

116TH CONGRESS  
1ST SESSION

# S. 1181

To amend the Child Abuse Prevention and Treatment Act to provide for better protections for children raised in kinship families outside of the foster care system.

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## IN THE SENATE OF THE UNITED STATES

APRIL 11, 2019

Ms. HASSAN (for herself and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Child Abuse Prevention and Treatment Act to provide for better protections for children raised in kinship families outside of the foster care system.

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 “Help Grandfamilies  
5 Prevent Child Abuse Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

8 (1) More than 2,600,000 children are being  
9 raised in kinship families by relatives or close family

1 friends without their parents in the home, and the  
2 vast majority of such children are raised outside of  
3 the foster care system.

4 (2) The majority of kinship caregivers are  
5 grandparents, and such families are commonly re-  
6 ferred to as “grandfamilies”.

7 (3) For every child in foster care living with rel-  
8 atives, there are 19 being raised by relatives outside  
9 of the foster care system.

10 (4) More than one-third of all children placed  
11 in foster care because of parental drug or alcohol  
12 use are placed with relatives.

13 (5) Children who have been exposed to sub-  
14 stance misuse in the home may also experience  
15 abuse and neglect, and research indicates that chil-  
16 dren in family foster care because of substance use  
17 are more likely to be placed with relatives than with  
18 nonrelatives.

19 **SEC. 3. AMENDMENTS TO CAPTA.**

20 (a) ADVISORY BOARD ON CHILD ABUSE AND NE-  
21 GLECT.—Section 102(c) of the Child Abuse Prevention  
22 and Treatment Act (42 U.S.C. 5102(c)) is amended—

23 (1) in paragraph (13), by striking “; and” and  
24 inserting a semicolon;

1           (2) in paragraph (14), by striking the period  
2           and inserting a semicolon; and

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

4           “(15) organizations providing services to kin-  
5           ship families; and

6           “(16) birth parents, kinship caregivers, and fos-  
7           ter care alumni.”.

8           (b) NATIONAL CLEARINGHOUSE FOR INFORMATION  
9           RELATING TO CHILD ABUSE.—Section 103(b) of the  
10          Child Abuse Prevention and Treatment Act (42 U.S.C.  
11          5104(b)) is amended—

12           (1) in paragraph (8)(B), by striking “; and”  
13           and inserting a semicolon;

14           (2) in paragraph (9), by striking the period and  
15           inserting “; and”; and

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

17           “(10) maintain and disseminate information  
18           about best practices used to support children being  
19           raised in kinship families within, or outside of, the  
20           child welfare system.”.

21           (c) GRANTS TO STATES, INDIAN TRIBES OR TRIBAL  
22           ORGANIZATIONS, AND PUBLIC OR PRIVATE AGENCIES  
23           AND ORGANIZATIONS.—Section 105(a)(4) of the Child  
24           Abuse Prevention and Treatment Act (42 U.S.C.  
25           5106(a)(4)) is amended by adding at the end the fol-

1 lowing: “Such procedures used by recipients of a grant  
 2 pursuant to this paragraph shall reflect equity for children  
 3 placed with kin, recognize their unique circumstance, and  
 4 include plans for prioritizing placement with kin as the  
 5 first placement, identifying and engaging kin as supports  
 6 for children throughout the child’s involvement with the  
 7 child welfare system, making it a priority to license kin  
 8 as foster parents, supporting permanent families for chil-  
 9 dren placed with kin, and creating a strong community  
 10 network to support kin families.”.

11 (d) GRANTS TO STATES FOR CHILD ABUSE OR NE-  
 12 GLECT PREVENTION AND TREATMENT PROGRAMS.—Sec-  
 13 tion 106 of the Child Abuse Prevention and Treatment  
 14 Act (42 U.S.C. 5106a) is amended—

15 (1) in subsection (b)(2)—

16 (A) in subparagraph (B)(iv), by inserting  
 17 “, and for how kinship placements will be  
 18 prioritized” before the semicolon; and

19 (B) in subparagraph (D)(v), by inserting  
 20 “kinship navigators,” after “substance abuse  
 21 treatment agencies,”; and

22 (2) in subsection (d)(3)—

23 (A) by redesignating subparagraphs (B)  
 24 and (C) as subparagraphs (C) and (D), respec-  
 25 tively;

1 (B) by inserting after subparagraph (A)  
2 the following:

3 “(B) the number that did not receive serv-  
4 ices during the year under the State program  
5 funded under this section or an equivalent State  
6 program because the child was diverted from  
7 the child welfare system to live with kin outside  
8 of the foster care system;”; and

9 (C) in subparagraph (D), as so redesign-  
10 nated, by striking “families” and inserting  
11 “parents”.

12 (e) COMMUNITY-BASED GRANTS FOR THE PREVEN-  
13 TION OF CHILD ABUSE AND NEGLECT.—

14 (1) PURPOSE.—Section 201(b)(1) of the Child  
15 Abuse Prevention and Treatment Act (42 U.S.C.  
16 5116(b)(1)) is amended—

17 (A) in subparagraph (G), by striking “;  
18 and” and inserting a semicolon;

19 (B) in subparagraph (H), by adding “and”  
20 after the semicolon; and

21 (C) by adding at the end the following:

22 “(I) support the unique needs of kinship  
23 families raising children inside or outside the  
24 foster care system;”.

1           (2) LOCAL PROGRAM REQUIREMENTS.—Section  
2           205(a) of the Child Abuse Prevention and Treat-  
3           ment Act (42 U.S.C. 5116e(a)) is amended—

4                   (A) in paragraph (2), by striking “and to  
5                   parents who are adult former victims of domes-  
6                   tic violence or child abuse or neglect” and in-  
7                   serting “to parents who are adult former vic-  
8                   tims of domestic violence or child abuse or ne-  
9                   glect, and to families where children are being  
10                  raised by kin because their parents cannot raise  
11                  them”;

12                  (B) in paragraph (3)(B)—

13                          (i) in clause (viii), by striking “and”;

14                          (ii) in clause (ix), by striking the pe-  
15                          riod and inserting a semicolon; and

16                          (iii) by adding at the end the fol-  
17                          lowing:

18                                  “(x) training to meet the specific  
19                                  needs of kinship caregivers, including  
20                                  training on caring for children with behav-  
21                                  ioral or mental health challenges and how  
22                                  to access services for which such caregivers  
23                                  may be eligible; and

1                   “(xi) training on understanding sub-  
2                   stance use disorders and the impact of  
3                   trauma on children.”; and

4                   (C) in paragraph (4), by inserting “, kin-  
5                   ship caregivers, and foster care alumni” after  
6                   “parents”.

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