

Union Calendar No. 225

115TH CONGRESS
1ST SESSION

H. R. 2824

[Report No. 115–315, Part I]

To amend title V of the Social Security Act to extend the Maternal, Infant,
and Early Childhood Home Visiting Program.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2017

Mr. SMITH of Nebraska (for himself, Mr. BURGESS, Mr. TIBERI, Mr. REED, Mr. MEEHAN, Mrs. NOEM, and Mrs. WALORSKI) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 21, 2017

Additional sponsor: Mr. SESSIONS

SEPTEMBER 21, 2017

Reported from the Committee on Ways and Means with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

SEPTEMBER 21, 2017

The Committee on Energy and Commerce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on June 8, 2017]

A BILL

To amend title V of the Social Security Act to extend the Maternal, Infant, and Early Childhood Home Visiting Program.

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 “Increasing Opportunity*
 5 *and Success for Children and Parents through Evidence-*
 6 *Based Home Visiting Act”.*

7 **SEC. 2. TABLE OF CONTENTS.**

8 *The table of contents of this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Continuing evidence-based home visiting program.

Sec. 4. Continuing to demonstrate results to help families.

Sec. 5. Reviewing statewide needs to target resources.

Sec. 6. Improving the likelihood of success in high-risk communities.

Sec. 7. Measuring improvements in family economic self-sufficiency.

Sec. 8. Option to fund evidence-based home visiting on a pay for outcome basis.

Sec. 9. Strengthening evidence-based home visiting through state, local, and pri-
ate partnerships.

Sec. 10. Data exchange standards for improved interoperability.

9 **SEC. 3. CONTINUING EVIDENCE-BASED HOME VISITING**
 10 **PROGRAM.**

11 *Section 511(j)(1)(H) of the Social Security Act (42*
 12 *U.S.C. 711(j)(1)(H)) is amended by striking “fiscal year*
 13 *2017” and inserting “each of fiscal years 2017 through*
 14 *2022”.*

15 **SEC. 4. CONTINUING TO DEMONSTRATE RESULTS TO HELP**
 16 **FAMILIES.**

17 *(a) REQUIRE SERVICE DELIVERY MODELS TO DEM-*
 18 *ONSTRATE IMPROVEMENT IN APPLICABLE BENCHMARK*
 19 *AREAS.—Section 511 of the Social Security Act (42 U.S.C.*

1 711) is amended in each of subsections (d)(1)(A) and
2 (h)(4)(A) by striking “each of”.

3 (b) *DEMONSTRATION OF IMPROVEMENTS IN SUBSE-*
4 *QUENT YEARS.*—Section 511(d)(1) of such Act (42 U.S.C.
5 711(d)(1)) is amended by adding at the end the following:

6 “(D) *DEMONSTRATION OF IMPROVEMENTS*
7 *IN SUBSEQUENT YEARS.*—

8 “(i) *CONTINUED MEASUREMENT OF IM-*
9 *PROVEMENT IN APPLICABLE BENCHMARK*
10 *AREAS.*—The eligible entity, after dem-
11 *onstrating improvements for eligible fami-*
12 *lies as specified in subparagraphs (A) and*
13 *(B), shall continue to track and report not*
14 *later than 30 days after the end of fiscal*
15 *year 2020 and every three years thereafter,*
16 *information demonstrating that the pro-*
17 *gram results in improvements for the eligi-*
18 *ble families participating in the program in*
19 *at least 4 of the areas specified in subpara-*
20 *graph (A) that the service delivery model or*
21 *models, selected by the entity, intend to im-*
22 *prove.*

23 “(ii) *CORRECTIVE ACTION PLAN.*—If
24 *the eligible entity fails to demonstrate im-*
25 *provement in at least 4 of the areas speci-*

1 *fied in subparagraph (A), the entity shall*
2 *develop and implement a plan to improve*
3 *outcomes in each of the areas specified in*
4 *subparagraph (A) that the service delivery*
5 *model or models, selected by the entity, in-*
6 *tend to improve, subject to approval by the*
7 *Secretary. The plan shall include provisions*
8 *for the Secretary to monitor implementa-*
9 *tion of the plan and conduct continued*
10 *oversight of the program, including through*
11 *submission by the entity of regular reports*
12 *to the Secretary.*

