

105TH CONGRESS
1ST SESSION

S. 794

To amend the Public Health Service Act to revise and extend the grant program for services for children of substance abusers.

IN THE SENATE OF THE UNITED STATES

MAY 22, 1997

Mr. DODD introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To amend the Public Health Service Act to revise and extend the grant program for services for children of substance abusers.

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 “Services for Children
5 of Substance Abusers Reauthorization Act”.

6 **SEC. 2. AMENDMENTS TO PUBLIC HEALTH SERVICE ACT.**

7 (a) ADMINISTRATION AND ACTIVITIES.—

8 (1) ADMINISTRATION.—Section 399D(a) of the
9 Public Health Service Act (42 U.S.C. 280d(a)(1)) is
10 amended—

(A) in paragraph (1), by striking “Administrator” and all that follows through “Administration” and insert “Director of the Substance Abuse and Mental Health Services Administration”; and

(B) in paragraph (2), by striking “Administrator of the Substance Abuse and Mental Health Services Administration” and inserting “Administrator of the Health Resources and Services Administration”.

(2) ACTIVITIES.—Section 399D(a)(1) of the Public Health Service Act (42 U.S.C. 280d(a)(1)) is amended—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period and inserting the following: “through family social services; child protective services; child care providers (including Head Start, schools, and early childhood development programs); community-based family resource and support centers; the criminal justice system; health and mental health providers through screenings conducted during regular childhood examinations and other examinations; self and

1 family member referrals; treatment services;
 2 and other service providers and agencies serving
 3 children and families; and”; and

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

5 “(D) to provide education and training to
 6 health care professionals, child welfare provid-
 7 ers, and the personnel or such providers who
 8 provide services to children and families.”.

9 (3) IDENTIFICATION OF CERTAIN CHILDREN.—

10 Section 399D(a)(3)(A) of the Public Health Service
 11 Act (42 U.S.C. 280d(a)(3)(A)) is amended—

12 (A) in clause (i), by striking “(i) the en-
 13 tity” and inserting “(i)(I) the entity”;

14 (B) in clause (ii)—

15 (i) by striking “(ii) the entity” and in-
 16 serting “(II) the entity”; and

17 (ii) by striking the period and insert-
 18 ing “; and”; and

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

20 “(iii) the entity will identify children
 21 who may be eligible for medical assistance
 22 under a State program under title XIX of
 23 the Social Security Act.”.

1 (b) SERVICES FOR CHILDREN.—Section 399D(b) of
 2 the Public Health Service Act (42 U.S.C. 280d(b)) is
 3 amended—

4 (1) in paragraph (1), by inserting “alcohol and
 5 drug,” after “psychological,”; and

6 (2) by striking paragraph (5) and inserting the
 7 following:

8 “(5) Drug and alcohol treatment and preven-
 9 tion services.”.

10 (c) SERVICES FOR AFFECTED FAMILIES.—Section
 11 399D(c) of the Public Health Service Act (42 U.S.C.
 12 280d(c)) is amended—

13 (1) in paragraph (1)—

14 (A) in the matter preceding subparagraph
 15 (A), by inserting before the semicolon the fol-
 16 lowing: “, or through an entity that meets ap-
 17 plicable State licensure or certification require-
 18 ments regarding the services involved”; and

19 (B) by adding at the end the following:

20 “(D) Aggressive outreach to family mem-
 21 bers with substance abuse problems.

22 “(E) Inclusion of consumer in the develop-
 23 ment, implementation, and monitoring of Fam-
 24 ily Services Plan.”; and

25 (2) in paragraph (2)—

1 (A) by striking subparagraph (A) and in-
 2 serting the following:

3 “(A) Alcohol and drug treatment services,
 4 including screening and assessment, diagnosis,
 5 detoxification, individual, group and family
 6 counseling, relapse prevention, and case man-
 7 agement.”;

8 (B) by striking subparagraph (C) and in-
 9 serting the following:

10 “(C) Pre- and post-pregnancy family plan-
 11 ning services and counseling on the human
 12 immunodeficiency virus and acquired immune
 13 deficiency syndrome.”;

14 (C) in subparagraph (D), by striking “con-
 15 flict and”; and

16 (D) in subparagraph (E), by striking “Re-
 17 medial” and inserting “Career planning and”.

18 (d) ELIGIBLE ENTITIES.—Section 399D(d) of the
 19 Public Health Service Act (42 U.S.C. 280d(d)) is amend-
 20 ed—

21 (1) by striking the matter preceding paragraph
 22 (1) and inserting:

23 “(d) ELIGIBLE ENTITIES.—The Secretary shall dis-
 24 tribute the grants through the following types of entities.”;

1 (2) in paragraph (1), by inserting “or preven-
 2 tion” after “drug treatment”; and

3 (3) in paragraph (2)—

4 (A) in subparagraph (A), by striking “;
 5 and” and inserting “; or”; and

6 (B) in subparagraph (B), by inserting “or
 7 pediatric health or mental health providers and
 8 family mental health providers” before the pe-
 9 riod.

