

110TH CONGRESS
2D SESSION

H. R. 5640

To authorize the Secretary of Health and Human Services to provide services for birthparents who have placed a child for adoption, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2008

Mrs. SCHMIDT (for herself and Mr. OBERSTAR) introduced the following bill;
which was referred to the Committee on Education and Labor

A BILL

To authorize the Secretary of Health and Human Services to provide services for birthparents who have placed a child for adoption, 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 “Birthparent Assistance
5 Act of 2008”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to enhance post-placement services for
9 birthparents who have placed a child for adoption;

1 (2) to initiate or enhance post-placement coun-
2 seling services for birthparents who have placed a
3 child for adoption; and

4 (3) to identify how post-placement services for
5 birthparents who have placed a child for adoption
6 can be improved.

7 **SEC. 3. AUTHORIZATION OF POST-ADOPTION SERVICES**
8 **FOR BIRTHPARENTS.**

9 (a) **SERVICES AUTHORIZED.**—The Secretary of
10 Health and Human Services shall, either directly or by
11 grant to or contract with the eligible entities described in
12 subsection (b), provide services described in subsection (c)
13 for birthparents who have placed a child for adoption.

14 (b) **ELIGIBLE ENTITIES.**—The eligible entities re-
15 ferred to in subsection (a) are States, local governmental
16 entities, and public or private agencies or organizations,
17 including public or private licensed child welfare or adop-
18 tion agencies or adoptive family groups and faith-based
19 organizations.

20 (c) **TYPES OF SERVICES.**—The types of services re-
21 ferred to in subsection (a) are—

22 (1) post-legal adoption services for birthparents;

23 (2) counseling services for birthparents who
24 have placed a child for adoption, including—

25 (A) individual counseling;

1 (B) group counseling; and

2 (C) family counseling;

3 (3) establishment and operation of a nationally-
4 available hotline to—

5 (A) provide counseling services described in
6 paragraph (2) for birthparents; and

7 (B) provide other information relating to
8 the availability of post-adoption services and
9 benefits for birthparents, including contact in-
10 formation for post-adoption services and bene-
11 fits provided by States and local units of gov-
12 ernment, as appropriate; and

13 (4) training of staff at hospitals and other ap-
14 propriate birth care facilities relating to interaction
15 of such staff with birthparents and adoptive families.

16 (d) APPLICATION.—Each eligible entity referred to in
17 subsection (a) that desires to receive a grant or enter into
18 a contract with the Secretary under subsection (a) shall
19 submit an application to the Secretary that describes the
20 manner in which the entity will use funds under the grant
21 or contract during the 3 fiscal years subsequent to the
22 date of the application to accomplish the purposes of this
23 section. Such application shall be in a form and manner
24 determined to be appropriate by the Secretary.

1 (e) REPORTS.—The Secretary shall require each eli-
2 gible entity referred to in subsection (a) that receives a
3 grant or enters into a contract with the Secretary under
4 subsection (a) to submit to the Secretary a report on the
5 services provided or activities carried out by the entity for
6 each fiscal year for which the entity receives amounts
7 under the grant or contract. The report shall contain such
8 information as the Secretary determines is necessary to
9 provide an accurate description of the services provided
10 or activities carried out with such amounts.

11 (f) SERVICES TO SUPPLEMENT AND NOT SUP-
12 PLANT.—Services provided under a grant or contract
13 under subsection (a) shall supplement, and not supplant,
14 services provided using any other funds made available for
15 the same general purposes.

16 (g) TECHNICAL ASSISTANCE AND ADMINISTRATIVE
17 PROVISIONS.—The Secretary shall—

18 (1) provide technical assistance to eligible enti-
19 ties referred to in subsection (a) that receive a grant
20 or enter into a contract with the Secretary under
21 subsection (a) for purposes of providing the services
22 described in subsection (c);

23 (2) as appropriate, coordinate the provision of
24 services described in subsection (c) with other adop-
25 tion-related research, training, services, and assist-

1 ance activities carried out by the Department of
2 Health and Human Services; and

3 (3) either directly, or by grant to or contract
4 with a public or private agency or organization—

5 (A) evaluate the implementation and effec-
6 tiveness of the provision of services described in
7 subsection (c) and other activities carried out
8 under this section;

9 (B) identify different post-placement serv-
10 ices provided for birthparents, the availability
11 and utilization of such services, and how post-
12 placement services might be improved; and

13 (C) not later than 3 years after the date
14 of the enactment of this Act, submit to Con-
15 gress a report that contains the results of the
16 evaluation under subparagraph (A) and the in-
17 formation described in subparagraph (B).

18 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) IN GENERAL.—To carry out this Act, there are
20 authorized to be appropriated to the Secretary of Health
21 and Human Services—

22 (1) \$30,000,000 for fiscal year 2009; and

23 (2) such sums as may be necessary for each of
24 the fiscal years 2010 through 2013.

1 (b) AVAILABILITY.—Amounts appropriated pursuant
2 to the authorization of appropriations under subsection (a)
3 are authorized to remain available until expended.

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