

110TH CONGRESS  
2D SESSION

# S. 3173

To amend part E of title IV of the Social Security Act to allow children in foster care to be placed with their parents in residential family treatment centers that provide safe environments for treating addiction and promoting healthy parenting.

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## IN THE SENATE OF THE UNITED STATES

JUNE 20 (legislative day, JUNE 19), 2008

Mr. ROCKEFELLER introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend part E of title IV of the Social Security Act to allow children in foster care to be placed with their parents in residential family treatment centers that provide safe environments for treating addiction and promoting healthy parenting.

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 “Keeping Families Safe  
5       Act of 2008”.

6       **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

1           (1) The 2001 report by the Center for Sub-  
2           stance Abuse Treatment (CSAT) of the Pregnant  
3           and Postpartum Women and Their Infants Pro-  
4           gram, which provides comprehensive, family-based  
5           treatment for substance abusing mothers and their  
6           children, found that at 6 months post treatment—

7                   (A) 60 percent of the mothers remained al-  
8                   cohol and drug-free;

9                   (B) drug-related offenses declined from 28  
10                  percent to 7 percent; and

11                  (C) 75 percent of the mothers had physical  
12                  custody of 1 or more children.

13           (2) The 2003 evaluation of the Center for Sub-  
14           stance Abuse Treatment (CSAT) of the Pregnant  
15           and Postpartum Women and Their Infants Program  
16           of 24 residential family-based treatment programs 6  
17           months after treatment revealed the following suc-  
18           cessful outcomes for mothers and their children:

19                   (A) 60 percent of the mothers in the pro-  
20                   grams remained completely clean and sober 6  
21                   months after discharge.

22                   (B) 44 percent of the children in the pro-  
23                   grams were returned to their mothers from fos-  
24                   ter care.

1 (C) 88 percent of the children treated in  
 2 the programs with their mothers remained sta-  
 3 bilized and living with their mothers, 6 months  
 4 after discharge.

5 (3) The Center for Substance Abuse Treatment  
 6 (CSAT) of the Pregnant and Postpartum Women  
 7 and Their Infants Program has found that rates of  
 8 premature delivery, low birth weight, and infant  
 9 mortality were improved for women who participated  
 10 in the program, the costs of treating such women  
 11 were offset by as much as 3 to 4 times the savings  
 12 that resulted from reduced costs of crime, foster  
 13 care, and Temporary Assistance to Needy Families  
 14 (TANF) assistance, and adverse birth outcomes.

15 **SEC. 3. AUTHORITY FOR STATES TO MAKE FOSTER CARE**  
 16 **MAINTENANCE PAYMENTS TO RESIDENTIAL**  
 17 **FAMILY TREATMENT CENTERS.**

18 (a) IN GENERAL.—

19 (1) IN GENERAL.—Section 472 of the Social  
 20 Security Act (42 U.S.C. 672) is amended—

21 (A) in subsection (b)(2)—

22 (i) by inserting “or a residential fam-  
 23 ily treatment center” after “child-care in-  
 24 stitution”; and

1 (ii) by inserting “or residential family  
 2 treatment center” after “such institution”;  
 3 and

4 (B) in subsection (c)—

5 (i) by striking “and” before “(2)”;  
 6 and

7 (ii) by inserting before the period at  
 8 the end the following: “; and (3) the term  
 9 ‘residential family treatment center’ means  
 10 a State licensed program that enables par-  
 11 ents and their children to live in a safe en-  
 12 vironment for a period of not less than 6  
 13 months and provides, on-site or by referral,  
 14 substance abuse treatment services, chil-  
 15 dren’s early intervention services, family  
 16 counseling, legal services, medical care,  
 17 mental health services, nursery and pre-  
 18 school, parenting skills training, pediatric  
 19 care, prenatal care, sexual abuse therapy,  
 20 relapse prevention, transportation, and job  
 21 or vocational training or classes leading to  
 22 a secondary school diploma or a certificate  
 23 of general equivalence”.

24 (2) EFFECTIVE DATE.—The amendments made  
 25 by paragraph (1) shall take effect on October 1,

1       2008, without regard to whether regulations imple-  
2       menting such amendments are promulgated by such  
3       date.

4       (b) EVALUATION AND REPORT.—The Secretary of  
5       Health and Human Services shall, by grant, contract, or  
6       interagency agreement, evaluate the foster care mainte-  
7       nance payments made under section 472(b)(2) of the So-  
8       cial Security Act on behalf of a child who is in a residential  
9       family treatment center (as amended by subsection  
10      (a)(1)(A)) and, not later than 3 years after the date of  
11      enactment of this Act, shall submit a report to Congress  
12      on the results of such evaluation that includes an analysis  
13      of the outcomes for the children in foster care on whose  
14      behalf such payments are made.

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