at the end and insert-
 13 ing “; and”; and

14 (III) by adding at the end the
 15 following:

16 “(IV) at the option of the tribe,
 17 organization, or consortium, time-lim-
 18 ited family services (as defined in sec-
 19 tion 475(13)) to individuals described
 20 in subparagraph (C) of section
 21 475(13), in accordance with section
 22 471(e) and subparagraph (E).”; and

23 (ii) by adding at the end the fol-
 24 lowing:

25 “(E) TIME-LIMITED FAMILY SERVICES.—

1 “(i) IN GENERAL.—In the case of a
 2 tribe, organization, or consortium that
 3 elects to provide time-limited family serv-
 4 ices (as defined in section 475(13)) to indi-
 5 viduals described in subparagraph (C) of
 6 section 475(13) under the plan, the Sec-
 7 retary shall specify the requirements appli-
 8 cable to the provision of such services.
 9 Such requirements shall, to the greatest
 10 extent practicable, be consistent with the
 11 requirements applicable to States under
 12 section 471(e) and shall permit the provi-
 13 sion of such services in the form of pro-
 14 grams, assistance, or services that are
 15 adapted to the culture and context of the
 16 tribal communities served.

17 “(ii) PERFORMANCE MEASURES.—The
 18 Secretary shall establish specific perform-
 19 ance measures for each tribe, organization,
 20 or consortium that elects to provide time-
 21 limited family services. The performance
 22 measures shall, to the greatest extent prac-
 23 ticable, be consistent with the national per-
 24 formance measures required for States
 25 under paragraph (4)(A) of section 471(e)

1 but shall allow for consideration of factors
 2 unique to the provision of such services by
 3 tribes, organizations, or consortia.”; and
 4 (B) in subsection (d)(1), by striking “and
 5 (5)” and inserting “(5), and (6)”.

6 (2) CONFORMING AMENDMENT.—The heading
 7 for subsection (d) of section 479B of such Act (42
 8 U.S.C. 679c) is amended by striking “FOR FOSTER
 9 CARE MAINTENANCE AND ADOPTION ASSISTANCE
 10 PAYMENTS”.

11 (f) MODERNIZING THE TITLE AND PURPOSE OF
 12 TITLE IV—E.—

13 (1) PART HEADING.—The heading for part E of
 14 title IV of the Social Security Act (42 U.S.C. 670
 15 et seq.) is amended to read as follows:

16 **“PART E—FEDERAL PAYMENTS FOR FOSTER**
 17 **CARE AND PERMANENCY”.**

18 (2) PURPOSE.—The first sentence of section
 19 470 of the Social Security Act (42 U.S.C. 670) is
 20 amended—

21 (A) by striking “and” before “adoption as-
 22 sistance” and inserting a comma;

23 (B) by inserting “kinship guardianship as-
 24 sistance, and time-limited family services,” after
 25 “needs,”; and

1 (C) by striking “(commencing with the fis-
 2 cal year which begins October 1, 1980)”.

3 **SEC. 5. ENSURING FUNDING UNDER PART B OF TITLE IV OF**
 4 **THE SOCIAL SECURITY ACT FOR PREVEN-**
 5 **TION AND POST-PERMANENCY SUPPORT.**

6 (a) ELIMINATION OF TIME-LIMIT FOR FAMILY RE-
 7 UNIFICATION SERVICES.—

8 (1) IN GENERAL.—Section 431(a)(7) of the So-
 9 cial Security Act (42 U.S.C. 629a(a)(7)) is amend-
 10 ed—

11 (A) in the paragraph heading, by striking
 12 “TIME-LIMITED FAMILY” and inserting “FAM-
 13 ILY”; and

14 (B) in subparagraph (A)—

15 (i) by striking “time-limited family”
 16 and inserting “family”; and

17 (ii) by striking “, but only during the
 18 15-month period that begins on the date
 19 that the child, pursuant to section
 20 475(5)(F), is considered to have entered
 21 foster care”.

22 (2) CONFORMING AMENDMENTS.—

23 (A) Section 430 of such Act (42 U.S.C.
 24 629) is amended in the matter preceding para-
 25 graph (1), by striking “time-limited”.

1 (B) Subsections (a)(4), (a)(5)(A), and
 2 (b)(1) of section 432 of such Act (42 U.S.C.
 3 629b) are amended by striking “time-limited”
 4 each place it appears.

5 (b) MANDATORY FUNDING FOR THE PROMOTING
 6 SAFE AND STABLE FAMILIES (PSSF) PROGRAM.—

7 (1) IN GENERAL.—

8 (A) APPROPRIATION FOR FISCAL YEAR
 9 2016.—Section 436(a) of the Social Security Act
 10 (42 U.S.C. 629f(a)) is amended by striking
 11 “are authorized” and all that follows through
 12 the period and inserting “is appropriated
 13 \$1,000,000,000 for fiscal year 2016.”.

