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. Nekem, 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.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Increasing Opportunity
and Success for Children and Parents through Evidence-
Based Home Visiting Act”.

SEC. 2. TABLE OF CONTENTS.

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-
    vate partnerships.
Sec. 10. Data exchange standards for improved interoperability.

SEC. 3. CONTINUING EVIDENCE-BASED HOME VISITING
    PROGRAM.

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

SEC. 4. CONTINUING TO DEMONSTRATE RESULTS TO HELP
    FAMILIES.

    (a) REQUIRE SERVICE DELIVERY MODELS TO DEM-
    ONSTRATE IMPROVEMENT IN APPLICABLE BENCHMARK
    AREAS.—Section 511 of the Social Security Act (42 U.S.C.
(b) Demonstration of Improvements in Subsequent Years.—Section 511(d)(1) of such Act (42 U.S.C. 711(d)(1)) is amended by adding at the end the following:

“(D) Demonstration of Improvements in Subsequent Years.—

“(i) Continued Measurement of Improvement in Applicable Benchmark Areas.—The eligible entity, after demonstrating improvements for eligible families as specified in subparagraphs (A) and (B), shall continue to track and report not later than 30 days after the end of fiscal year 2020 and every three years thereafter, information demonstrating that the program results in improvements for the eligible families participating in the program in at least 4 of the areas specified in subparagraph (A) that the service delivery model or models, selected by the entity, intend to improve.

“(ii) Corrective Action Plan.—If the eligible entity fails to demonstrate improvement in at least 4 of the areas speci-
fied in subparagraph (A), the entity shall
develop and implement a plan to improve
outcomes in each of the areas specified in
subparagraph (A) that the service delivery
model or models, selected by the entity, in-
tend to improve, subject to approval by the
Secretary. The plan shall include provisions
for the Secretary to monitor implementa-
tion of the plan and conduct continued
oversight of the program, including through
submission by the entity of regular reports
to the Secretary.

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

“(iv) NO IMPROVEMENT OR FAILURE
TO SUBMIT REPORT.—If the Secretary de-
determines after a period of time specified by
the Secretary that an eligible entity imple-
menting an improvement plan under clause
(ii) has failed to demonstrate any improvement in at least 4 of the areas specified in subparagraph (A) that the service delivery model or models intend to improve, or if the Secretary determines that an eligible entity has failed to submit the report required by clause (i), the Secretary shall terminate the grant made to the entity under this section and may include any unexpended grant funds in grants made to nonprofit organizations under subsection (h)(2)(B).”.

(c) Including Information on Applicable Benchmarks in Application.—Section 511(e)(5) of such Act (42 U.S.C. 711(e)(5)) is amended by inserting “that the service delivery model or models, selected by the entity, intend to improve” before the period at the end.

SEC. 5. REVIEWING STATEWIDE NEEDS TO TARGET REOURCES.

Section 511(b)(1) of the Social Security Act (42 U.S.C. 711(b)(1)) is amended by striking “Not later than” and all that follows through “statewide” the 2nd place it appears and inserting “Each State shall, as a condition of receiving payments from an allotment for the State under section 502, review and update the statewide needs assessment not
later than October 1, 2020 (which may be separate from but in coordination with the statewide”.

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

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

SEC. 7. MEASURING IMPROVEMENTS IN FAMILY ECONOMIC SELF-SUFFICIENCY.

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

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

(a) In General.—Section 511(c) of the Social Security Act (42 U.S.C. 711(c)) is amended by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively, and by inserting after paragraph (2) the following: “(3) Authority to use grant for a pay for outcomes initiative.—An eligible entity to which a
grant is made under paragraph (1) may use the
grant to pay for the results of a pay for outcomes ini-
tiative that satisfies the requirements of subsection (d)
and that will not result in a reduction of funding for
services delivered under this section while an eligible
entity develops or operates such an initiative.”.

