

114TH CONGRESS
2D SESSION

H. R. 4472

IN THE SENATE OF THE UNITED STATES

APRIL 4, 2016

Received; read twice and referred to the Committee on Finance

AN ACT

To amend title IV of the Social Security Act to require States to adopt a centralized electronic system to help expedite the placement of children in foster care or guardianship, or for adoption, across State lines, and to provide grants to aid States in developing such a system, 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 “Modernizing the Inter-
5 state Placement of Children in Foster Care Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) when a child in foster care cannot return
9 safely home, the child deserves to be placed in a set-
10 ting that is best for that child, regardless of whether
11 it is in the child’s State or another State;

12 (2) the Interstate Compact on the Placement of
13 Children (ICPC) was established in 1960 to provide
14 a uniform legal framework for the placement of chil-
15 dren across State lines in foster and adoptive homes;

16 (3) frequently, children waiting to be placed
17 with an adoptive family, relative, or foster parent in
18 another State spend more time waiting for this to
19 occur than children who are placed with an adoptive,
20 family, relative, or foster parent in the same State,
21 because of the outdated, administratively burden-
22 some ICPC process;

23 (4) no child should have to wait longer to be
24 placed in a loving home simply because the child
25 must cross a State line;

1 (5) the National Electronic Interstate Compact
2 Enterprise (NEICE) was launched in August 2014
3 in Indiana, Nevada, Florida, South Carolina, Wis-
4 consin, and the District of Columbia, and is expected
5 to be expanded into additional States to improve the
6 administrative process by which children are placed
7 with families across State lines;

8 (6) States using this electronic interstate case-
9 processing system have reduced administrative costs
10 and the amount of staff time required to process
11 these cases, and caseworkers can spend more time
12 helping children instead of copying and mailing pa-
13 perwork between States;

14 (7) since NEICE was launched, placement time
15 has decreased by 30 percent for interstate foster
16 care placements; and

17 (8) on average, States using this electronic
18 interstate case-processing system have been able to
19 reduce from 24 business days to 13 business days
20 the time it takes to identify a family for a child and
21 prepare the paperwork required to start the ICPC
22 process.

23 **SEC. 3. STATE PLAN REQUIREMENT.**

24 (a) IN GENERAL.—Section 471(a)(25) of the Social
25 Security Act (42 U.S.C. 671(a)(25)) is amended—

1 (1) by striking “provide” and insert “provides”;
2 and

3 (2) by inserting “, which, not later than Octo-
4 ber 1, 2026, shall include the use of an electronic
5 interstate case-processing system” before the 1st
6 semicolon.

7 (b) EFFECTIVE DATE.—

8 (1) IN GENERAL.—The amendments made by
9 subsection (a) shall take effect on the 1st day of the
10 1st calendar quarter beginning on or after the date
11 of the enactment of this Act, and shall apply to pay-
12 ments under part E of title IV of the Social Security
13 Act for calendar quarters beginning on or after such
14 date.

15 (2) DELAY PERMITTED IF STATE LEGISLATION
16 REQUIRED.—If the Secretary of Health and Human
17 Services determines that State legislation (other
18 than legislation appropriating funds) is required in
19 order for a State plan developed pursuant to part E
20 of title IV of the Social Security Act to meet the ad-
21 ditional requirement imposed by the amendments
22 made by subsection (a), the plan shall not be re-
23 garded as failing to meet any of the additional re-
24 quirements before the 1st day of the 1st calendar
25 quarter beginning after the first regular session of

1 the State legislature that begins after the date of the
 2 enactment of this Act. For purposes of the preceding
 3 sentence, if the State has a 2-year legislative session,
 4 each year of the session is deemed to be a separate
 5 regular session of the State legislature.

6 **SEC. 4. GRANTS FOR THE DEVELOPMENT OF AN ELEC-**
 7 **TRONIC INTERSTATE CASE-PROCESSING SYS-**
 8 **TEM TO EXPEDITE THE INTERSTATE PLACE-**
 9 **MENT OF CHILDREN IN FOSTER CARE OR**
 10 **GUARDIANSHIP, OR FOR ADOPTION.**

11 Section 437 of the Social Security Act (42 U.S.C.
 12 637) is amended by adding at the end the following:

13 “(g) GRANTS FOR THE DEVELOPMENT OF AN ELEC-
 14 TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EX-
 15 PEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN
 16 FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—

17 “(1) PURPOSE.—The purpose of this subsection
 18 is to facilitate the development of an electronic inter-
 19 state case-processing system for the exchange of
 20 data and documents to expedite the placements of
 21 children in foster, guardianship, or adoptive homes
 22 across State lines.

