

Public Law 101-127
101st Congress

An Act

Oct. 25, 1989
[H.R. 2088]

To revise and extend the programs established in the Temporary Child Care for Handicapped Children and Crisis Nurseries Act of 1986.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Children With
Disabilities
Temporary Care
Reauthorization
Act of 1989.
42 USC 5117
note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Children With Disabilities Temporary Care Reauthorization Act of 1989".

SEC. 2. REFERENCES TO CHILDREN WITH DISABILITIES.

The Temporary Child Care for Handicapped Children and Crisis Nurseries Act of 1986 (42 U.S.C. 5117) is amended—

42 USC 5117a.

(1) in section 203, in the first sentence, by striking "handicapped children" and inserting "children with disabilities"; and

42 USC 5117c.

(2) in section 205—

(A) by striking "working with handicapped" and all that follows through "families" in subsection (a)(2)(C), and inserting the following: "working with children with disabilities, with chronically ill children, and with the families of such children,"; and

(B) by striking "the term" and all that follows through "such term in" in subsection (d)(2), and inserting the following: "the term 'children with disabilities' has the meaning given the term 'handicapped children' in".

SEC. 3. STATE INTERAGENCY COORDINATION.

42 USC 5117c.

(a) IN GENERAL.—Section 205(a)(1) of the Temporary Child Care for Handicapped Children and Crisis Nurseries Act of 1986 (42 U.S.C. 5117) is amended—

(1)(A) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively;

(B) in clause (iii) (as so redesignated), by striking "and" after the semicolon at the end;

(C) in clause (iv) (as so redesignated), by striking the period at the end and inserting "; and"; and

(D) by inserting after such clause (iv) the following new clause:

"(v) with respect to State agencies described in subparagraph (B), provide documentation of a commitment by all such agencies to develop a State plan for coordination among the agencies in carrying out programs and activities provided by the State pursuant to a grant under section 203."; and

(2)(A) by inserting "(A)" after "(1)"; and

(B) by adding at the end the following new subparagraph:

"(B) State agencies referred to in subparagraph (A)(v) are State agencies responsible for providing services to children with disabilities or with chronic or terminal illnesses, or responsible for financing services for such children, or both, including

State agencies responsible for carrying out State programs that—

“(i) receive Federal financial assistance; and

“(ii) relate to social services, maternal and child health, comprehensive health and mental health, medical assistance and infants, or toddlers and families.”.

(b) DEFINITION.—Section 205(d) of such Act (42 U.S.C. 5117c(d)) is amended—

(1) in paragraph (3), by striking out “and” at the end thereof;

(2) in paragraph (4), by striking out the period and inserting in lieu thereof “; and”; and

(3) by adding at the end thereof the following new paragraph:

“(5) the term ‘State’ means any of the several States, the District of Columbia, the Virgin Islands of the United States, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, or Palau.”.

SEC. 4. REPORTS.

Section 205(c) of the Temporary Child Care for Handicapped Children and Crisis Nurseries Act of 1986 (42 U.S.C. 5117) is amended in the second sentence to read as follows: “Such report shall include—

42 USC 5117c.

“(1)(A) information concerning costs, the number of participants, impact on family stability, the incidence of abuse and neglect, the types, amounts, and costs of various services provided, demographic data on recipients of services, and such other information as the Secretary may require; and

“(B) with respect to services provided by the States pursuant to section 203, information concerning the number of families receiving services and documentation of parental satisfaction with the services provided;

“(2) a specification of the amount and source of public funds, and of private funds, expended in the State for temporary child care for children with disabilities or with chronic or terminal illnesses; and

“(3) a State strategy for expanding the availability in the State of temporary child care, and other family support, for families of children with disabilities or with chronic or terminal illnesses, which strategy specifies the manner in which the State intends to expend any Federal financial assistance available to the State for such purpose, including any such assistance provided to the State for programs described in section 205(a)(1)(B).”.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 206 of the Temporary Child Care for Handicapped Children and Crisis Nurseries Act of 1986 (42 U.S.C. 5117) is amended—

42 USC 5117d.

(1) in the first sentence, by inserting before the period the following: “, and \$20,000,000 for each of the fiscal years 1990 and 1991”; and

(2) in the second sentence, by striking “Such sums” and inserting “Amounts appropriated under the preceding sentence”.

Temporary
Child Care for
Children With
Disabilities and
Crisis Nurseries
Act of 1986.
42 USC 5117
note.

42 USC 5117a
note.

SEC. 6. REVISION OF SHORT TITLE.

Section 201 of the Temporary Child Care for Handicapped Children and Crisis Nurseries Act of 1986 (42 U.S.C. 5117) is amended by striking "This title" and all that follows and inserting the following: "This title may be cited as the "Temporary Child Care for Children With Disabilities and Crisis Nurseries Act of 1986'."

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall take effect October 1, 1989, or on the date of the enactment of this Act, whichever occurs later.

Approved October 25, 1989.

LEGISLATIVE HISTORY—H.R. 2088 (S. 1454):

HOUSE REPORTS: No. 101-114 (Comm. on Education and Labor).
CONGRESSIONAL RECORD, Vol. 135 (1989):

July 11, considered and passed House.

Sept. 26, considered and passed Senate, amended, in lieu of S. 1454.

Oct. 11, House concurred in Senate amendment.