

114TH CONGRESS  
2D SESSION

# S. 3065

To amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 16, 2016

Mr. HATCH (for himself, Mr. WYDEN, Mr. GRASSLEY, and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, 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 “Family First Preven-  
5 tion Services Act of 2016”.

# 1 SEC. 2. TABLE OF CONTENTS.

## 2 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

### TITLE I—INVESTING IN PREVENTION AND FAMILY SERVICES

- Sec. 101. Purpose.

#### Subtitle A—Prevention Activities Under Title IV–E

- Sec. 111. Foster care prevention services and programs.
- Sec. 112. Foster care maintenance payments for children with parents in a licensed residential family-based treatment facility for substance abuse.
- Sec. 113. Title IV–E payments for evidence-based kinship navigator programs.

#### Subtitle B—Enhanced Support Under Title IV–B

- Sec. 121. Elimination of time limit for family reunification services while in foster care and permitting time-limited family reunification services when a child returns home from foster care.
- Sec. 122. Reducing bureaucracy and unnecessary delays when placing children in homes across State lines.
- Sec. 123. Enhancements to grants to improve well-being of families affected by substance abuse.

#### Subtitle C—Miscellaneous

- Sec. 131. Reviewing and improving licensing standards for placement in a relative foster family home.
- Sec. 132. Development of a statewide plan to prevent child abuse and neglect fatalities.
- Sec. 133. Modernizing the title and purpose of title IV–E.
- Sec. 134. Effective dates.

### TITLE II—ENSURING THE NECESSITY OF A PLACEMENT THAT IS NOT IN A FOSTER FAMILY HOME

- Sec. 201. Limitation on Federal financial participation for placements that are not in foster family homes.
- Sec. 202. Assessment and documentation of the need for placement in a qualified residential treatment program.
- Sec. 203. Protocols to prevent inappropriate diagnoses.
- Sec. 204. Additional data and reports regarding children placed in a setting that is not a foster family home.
- Sec. 205. Effective dates; application to waivers.

### TITLE III—CONTINUING SUPPORT FOR CHILD AND FAMILY SERVICES

- Sec. 301. Supporting and retaining foster families for children.
- Sec. 302. Extension of child and family services programs.
- Sec. 303. Improvements to the John H. Chafee foster care independence program and related provisions.

TITLE IV—CONTINUING INCENTIVES TO STATES TO PROMOTE  
ADOPTION AND LEGAL GUARDIANSHIP

Sec. 401. Reauthorizing adoption and legal guardianship incentive programs.

TITLE V—TECHNICAL CORRECTIONS

Sec. 501. Technical corrections to data exchange standards to improve program coordination.

Sec. 502. Technical corrections to State requirement to address the developmental needs of young children.

TITLE VI—ENSURING STATES REINVEST SAVINGS RESULTING  
FROM INCREASE IN ADOPTION ASSISTANCE

Sec. 601. Delay of adoption assistance phase-in.

Sec. 602. GAO study and report on State reinvestment of savings resulting from increase in adoption assistance.

**1 TITLE I—INVESTING IN PREVEN-**  
**2 TION AND FAMILY SERVICES**

**3 SEC. 101. PURPOSE.**

**4** The purpose of this title is to enable States to use  
**5** Federal funds available under parts B and E of title IV  
**6** of the Social Security Act to provide enhanced support to  
**7** children and families and prevent foster care placements  
**8** through the provision of mental health and substance  
**9** abuse prevention and treatment services, in-home parent  
**10** skill-based programs, and kinship navigator services.

**11 Subtitle A—Prevention Activities**  
**12 Under Title IV–E**

**13 SEC. 111. FOSTER CARE PREVENTION SERVICES AND PRO-**  
**14 GRAMS.**

**15** (a) STATE OPTION.—Section 471 of the Social Secu-  
**16** rity Act (42 U.S.C. 671) is amended—

1           (1) in subsection (a)(1), by striking “and” and  
 2           all that follows through the semicolon and inserting  
 3           “, adoption assistance in accordance with section  
 4           473, and, at the option of the State, services or pro-  
 5           grams specified in subsection (e)(1) of this section  
 6           for children who are candidates for foster care or  
 7           who are pregnant or parenting foster youth and the  
 8           parents or kin caregivers of the children, in accord-  
 9           ance with the requirements of that subsection;”;

10           (2) by adding at the end the following:

11           “(e) PREVENTION AND FAMILY SERVICES AND PRO-  
 12           GRAMS.—

13           “(1) IN GENERAL.—Subject to the succeeding  
 14           provisions of this subsection, the Secretary may  
 15           make a payment to a State for providing the fol-  
 16           lowing services or programs for a child described in  
 17           paragraph (2) and the parents or kin caregivers of  
 18           the child when the need of the child, such a parent,  
 19           or such a caregiver for the services or programs are  
 20           directly related to the safety, permanence, or well-  
 21           being of the child or to preventing the child from en-  
 22           tering foster care:

23           “(A) MENTAL HEALTH AND SUBSTANCE  
 24           ABUSE PREVENTION AND TREATMENT SERV-  
 25           ICES.—Mental health and substance abuse pre-

vention and treatment services provided by a qualified clinician for not more than a 12-month period that begins on any date described in paragraph (3) with respect to the child.

