

106TH CONGRESS  
1ST SESSION

# S. 1046

To amend title V of the Public Health Service Act to revise and extend certain programs under the authority of the Substance Abuse and Mental Health Service Administration, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 13, 1999

Mr. REED 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 title V of the Public Health Service Act to revise and extend certain programs under the authority of the Substance Abuse and Mental Health Service Administration, 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 “Wrap Around Services  
5 for Detained or Incarcerated Youth Act of 1999”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1           (1) Four million underage youth are arrested in  
2           the United States every year and 30 percent of those  
3           arrested are likely to relapse and commit a crime  
4           within 1 year of the arrest.

5           (2) According to a Federal study, 60 percent of  
6           youth offenders in the juvenile justice system who  
7           are in detention programs have behavioral, mental,  
8           or emotional problems.

9           (3) Over 60 percent of youth offenders in facili-  
10          ties in the juvenile justice system have substance  
11          abuse disorders.

12          (4) Academic studies repeatedly find that there  
13          is a higher percentage of youth offenders in the ju-  
14          venile justice system who have mental disorders than  
15          in the youth population at large.

16          (5) Less than 13 percent of youth offenders in  
17          the juvenile justice system who have been identified  
18          as in need of treatment receive such treatment.

19   **SEC. 3. WRAP AROUND GRANTS FOR YOUTH.**

20          Subpart 3 of part B of title V of the Public Health  
21   Service Act (42 U.S.C. 290bb-31 et seq.) is amended by  
22   adding at the end the following:

23   **“SEC. 520C. WRAP AROUND GRANTS FOR YOUTH.**

24          “(a) IN GENERAL.—The Secretary, acting through  
25   the Director of the Center for Mental Health Services, and

1 in consultation with the Director of the Center for Sub-  
2 stance Abuse Treatment, the Administrator of the Office  
3 of Juvenile Justice and Delinquency Prevention, and the  
4 Director of the Special Education Programs, shall award  
5 grants on a competitive basis to State or local juvenile jus-  
6 tice agencies to enable such agencies to provide aftercare  
7 services for youth offenders who have been discharged  
8 from facilities in the juvenile or criminal justice system  
9 and have serious emotional disturbances or are at risk of  
10 developing such disturbances.

11 “(b) PURPOSE.—The purposes of this section are—

12 “(1) to address the needs of youth offenders  
13 who have been discharged from the juvenile or crimi-  
14 nal justice system and have serious emotional dis-  
15 turbances or are at risk of developing such disturb-  
16 ances;

17 “(2) to provide a community-based system of  
18 care for such youth offenders to prevent the youth  
19 from committing additional or more serious criminal  
20 offenses;

21 “(3) to provide services for youth offenders  
22 after such youth have been detained or incarcerated  
23 in facilities within the juvenile or criminal justice  
24 system to decrease the likelihood that the individuals  
25 will reoffend;

1           “(4) to enable State and local agencies that  
2           provide services for youth to work together with ju-  
3           venile justice agencies to establish a plan for each  
4           youth offender to reduce the likelihood of recidivism;  
5           and

6           “(5) to encourage involvement of the youth of-  
7           fender’s family members, significant persons in the  
8           youth offender’s life, and community agencies in the  
9           process of helping youth offenders resist criminal ac-  
10          tivity and remain in the community.

11          “(c) USE OF FUNDS.—A State or local juvenile jus-  
12         tice agency receiving a grant under subsection (a) shall  
13         use the amounts provided under the grant—

14                 “(1) to develop a plan describing the manner in  
15                 which the agency will provide services for each youth  
16                 offender who has a serious emotional disturbance  
17                 and has come in contact with the juvenile or crimi-  
18                 nal justice system;

19                 “(2) to provide a network of core or aftercare  
20                 services or access to such services for each youth of-  
21                 fender, including diagnostic and evaluation services,  
22                 substance abuse treatment services, outpatient men-  
23                 tal health care services, medication management  
24                 services, intensive home-based therapy, intensive day

1 treatment services, respite care, and therapeutic foster care;  
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3 “(3) to establish a program that coordinates  
4 with other State and local agencies providing recreational, social, educational, vocational, or operational services for youth, to enable the agency receiving a grant under this section to provide community-based system of care services for each youth offender that addresses the special needs of the youth and helps the youth access all of the aforementioned services; and  
11

12 “(4) using not more than 20 percent of funds received, to provide planning and transition services as described in paragraph (3) for youth offenders while such youth are incarcerated or detained.  
15

16 “(d) APPLICATION.—A State or local juvenile justice  
17 agency that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.  
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21 “(e) REPORT.—Not later than 1 year after the date  
22 of enactment of this section and annually thereafter, a  
23 State or local juvenile justice agency receiving a grant  
24 under subsection (a) shall submit to the Secretary a report

1 describing the programs carried out pursuant to this sec-  
2 tion.

3 “(f) DEFINITIONS.—In this section:

4 “(1) SERIOUS EMOTIONAL DISTURBANCE.—The  
5 term ‘serious emotional disturbance’ with respect to  
6 a youth offender means an offender who currently,  
7 or at any time within the 1-year period ending on  
8 the day on which services are sought under this sec-  
9 tion, has a diagnosable mental, behavioral, or emo-  
10 tional disorder that functionally impairs the offend-  
11 er’s life by substantially limiting the offender’s role  
12 in family, school, or community activities, and inter-  
13 fering with the offender’s ability to achieve or main-  
14 tain 1 or more developmentally-appropriate social,  
15 behavior, cognitive, communicative, or adaptive  
16 skills.

17 “(2) COMMUNITY-BASED SYSTEM OF CARE.—  
18 The term ‘community-based system of care’ means  
19 the provision of services for the youth offender by  
20 various State or local agencies that in an inter-  
21 agency fashion or operating as a network addresses  
22 the recreational, social, educational, vocational, men-  
23 tal health, substance abuse, and operational needs of  
24 the youth offender.

1           “(3) YOUTH OFFENDER.—The term ‘youth of-  
2       fender’ means an individual who is 21 years of age  
3       or younger who has been discharged from a State or  
4       local juvenile or criminal justice system, except that  
5       if the individual is between the ages of 18 and 21  
6       years, such individual has had contact with the State  
7       or local juvenile or criminal justice system prior to  
8       attaining 18 years of age and is under the jurisdic-  
9       tion of such a system at the time services are  
10      sought.

11       “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
12      is authorized to be appropriated to carry out this section  
13      \$40,000,000 for each of the fiscal years 2000 through  
14      2004.

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