13 “(iii) *TECHNICAL ASSISTANCE.—The*
14 *Secretary shall provide an eligible entity re-*
15 *quired to develop and implement an im-*
16 *provement plan under clause (ii) with tech-*
17 *nical assistance to develop and implement*
18 *the plan. The Secretary may provide the*
19 *technical assistance directly or through*
20 *grants, contracts, or cooperative agreements.*

21 “(iv) *NO IMPROVEMENT OR FAILURE*
22 *TO SUBMIT REPORT.—If the Secretary de-*
23 *termines after a period of time specified by*
24 *the Secretary that an eligible entity imple-*
25 *menting an improvement plan under clause*

1 (ii) has failed to demonstrate any improve-
2 ment in at least 4 of the areas specified in
3 subparagraph (A) that the service delivery
4 model or models intend to improve, or if the
5 Secretary determines that an eligible entity
6 has failed to submit the report required by
7 clause (i), the Secretary shall terminate the
8 grant made to the entity under this section
9 and may include any unexpended grant
10 funds in grants made to nonprofit organiza-
11 tions under subsection (h)(2)(B).”.

12 (c) *INCLUDING INFORMATION ON APPLICABLE BENCH-*
13 *MARKS IN APPLICATION.*—Section 511(e)(5) of such Act (42
14 *U.S.C. 711(e)(5)) is amended by inserting “that the service*
15 *delivery model or models, selected by the entity, intend to*
16 *improve” before the period at the end.*

17 **SEC. 5. REVIEWING STATEWIDE NEEDS TO TARGET RE-**
18 **SOURCES.**

19 Section 511(b)(1) of the Social Security Act (42 U.S.C.
20 711(b)(1)) is amended by striking “Not later than” and all
21 that follows through “statewide” the 2nd place it appears
22 and inserting “Each State shall, as a condition of receiving
23 payments from an allotment for the State under section
24 502, review and update the statewide needs assessment not

1 later than October 1, 2020 (which may be separate from
2 but in coordination with the statewide”.

3 **SEC. 6. IMPROVING THE LIKELIHOOD OF SUCCESS IN HIGH-**
4 **RISK COMMUNITIES.**

5 Section 511(d)(4)(A) of the Social Security Act (42
6 U.S.C. 711(d)(4)(A)) is amended by inserting “, taking into
7 account the staffing, community resource, and other re-
8 quirements of the service delivery model or models that the
9 eligible entity may need to develop for the model to operate
10 and demonstrate improvements for eligible families” before
11 the period.

12 **SEC. 7. MEASURING IMPROVEMENTS IN FAMILY ECONOMIC**
13 **SELF-SUFFICIENCY.**

14 Section 511(d)(1)(A)(v) of the Social Security Act (42
15 U.S.C. 711(d)(1)(A)(v)) is amended by inserting “(which
16 shall include measures of employment and earnings)” before
17 the period.

18 **SEC. 8. OPTION TO FUND EVIDENCE-BASED HOME VISITING**
19 **ON A PAY FOR OUTCOME BASIS.**

20 (a) *IN GENERAL.*—Section 511(c) of the Social Secu-
21 rity Act (42 U.S.C. 711(c)) is amended by redesignating
22 paragraphs (3) and (4) as paragraphs (4) and (5), respec-
23 tively, and by inserting after paragraph (2) the following:

24 “(3) *AUTHORITY TO USE GRANT FOR A PAY FOR*
25 *OUTCOMES INITIATIVE.*—An eligible entity to which a

1 *grant is made under paragraph (1) may use the*
2 *grant to pay for the results of a pay for outcomes ini-*
3 *tiative that satisfies the requirements of subsection (d)*
4 *and that will not result in a reduction of funding for*
5 *services delivered under this section while an eligible*
6 *entity develops or operates such an initiative.”.*

7 *(b) DEFINITION OF PAY FOR OUTCOMES INITIATIVE.—*
8 *Section 511(k) of such Act (42 U.S.C. 711(k)) is amended*
9 *by adding at the end the following:*

10 *“(4) PAY FOR OUTCOMES INITIATIVE.—The term*
11 *‘pay for outcomes initiative’ means a performance-*
12 *based grant, contract, cooperative agreement, or other*
13 *agreement awarded by a public entity in which a*
14 *commitment is made to pay for improved outcomes*
15 *that result in social benefit and direct cost savings or*
16 *cost avoidance to the public sector. Such an initiative*
17 *shall include—*