“(B) IN-HOME PARENT SKILL-BASED PROGRAMS.—In-home parent skill-based programs for not more than a 12-month period that begins on any date described in paragraph (3) with respect to the child and that include parenting skills training, parent education, and individual and family counseling.

“(2) CHILD DESCRIBED.—For purposes of paragraph (1), a child described in this paragraph is the following:

“(A) A child who is a candidate for foster care (as defined in section 475(13)) but can remain safely at home or in a kinship placement with receipt of services or programs specified in paragraph (1).

“(B) A child in foster care who is a pregnant or parenting foster youth.

“(3) DATE DESCRIBED.—For purposes of paragraph (1), the dates described in this paragraph are the following:

1           “(A) The date on which a child is identi-  
2           fied in a prevention plan maintained under  
3           paragraph (4) as a child who is a candidate for  
4           foster care (as defined in section 475(13)).

5           “(B) The date on which a child is identi-  
6           fied in a prevention plan maintained under  
7           paragraph (4) as a pregnant or parenting foster  
8           youth in need of services or programs specified  
9           in paragraph (1).

10          “(4) REQUIREMENTS RELATED TO PROVIDING  
11          SERVICES AND PROGRAMS.—Services and programs  
12          specified in paragraph (1) may be provided under  
13          this subsection only if specified in advance in the  
14          child’s prevention plan described in subparagraph  
15          (A) and the requirements in subparagraphs (B)  
16          through (E) are met:

17               “(A) PREVENTION PLAN.—The State  
18               maintains a written prevention plan for the  
19               child that meets the following requirements (as  
20               applicable):

21                       “(i) CANDIDATES.—In the case of a  
22                       child who is a candidate for foster care de-  
23                       scribed in paragraph (2)(A), the prevention  
24                       plan shall—

1 “(I) identify the foster care pre-  
2 vention strategy for the child so that  
3 the child may remain safely at home,  
4 live temporarily with a kin caregiver  
5 until reunification can be safely  
6 achieved, or live permanently with a  
7 kin caregiver;

8 “(II) list the services or pro-  
9 grams to be provided to or on behalf  
10 of the child to ensure the success of  
11 that prevention strategy; and

12 “(III) comply with such other re-  
13 quirements as the Secretary shall es-  
14 tablish.

15 “(ii) PREGNANT OR PARENTING FOS-  
16 TER YOUTH.—In the case of a child who is  
17 a pregnant or parenting foster youth de-  
18 scribed in paragraph (2)(B), the preven-  
19 tion plan shall—

20 “(I) be included in the child’s  
21 case plan required under section  
22 475(1);

23 “(II) list the services or pro-  
24 grams to be provided to or on behalf  
25 of the youth to ensure that the youth

1 is prepared (in the case of a pregnant  
2 foster youth) or able (in the case of a  
3 parenting foster youth) to be a par-  
4 ent;

5 “(III) describe the foster care  
6 prevention strategy for any child born  
7 to the youth; and

8 “(IV) comply with such other re-  
9 quirements as the Secretary shall es-  
10 tablish.

11 “(B) TRAUMA-INFORMED.—The services or  
12 programs to be provided to or on behalf of a  
13 child are provided under an organizational  
14 structure and treatment framework that in-  
15 volves understanding, recognizing, and respond-  
16 ing to the effects of all types of trauma and in  
17 accordance with recognized principles of a trau-  
18 ma-informed approach and trauma-specific  
19 interventions to address trauma’s consequences  
20 and facilitate healing.

21 “(C) ONLY SERVICES AND PROGRAMS PRO-  
22 VIDED IN ACCORDANCE WITH PROMISING, SUP-  
23 PORTED, OR WELL-SUPPORTED PRACTICES PER-  
24 MITTED.—



1 “(i) IN GENERAL.—Only State ex-  
2 penditures for services or programs speci-  
3 fied in subparagraph (A) or (B) of para-  
4 graph (1) that are provided in accordance  
5 with practices that meet the requirements  
6 specified in clause (ii) of this subparagraph  
7 and that meet the requirements specified  
8 in clause (iii), (iv), or (v), respectively, for  
9 being a promising, supported, or well-sup-  
10 ported practice, shall be eligible for a Fed-  
11 eral matching payment under section  
12 474(a)(6)(A).

13 “(ii) GENERAL PRACTICE REQUIRE-  
14 MENTS.—The general practice require-  
15 ments specified in this clause are the fol-  
16 lowing:

17 “(I) The practice has a book,  
18 manual, or other available writings  
19 that specify the components of the  
20 practice protocol and describe how to  
21 administer the practice.