23 “(2) APPLICATION REQUIREMENTS.—A State
 24 that desires a grant under this subsection shall sub-

1 mit to the Secretary an application containing the
2 following:

3 “(A) A description of the goals and out-
4 comes to be achieved during the period for
5 which grant funds are sought, which goals and
6 outcomes must result in—

7 “(i) reducing the time it takes for a
8 child to be provided with a safe and appro-
9 priate permanent living arrangement
10 across State lines;

11 “(ii) improving administrative proc-
12 esses and reducing costs in the foster care
13 system; and

14 “(iii) the secure exchange of relevant
15 case files and other necessary materials in
16 real time, and timely communications and
17 placement decisions regarding interstate
18 placements of children.

19 “(B) A description of the activities to be
20 funded in whole or in part with the grant
21 funds, including the sequencing of the activities.

22 “(C) A description of the strategies for in-
23 tegrating programs and services for children
24 who are placed across State lines.

1 “(D) Such other information as the Sec-
2 retary may require.

3 “(3) GRANT AUTHORITY.—The Secretary may
4 make a grant to a State that complies with para-
5 graph (2).

6 “(4) USE OF FUNDS.—A State to which a grant
7 is made under this subsection shall use the grant to
8 support the State in connecting with the electronic
9 interstate case-processing system described in para-
10 graph (1).

11 “(5) EVALUATIONS.—Not later than 1 year
12 after the final year in which grants are awarded
13 under this subsection, the Secretary shall submit to
14 the Congress, and make available to the general
15 public by posting on a website, a report that con-
16 tains the following information:

17 “(A) How using the electronic interstate
18 case-processing system developed pursuant to
19 paragraph (4) has changed the time it takes for
20 children to be placed across State lines.

21 “(B) The number of cases subject to the
22 Interstate Compact on the Placement of Chil-
23 dren that were processed through the electronic
24 interstate case-processing system, and the num-
25 ber of interstate child placement cases that

1 were processed outside the electronic interstate
2 case-processing system, by each State in each
3 year.

4 “(C) The progress made by States in im-
5 plementing the electronic interstate case-proc-
6 essing system.

7 “(D) How using the electronic interstate
8 case-processing system has affected various
9 metrics related to child safety and well-being,
10 including the time it takes for children to be
11 placed across State lines.

12 “(E) How using the electronic interstate
13 case-processing system has affected administra-
14 tive costs and caseworker time spent on placing
15 children across State lines.

16 “(6) DATA INTEGRATION.—The Secretary, in
17 consultation with the Secretariat for the Interstate
18 Compact on the Placement of Children and the
19 States, shall assess how the electronic interstate
20 case-processing system developed pursuant to para-
21 graph (4) could be used to better serve and protect
22 children that come to the attention of the child wel-
23 fare system, by—

24 “(A) connecting the system with other
25 data systems (such as systems operated by

1 State law enforcement and judicial agencies,
2 systems operated by the Federal Bureau of In-
3 vestigation for the purposes of the Innocence
4 Lost National Initiative, and other systems);

5 “(B) simplifying and improving reporting
6 related to paragraphs (34) and (35) of section
7 471(a) regarding children or youth who have
8 been identified as being a sex trafficking victim
9 or children missing from foster care; and

10 “(C) improving the ability of States to
11 quickly comply with background check require-
12 ments of section 471(a)(20), including checks of
13 child abuse and neglect registries as required by
14 section 471(a)(20)(B).”.

15 **SEC. 5. CONTINUATION OF DISCRETIONARY FUNDING TO**
16 **PROMOTE SAFE AND STABLE FAMILIES.**

17 Section 437(a) of the Social Security Act (42 U.S.C.
18 637(a)) is amended by striking “2016” and inserting
19 “2017”.

20 **SEC. 6. RESERVATION OF FUNDS TO IMPROVE THE INTER-**
21 **STATE PLACEMENT OF CHILDREN.**

22 Section 437(b) of the Social Security Act (42 U.S.C.
23 637(b)) is amended by adding at the end the following:

24 “(4) IMPROVING THE INTERSTATE PLACEMENT
25 OF CHILDREN.—The Secretary shall reserve

1 \$5,000,000 of the amount made available for fiscal
2 year 2017 for grants under subsection (g), and the
3 amount so reserved shall remain available through
4 fiscal year 2021.”.

Passed the House of Representatives March 22,
2016.

Attest:

KAREN L. HAAS,
Clerk.