18 *“(A) a feasibility study that describes how*
19 *the proposed intervention is based on evidence of*
20 *effectiveness;*

21 *“(B) a rigorous, third-party evaluation that*
22 *uses experimental or quasi-experimental design*
23 *or other research methodologies that allow for the*
24 *strongest possible causal inferences to determine*

1 *whether the initiative has met its proposed out-*
2 *comes;*

3 “(C) *an annual, publicly available report*
4 *on the progress of the initiative; and*

5 “(D) *a requirement that payments are*
6 *made to the recipient of a grant, contract, or co-*
7 *operative agreement only when agreed upon out-*
8 *comes are achieved, except that this requirement*
9 *shall not apply with respect to payments to a*
10 *third party conducting the evaluation described*
11 *in subparagraph (B).”.*

12 (c) *EXTENDED AVAILABILITY OF FUNDS.—Section*
13 *511(j)(3) of such Act (42 U.S.C. 711(j)(3)) is amended—*

14 (1) *by striking “(3) AVAILABILITY.—Funds” and*
15 *inserting the following:*

16 “(3) *AVAILABILITY.—*

17 “(A) *IN GENERAL.—Except as provided in*
18 *subparagraph (B), funds”;* and

19 (2) *by adding at the end the following:*

20 “(B) *FUNDS FOR PAY FOR OUTCOMES INI-*
21 *TIATIVES.—Funds made available to an eligible*
22 *entity under this section for a fiscal year (or*
23 *portion of a fiscal year) for a pay for outcomes*
24 *initiative shall remain available for expenditure*

1 *by the eligible entity for not more than 10 years*
2 *after the funds are so made available.”.*

3 **SEC. 9. STRENGTHENING EVIDENCE-BASED HOME VISITING**
4 **THROUGH STATE, LOCAL, AND PRIVATE PART-**
5 **NEERSHIPS.**

6 *(a) IN GENERAL.—Section 511 of the Social Security*
7 *Act (42 U.S.C. 711) is amended by adding at the end the*
8 *following:*

9 “(l) **MATCHING REQUIREMENT.**—

10 “(1) **PROGRAM HOME VISITING SHARE.**—

11 “(A) **IN GENERAL.**—*An eligible entity to*
12 *which a grant is made under this section for fis-*
13 *cal year 2020 or any succeeding fiscal year shall*
14 *not use the grant to cover more than the applica-*
15 *ble percentage of the costs of providing services*
16 *or conducting activities under this section dur-*
17 *ing the fiscal year.*

18 “(B) **APPLICABLE PERCENTAGE.**—*In sub-*
19 *paragraph (A), the term ‘applicable percentage’*
20 *means, with respect to a fiscal year—*

21 “(i) *in the case of an eligible entity*
22 *that is a State or nonprofit organization—*

23 “(I) *70 percent, in the case of fis-*
24 *cal year 2020;*

1 “(II) 60 percent, in the case of fis-
2 cal year 2021; or

3 “(III) 50 percent, in the case of
4 fiscal year 2022 or any succeeding fis-
5 cal year; or

6 “(ii) in the case of an eligible entity
7 that is an Indian Tribe (or a consortium of
8 Indian Tribes), a Tribal Organization, or
9 an Urban Indian Organization—

10 “(I) 100 percent, in the case of
11 fiscal year 2020 or 2021; or

12 “(II) 70 percent, in the case of fis-
13 cal year 2022 or any succeeding fiscal
14 year.

15 “(2) NON-PROGRAM HOME VISITING SHARE.—
16 The share of the costs of providing services or con-
17 ducting activities under this section not covered by
18 grant funds may include—

19 “(A) State expenditures of Federal funds
20 made available other than under this section ex-
21 pended for activities under this section;

22 “(B) State expenditures of State funds ex-
23 pended for activities under this section as a con-
24 dition of receiving Federal funds other than
25 under this section; and

1 “(C) contributions made for activities under
2 this section from any other source, paid in cash
3 or in kind, valued at the fair market value of
4 such contribution.”.