10 (e) SUBMISSION OF INFORMATION.—Section
 11 399D(h) of the Public Health Service Act (42 U.S.C.
 12 280d(h)) is amended—

13 (1) in paragraph (2)—

14 (A) by inserting “including maternal and
 15 child health” before “mental”;

16 (B) by striking “treatment programs”; and

17 (C) by striking “and the State agency re-
 18 sponsible for administering public maternal and
 19 child health services” and inserting “, the State
 20 agency responsible for administering alcohol
 21 and drug programs, the State lead agency, and
 22 the State Interagency Coordinating Council
 23 under part H of the Individuals with Disabil-
 24 ities Education Act”; and

1 (2) in paragraph (3)(B), by inserting before the
 2 semicolon the following: “when the child can be
 3 cared for at home without endangering the child’s
 4 safety”.

5 (f) REPORTS.—Section 399D(i)(6) of the Public
 6 Health Service Act (42 U.S.C. 280d(k)(6)) is amended—

7 (1) in subparagraph (D), by striking “and” at
 8 the end;

9 (2) in subparagraph (E), by adding “and” after
 10 the semicolon; and

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

12 “(F) the number of children described in
 13 subparagraph (C) for whom the permanent plan
 14 is other than family reunification;”.

15 (g) EVALUATIONS.—Section 399D(l) of the Public
 16 Health Service Act (42 U.S.C. 280d(l)) is amended—

17 (1) in paragraph (4), by inserting before the
 18 semicolon the following: “, including increased par-
 19 ticipation in work or employment-related activities
 20 and decreased participation in welfare programs”;

21 (2) in paragraph (5), by striking “children
 22 whose” and inserting “children who can be cared for
 23 at home without endangering their safety and
 24 whose”; and

1 (3) in paragraph (6), by inserting before the
 2 semicolon the following: “if the reunification would
 3 not endanger the child”.

4 (h) REPORT TO CONGRESS.—Section 399D(m) of the
 5 Public Health Service Act (42 U.S.C. 280d(m)) is amend-
 6 ed—

7 (1) in paragraph (2), by adding “and” at the
 8 end;

9 (2) in paragraph (3), by striking the semicolon
 10 at the end and inserting a period; and

11 (3) by striking paragraphs (4) and (5).

12 (i) DATA COLLECTION.—Section 399D(n) of the
 13 Public Health Service Act (42 U.S.C. 280d(n)) is amend-
 14 ed by adding at the end the following: “The periodic report
 15 shall include a quantitative estimate of the prevalence of
 16 alcohol and drug problems in families involved in the child
 17 welfare system, the barriers to treatment and prevention
 18 services facing these families, and policy recommendations
 19 for removing the identified barriers, including training for
 20 child welfare workers.”.

21 (j) DEFINITION.—Section 399D(o)(2)(B) of the Pub-
 22 lic Health Service Act (42 U.S.C. 280d(o)(2)(B)) is
 23 amended by striking “dangerous”.

1 (k) AUTHORIZATION OF APPROPRIATIONS.—Section
 2 399D(p) of the Public Health Service Act (42 U.S.C.
 3 280d(p)) is amended to read as follows:

4 “(p) AUTHORIZATION OF APPROPRIATIONS.—For the
 5 purpose of carrying out this section, there are authorized
 6 to be appropriated \$50,000,000 for fiscal year 1998, and
 7 such sums as may be necessary for fiscal year 1999.”.

8 (l) GRANTS FOR TRAINING AND CONFORMING
 9 AMENDMENTS.—Section 399D of the Public Health Serv-
 10 ice Act (42 U.S.C. 280d) is amended—

11 (1) by striking subsection (f);

12 (2) by striking subsection (k);

13 (3) by redesignating subsections (d), (e), (g),
 14 (h), (i), (j), (l), (m), (n), (o), and (p) as subsections
 15 (e) through (o), respectively;

16 (4) by inserting after subsection (c), the follow-
 17 ing:

18 “(d) TRAINING FOR HEALTH CARE PROFESSIONALS,
 19 CHILD WELFARE PROVIDERS, AND OTHER PERSON-
 20 NEL.—The Secretary may make a grant under subsection
 21 (a) for the training of health care professionals, child wel-
 22 fare providers, and other personnel who provide services
 23 to vulnerable children and families. Such training shall be
 24 to assist professionals in recognizing the drug and alcohol
 25 problems of their clients and to enhance their skills in

1 identifying and obtaining substance abuse prevention and
2 treatment resources.”;

3 (5) in subsection (k)(2) (as so redesignated), by
4 striking “(h)” and inserting “(i)”; and

5 (6) in paragraphs (3)(E) and (5) of subsection
6 (m) (as so redesignated), by striking “(d)” and in-
7 serting “(e)”.

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