14 (B) INCREASE IN FUNDING FOR EVALUA-
 15 TION, RESEARCH, TRAINING AND TECHNICAL
 16 ASSISTANCE AND STATE COURT IMPROVE-
 17 MENTS.—Section 436(b) of such Act (42 U.S.C.
 18 629f(b)) is amended—

19 (i) in paragraph (1), in the matter
 20 preceding subparagraph (A), by striking
 21 “\$6,000,000” and inserting
 22 “\$10,000,000”; and

23 (ii) in paragraph (2), by striking
 24 “\$30,000,000” and inserting
 25 “\$33,000,000”.

1 (C) INCREASE IN FUNDING FOR STATE
 2 COURT ASSESSMENTS AND IMPROVEMENTS.—
 3 Section 438(c)(3)(A)(i) of such Act (42 U.S.C.
 4 629h(c)(3)(A)(i)) is amended by striking
 5 “\$9,000,000” and inserting “\$12,000,000”.

6 (2) CONFORMING AMENDMENT.—Section
 7 437(a) of such Act (42 U.S.C. 629g(a)) is amended
 8 by striking “2016” and inserting “2015”.

9 (c) SPENDING REQUIREMENTS.—Section 432(a)(4)
 10 of the Social Security Act (42 U.S.C. 629b(a)(4)) is
 11 amended by striking “, with significant portions of such
 12 expenditures for each such program” and inserting “with
 13 at least 25 percent of the expenditures made for adoption
 14 promotion and support services”.

15 (d) RESEARCH, TECHNICAL ASSISTANCE, AND GUID-
 16 ANCE ON PROMISING PROGRAM MODELS AND EVIDENCE-
 17 BASED PROGRAMS.—Section 435(c) of such Act (42
 18 U.S.C. 629e(c)) is amended—

19 (1) by striking “and” at the end of paragraph
 20 (1);

21 (2) by striking the period at the end of para-
 22 graph (2) and inserting “; and”; and

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

24 “(3) beginning with fiscal year 2016,
 25 \$4,000,000 for research on promising programs, in-

1 including culturally specific adaptations, to identify
 2 additional evidence-based prevention and interven-
 3 tion programs that prevent child abuse and neglect,
 4 reduce the likelihood of foster care placement by
 5 supporting birth families and kinship families, in-
 6 crease family reunification with parents or other kin,
 7 improve targeted supports for pregnant and par-
 8 enting teens and their children, and promote post-
 9 permanency placement stability for children living
 10 with relatives or non-related caregivers, and for pro-
 11 viding technical assistance and guidance to States
 12 with respect to such programs.”.

13 (e) FAMILY CONNECTION GRANTS.—

14 (1) REAUTHORIZATION OF FUNDING FOR FIS-
 15 CAL YEAR 2016.—Section 427(h) of the Social Secu-
 16 rity Act (42 U.S.C. 627(h)) is amended by inserting
 17 “, and \$15,000,000 for fiscal year 2016” after
 18 “2014”.

19 (2) INCLUSION OF OTHER FAMILY STABILITY
 20 PROGRAMS.—Section 427(a) of such Act (42 U.S.C.
 21 627(a)) is amended—

22 (A) in paragraph (3)(B), by striking “or”
 23 after the semicolon;

24 (B) in paragraph (4)(B), by striking the
 25 period at the end and inserting “; or”; and

1 (C) by inserting after paragraph (4)(B)
 2 the following:

3 “(5) other programs with evidence to support
 4 their effectiveness at preventing foster care place-
 5 ment or supporting family stability post-permanency
 6 (or both).”.

7 **SEC. 6. EFFECTIVE DATE.**

8 (a) IN GENERAL.—Subject to subsection (b), the
 9 amendments made by this Act take effect on October 1,
 10 2015.

11 (b) TRANSITION RULE.—

12 (1) IN GENERAL.—In the case of a State plan
 13 under part B or E of title IV of the Social Security
 14 Act which the Secretary of Health and Human Serv-
 15 ices determines requires State legislation (other than
 16 legislation appropriating funds) in order for the plan
 17 to meet the additional requirements imposed by the
 18 amendments made by this Act, the State plan shall
 19 not be regarded as failing to comply with the re-
 20 quirements of such part solely on the basis of the
 21 failure of the plan to meet such additional require-
 22 ments before the first day of the first calendar quar-
 23 ter beginning after the close of the first regular ses-
 24 sion of the State legislature that begins after the
 25 date of enactment of this Act. For purposes of the

1 previous sentence, in the case of a State that has a
2 2-year legislative session, each year of such session
3 shall be deemed to be a separate regular session of
4 the State legislature.

5 (2) APPLICATION TO PROGRAMS OPERATED BY
6 INDIAN TRIBAL ORGANIZATIONS.—In the case of an
7 Indian tribe, tribal organization, or tribal consortium
8 which the Secretary of Health and Human Services
9 determines requires time to take action necessary to
10 comply with the additional requirements imposed by
11 the amendments made by this Act (whether the
12 tribe, organization, or tribal consortium has a plan
13 under section 479B of the Social Security Act or a
14 cooperative agreement or contract entered into with
15 a State), the Secretary shall provide the tribe, orga-
16 nization, or tribal consortium with such additional
17 time as the Secretary determines is necessary for the
18 tribe, organization, or tribal consortium to take such
19 action before being regarded as failing to comply
20 with such requirements.

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