

118TH CONGRESS
2D SESSION

H. R. 10424

To amend part E of title IV of the Social Security Act to require States to follow certain procedures in placing a child who has been removed from the custody of his or her parents.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2024

Mrs. DINGELL introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To amend part E of title IV of the Social Security Act to require States to follow certain procedures in placing a child who has been removed from the custody of his or her parents.

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 “Samier Amer Foster
5 Care Improvement Act of 2024”.

1 **SEC. 2. REQUIREMENT THAT STATES FOLLOW CERTAIN**
2 **PROCEDURES IN PLACING A CHILD RE-**
3 **MOVED FROM THE CUSTODY OF HIS OR HER**
4 **PARENTS.**

5 (a) IN GENERAL.—Section 471(a)(29) of the Social
6 Security Act (42 U.S.C. 671(a)(29)) is amended to read
7 as follows:

8 “(29) provides that—

9 “(A) within 90 days after the State makes
10 a placement decision with respect to the child,
11 the State shall provide notice of the decision
12 and the reasons therefor to each parent of the
13 child, each relative who has expressed to the
14 State an interest in caring for the child, the
15 guardian of the child, and the guardian ad
16 litem for the child, the attorney for the child,
17 the attorney for each parent of the child, the
18 child (if the child is able to express an opinion
19 regarding placement), and the prosecutor in-
20 volved; and

21 “(B) the State shall establish procedures
22 to—

23 “(i) allow a person who receives a no-
24 tice pursuant to subparagraph (B) to re-
25 quest, in writing, within 5 days after re-

1 receipt of the notice, documentation of the
2 reasons for the decision involved;

3 “(ii) allow the attorney for the child
4 to petition the court involved to review the
5 decision; and

6 “(iii) require the court to—

7 “(I) commence such a review
8 within 7 days after receipt of a peti-
9 tion made pursuant to clause (ii); and

10 “(II) conduct such a review on
11 the record;”.

12 (b) EFFECTIVE DATE.—

13 (1) IN GENERAL.—The amendment made by
14 subsection (a) shall take effect on the 1st day of the
15 1st fiscal year beginning on or after the date of the
16 enactment of this Act, and shall apply to payments
17 under part E of title IV of the Social Security Act
18 for calendar quarters beginning on or after such
19 date.

20 (2) DELAY PERMITTED IF STATE LEGISLATION
21 REQUIRED.—If the Secretary of Health and Human
22 Services determines that State legislation (other
23 than legislation appropriating funds) is required in
24 order for a State plan approved under part E of title
25 IV of the Social Security Act to meet the additional

1 requirements imposed by the amendment made by
2 subsection (a), the plan shall not be regarded as fail-
3 ing to meet any of the additional requirements be-
4 fore the 1st day of the 1st calendar quarter begin-
5 ning after the first regular session of the State legis-
6 lature that begins after the date of the enactment of
7 this Act. For purposes of the preceding sentence, if
8 the State has a 2-year legislative session, each year
9 of the session is deemed to be a separate regular
10 session of the State legislature.

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