5 (b) *CONFORMING AMENDMENT.*—Section 511(h)(2)(A)
6 of such Act (42 U.S.C. 711(h)(2)(A)) is amended in the 2nd
7 sentence by striking “Such” and inserting “Except as pro-
8 vided in subsection (l)(1), such”.

9 **SEC. 10. DATA EXCHANGE STANDARDS FOR IMPROVED**
10 **INTEROPERABILITY.**

11 (a) *IN GENERAL.*—Section 511(h) of the Social Secu-
12 rity Act (42 U.S.C. 711(h)) is amended by adding at the
13 end the following:

14 “(5) *DATA EXCHANGE STANDARDS FOR IM-*
15 *PROVED INTEROPERABILITY.*—

16 “(A) *DESIGNATION AND USE OF DATA EX-*
17 *CHANGE STANDARDS.*—

18 “(i) *DESIGNATION.*—The head of the
19 department or agency responsible for ad-
20 ministering a program funded under this
21 section shall, in consultation with an inter-
22 agency work group established by the Office
23 of Management and Budget and considering
24 State government perspectives, designate
25 data exchange standards for necessary cat-

1 *egories of information that a State agency*
2 *operating the program is required to elec-*
3 *tronically exchange with another State*
4 *agency under applicable Federal law.*

5 *“(ii) DATA EXCHANGE STANDARDS*
6 *MUST BE NONPROPRIETARY AND INTER-*
7 *OPERABLE.—The data exchange standards*
8 *designated under clause (i) shall, to the ex-*
9 *tent practicable, be nonproprietary and*
10 *interoperable.*

11 *“(iii) OTHER REQUIREMENTS.—In*
12 *designating data exchange standards under*
13 *this paragraph, the Secretary shall, to the*
14 *extent practicable, incorporate—*

15 *“(I) interoperable standards devel-*
16 *oped and maintained by an inter-*
17 *national voluntary consensus stand-*
18 *ards body, as defined by the Office of*
19 *Management and Budget;*

20 *“(II) interoperable standards de-*
21 *veloped and maintained by intergov-*
22 *ernmental partnerships, such as the*
23 *National Information Exchange Model;*
24 *and*

1 “(III) *interoperable standards de-*
2 *veloped and maintained by Federal en-*
3 *tities with authority over contracting*
4 *and financial assistance.*

5 “(B) *DATA EXCHANGE STANDARDS FOR*
6 *FEDERAL REPORTING.—*

7 “(i) *DESIGNATION.—The head of the*
8 *department or agency responsible for ad-*
9 *ministering a program referred to in this*
10 *section shall, in consultation with an inter-*
11 *agency work group established by the Office*
12 *of Management and Budget, and consid-*
13 *ering State government perspectives, des-*
14 *ignate data exchange standards to govern*
15 *Federal reporting and exchange require-*
16 *ments under applicable Federal law.*

17 “(ii) *REQUIREMENTS.—The data ex-*
18 *change reporting standards required by*
19 *clause (i) shall, to the extent practicable—*

20 “(I) *incorporate a widely accept-*
21 *ed, nonproprietary, searchable, com-*
22 *puter-readable format;*

23 “(II) *be consistent with and im-*
24 *plement applicable accounting prin-*
25 *ciples;*

1 “(III) be implemented in a man-
2 ner that is cost-effective and improves
3 program efficiency and effectiveness;
4 and

5 “(IV) be capable of being contin-
6 ually upgraded as necessary.

7 “(iii) *INCORPORATION OF NONPROPRI-*
8 *ETARY STANDARDS.*—*In designating data*
9 *exchange standards under this paragraph,*
10 *the Secretary shall, to the extent practicable,*
11 *incorporate existing nonproprietary stand-*
12 *ards, such as the eXtensible Mark up Lan-*
13 *guage.*

14 “(iv) *RULE OF CONSTRUCTION.*—*Noth-*
15 *ing in this paragraph shall be construed to*
16 *require a change to existing data exchange*
17 *standards for Federal reporting about a*
18 *program referred to in this section, if the*
19 *head of the department or agency respon-*
20 *sible for administering the program finds*
21 *the standards to be effective and efficient.”.*

22 “(b) *EFFECTIVE DATE.*—*The amendments made by this*
23 *section shall take effect 2 years after the date of the enact-*
24 *ment of this Act.*

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