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

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

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

“(B) a rigorous, third-party evaluation that
uses experimental or quasi-experimental design
or other research methodologies that allow for the
strongest possible causal inferences to determine
whether the initiative has met its proposed outcomes;

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

“(D) a requirement that payments are made to the recipient of a grant, contract, or cooperative agreement only when agreed upon outcomes are achieved, except that this requirement shall not apply with respect to payments to a third party conducting the evaluation described in subparagraph (B).”.

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

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

“(3) AVAILABILITY.—

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

(2) by adding at the end the following:

“(B) FUNDS FOR PAY FOR OUTCOMES INITIATIVES.—Funds made available to an eligible entity under this section for a fiscal year (or portion of a fiscal year) for a pay for outcomes initiative shall remain available for expenditure
by the eligible entity for not more than 10 years
after the funds are so made available.”.

SEC. 9. STRENGTHENING EVIDENCE-BASED HOME VISITING
THROUGH STATE, LOCAL, AND PRIVATE PARTNERSHIPS.

(a) In General.—Section 511 of the Social Security
Act (42 U.S.C. 711) is amended by adding at the end the
following:

“(l) Matching Requirement.—

“(1) Program Home Visiting Share.—

“(A) In General.—An eligible entity to
which a grant is made under this section for fis-
cal year 2020 or any succeeding fiscal year shall
not use the grant to cover more than the applica-
ble percentage of the costs of providing services
or conducting activities under this section dur-
ing the fiscal year.

“(B) Applicable Percentage.—In sub-
paragraph (A), the term ‘applicable percentage’
means, with respect to a fiscal year—

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

“(I) 70 percent, in the case of fis-
cal year 2020;
“(II) 60 percent, in the case of fiscal year 2021; or

“(III) 50 percent, in the case of fiscal year 2022 or any succeeding fiscal year; or

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

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

“(II) 70 percent, in the case of fiscal year 2022 or any succeeding fiscal year.

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

“A) State expenditures of Federal funds made available other than under this section expended for activities under this section;

“B) State expenditures of State funds expended for activities under this section as a condition of receiving Federal funds other than under this section; and
“(C) contributions made for activities under this section from any other source, paid in cash or in kind, valued at the fair market value of such contribution.”.

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

SEC. 10. DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.

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

“(5) DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.—

“(A) DESIGNATION AND USE OF DATA EXCHANGE STANDARDS.—

“(i) DESIGNATION.—The head of the department or agency responsible for administering a program funded under this section shall, in consultation with an inter-agency work group established by the Office of Management and Budget and considering State government perspectives, designate data exchange standards for necessary cat-
categories of information that a State agency operating the program is required to electronically exchange with another State agency under applicable Federal law.

“(ii) DATA EXCHANGE STANDARDS MUST BE NON PROPRIETARY AND INTEROPERABLE.—The data exchange standards designated under clause (i) shall, to the extent practicable, be nonproprietary and interoperable.

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

“(I) interoperable standards developed and maintained by an international voluntary consensus standards body, as defined by the Office of Management and Budget;

“(II) interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model; and
“(III) interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance.

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

“(i) DESIGNATION.—The head of the department or agency responsible for administering a program referred to in this section shall, in consultation with an interagency work group established by the Office of Management and Budget, and considering State government perspectives, designate data exchange standards to govern Federal reporting and exchange requirements under applicable Federal law.

“(ii) REQUIREMENTS.—The data exchange reporting standards required by clause (i) shall, to the extent practicable—

“(I) incorporate a widely accepted, nonproprietary, searchable, computer-readable format;

“(II) be consistent with and implement applicable accounting principles;
“(III) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

“(IV) be capable of being continually upgraded as necessary.

“(iii) INCORPORATION OF NONPROPRIETARY STANDARDS.—In designating data exchange standards under this paragraph, the Secretary shall, to the extent practicable, incorporate existing nonproprietary standards, such as the eXtensible Mark up Language.

“(iv) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to require a change to existing data exchange standards for Federal reporting about a program referred to in this section, if the head of the department or agency responsible for administering the program finds the standards to be effective and efficient.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect 2 years after the date of the enactment of this Act.
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