

119TH CONGRESS  
1ST SESSION

# S. 162

To amend parts B and E of title IV of the Social Security Act to improve foster and adoptive parent recruitment and retention, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 21, 2025

Mr. GRASSLEY (for himself, Ms. HASSAN, and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend parts B and E of title IV of the Social Security Act to improve foster and adoptive parent recruitment and retention, 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.**

4       This Act may be cited as the “Recruiting Families  
5       Using Data Act of 2025”.

6       **SEC. 2. STATE PLAN AMENDMENT.**

7       (a) IN GENERAL.—Section 422 of the Social Security  
8       Act (42 U.S.C. 622) is amended—

9               (1) in subsection (b)(7), by inserting “through  
10       the development and implementation of a family

1 partnership plan which meets the requirements of  
 2 subsection (d) for identification, recruitment, screen-  
 3 ing, licensing, support, and retention of foster and  
 4 adoptive families” after “are needed”; and

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

6 “(d) FAMILY PARTNERSHIP PLAN REQUIRE-  
 7 MENTS.—For purposes of subsection (b)(7), the require-  
 8 ments for a family partnership plan (in this subsection  
 9 referred to as the ‘plan’) are the following:

10 “(1) The plan is developed in consultation with  
 11 birth, kinship, foster and adoptive families, commu-  
 12 nity-based service providers, technical assistance  
 13 providers, and youth with lived experience with fos-  
 14 ter care and adoption.

15 “(2) The plan describes—

16 “(A) how the State plans to identify, no-  
 17 tify, engage, and support relatives (and others  
 18 connected to the child) as potential placement  
 19 resources for children;

20 “(B) how the State plans to develop and  
 21 implement child-specific recruitment plans for  
 22 every child in or entering foster care who needs  
 23 a foster or adoptive family;

1           “(C) how the State plans to authentically  
2           engage children and youth in recruitment ef-  
3           forts on their behalf;

4           “(D) how the State plans to use data to  
5           establish goals, assess needs, measure progress,  
6           reduce unnecessary placements in congregate  
7           care, increase permanency, improve placement  
8           stability, increase the rate of kinship place-  
9           ments, improve recruitment and retention of  
10          families for teens, sibling groups, and other spe-  
11          cial populations, and align the composition of  
12          foster and adoptive families with the needs of  
13          children in or entering foster care; and

14          “(E) how that State will stand up or sup-  
15          port foster family advisory boards for the pur-  
16          pose of improving recruitment and retention of  
17          foster and adoptive families.

18          “(3) The plan provides that, not less than an-  
19          nually, the State shall collect and report on the  
20          State’s actual foster family capacity and congregate  
21          care utilization, including the number, demo-  
22          graphics, and characteristics of licensed foster fami-  
23          lies, including prospective adoptive families, the  
24          number of such families that haven’t received a  
25          placement or are not being fully utilized and the rea-

sons therefor, and the number, demographics, and characteristics of children placed in congregate care in-State and out-of-State.

“(4) The plan includes, and shall update not less than annually, a summary of the most recent feedback from foster and adoptive parents and youth regarding licensure, training, support, and reasons why parents stop fostering or why adoptive or legal guardianship placements out of foster care fail or foster and such adoptive or legal guardianship families struggle to meet children’s needs.

“(5) The plan includes, and shall update annually, a report on the State’s analysis of specific challenges or barriers to recruiting, licensing, and utilizing families who reflect the racial and ethnic background of children in foster care in the State, and the State’s efforts to overcome those challenges and barriers.

“(6) The plan includes such other information relating to foster and adoptive parent recruitment and retention as the Secretary may require.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendment made by this subsection shall take effect on October 1, 2026.

1           (2) DELAY PERMITTED IF STATE LEGISLATION  
2       REQUIRED.—In the case of a State plan approved  
3       under subpart 1 of part B of title IV of the Social  
4       Security Act which the Secretary of Health and  
5       Human Services determines requires State legisla-  
6       tion (other than legislation appropriating funds) in  
7       order for the plan to meet the additional require-  
8       ments imposed by this subsection, the State plan  
9       shall not be regarded as failing to comply with the  
10      requirements of such part solely on the basis of the  
11      failure of the plan to meet such additional require-  
12      ments before the first day of the first calendar quar-  
13      ter beginning after the close of the first regular ses-  
14      sion of the State legislature that begins after the  
15      date of enactment of this subsection. For purposes  
16      of the previous sentence, in the case of a State that  
17      has a 2-year legislative session, each year of such  
18      session shall be deemed to be a separate regular ses-  
19      sion of the State legislature.

20 **SEC. 3. INCLUSION OF INFORMATION ON FOSTER AND**  
21                   **ADOPTIVE FAMILIES IN ANNUAL CHILD WEL-**  
22                   **FARE OUTCOMES REPORT TO CONGRESS.**

23       Section 479A(a) of the Social Security Act (42  
24   U.S.C. 679b(a)) is amended—

1           (1) in paragraph (6)(C), by striking “and”  
2     after the semicolon;

3           (2) in paragraph (7)(B), by striking the period  
4     and inserting “; and”; and

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

6           “(8) include in the report submitted pursuant  
7     to paragraph (5) for fiscal year 2025 or any suc-  
8     ceeding fiscal year—

9           “(A) State-by-State data on the number,  
10          demographics, and characteristics of foster and  
11          adoptive families in the State, and the number  
12          of potential foster and adoptive families not  
13          being utilized in the State and the reasons why;

14          “(B) a summary of the challenges of, and  
15          barriers to, being a foster or adoptive parent,  
16          including with respect to recruitment, licensure,  
17          engagement, retention, and why parents stop  
18          fostering, adoptions disrupt or dissolve, or fos-  
19          ter or adoptive families struggle, as reported by  
20          States based on surveys of foster and adoptive  
21          parents; and

22          “(C) a summary of the challenges and bar-  
23          riers States reported on efforts to recruit a pool  
24          of families that reflect the racial and ethnic

- 1 background of children in foster care in the
- 2 State, and efforts to overcome those barriers.”.

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