22 “(II) There is no empirical basis  
23 suggesting that, compared to its likely  
24 benefits, the practice constitutes a  
25 risk of harm to those receiving it.

1 “(III) If multiple outcome studies  
 2 have been conducted, the overall  
 3 weight of evidence supports the bene-  
 4 fits of the practice.

5 “(IV) Outcome measures are reli-  
 6 able and valid, and are administrated  
 7 consistently and accurately across all  
 8 those receiving the practice.

9 “(V) There is no case data sug-  
 10 gesting a risk of harm that was prob-  
 11 ably caused by the treatment and that  
 12 was severe or frequent.

13 “(iii) PROMISING PRACTICE.—A prac-  
 14 tice shall be considered to be a ‘promising  
 15 practice’ if the practice is superior to an  
 16 appropriate comparison practice using con-  
 17 ventional standards of statistical signifi-  
 18 cance (in terms of demonstrated meaning-  
 19 ful improvements in validated measures of  
 20 important child and parent outcomes, such  
 21 as mental health, substance abuse, and  
 22 child safety and well-being), as established  
 23 by the results or outcomes of at least one  
 24 study that—

1 “(I) was rated by an independent  
2 systematic review for the quality of  
3 the study design and execution and  
4 determined to be well-designed and  
5 well-executed; and

6 “(II) utilized some form of con-  
7 trol (such as an untreated group, a  
8 placebo group, or a wait list study).

9 “(iv) SUPPORTED PRACTICE.—A prac-  
10 tice shall be considered to be a ‘supported  
11 practice’ if—

12 “(I) the practice is superior to an  
13 appropriate comparison practice using  
14 conventional standards of statistical  
15 significance (in terms of demonstrated  
16 meaningful improvements in validated  
17 measures of important child and par-  
18 ent outcomes, such as mental health,  
19 substance abuse, and child safety and  
20 well-being), as established by the re-  
21 sults or outcomes of at least one study  
22 that—

23 “(aa) was rated by an inde-  
24 pendent systematic review for the  
25 quality of the study design and

1 execution and determined to be  
2 well-designed and well-executed;

3 “(bb) was a rigorous ran-  
4 dom-controlled trial (or, if not  
5 available, a study using a rig-  
6 orous quasi-experimental re-  
7 search design); and

8 “(cc) was carried out in a  
9 usual care or practice setting;  
10 and

11 “(II) the study described in sub-  
12 clause (I) established that the practice  
13 has a sustained effect (when com-  
14 pared to a control group) for at least  
15 6 months beyond the end of the treat-  
16 ment.

17 “(v) WELL-SUPPORTED PRACTICE.—A  
18 practice shall be considered to be a ‘well-  
19 supported practice’ if—

20 “(I) the practice is superior to an  
21 appropriate comparison practice using  
22 conventional standards of statistical  
23 significance (in terms of demonstrated  
24 meaningful improvements in validated  
25 measures of important child and par-

ent outcomes, such as mental health,  
 substance abuse, and child safety and  
 well-being), as established by the re-  
 sults or outcomes of at least 2 studies  
 that—

“(aa) were rated by an inde-  
 pendent systematic review for the  
 quality of the study design and  
 execution and determined to be  
 well-designed and well-executed;

“(bb) were rigorous random-  
 controlled trials (or, if not avail-  
 able, studies using a rigorous  
 quasi-experimental research de-  
 sign); and

“(cc) were carried out in a  
 usual care or practice setting;  
 and

“(II) at least one of the studies  
 described in subclause (I) established  
 that the practice has a sustained ef-  
 fect (when compared to a control  
 group) for at least 1 year beyond the  
 end of treatment.

1 “(D) GUIDANCE ON PRACTICES CRITERIA  
2 AND PRE-APPROVED SERVICES AND PRO-  
3 GRAMS.—

4 “(i) IN GENERAL.—Not later than Oc-  
5 tober 1, 2018, the Secretary shall issue  
6 guidance to States regarding the practices  
7 criteria required for services or programs  
8 to satisfy the requirements of subpara-  
9 graph (C). The guidance shall include a  
10 pre-approved list of services and programs  
11 that satisfy the requirements.

12 “(ii) UPDATES.—The Secretary shall  
13 issue updates to the guidance required by  
14 clause (i) as often as the Secretary deter-  
15 mines necessary.

16 “(E) OUTCOME ASSESSMENT AND REPORT-  
17 ING.—The State shall collect and report to the  
18 Secretary the following information with respect  
19 to each child for whom, or on whose behalf  
20 mental health and substance abuse prevention  
21 and treatment services or in-home parent skill-  
22 based programs are provided during a 12-  
23 month period beginning on the date the child is  
24 determined by the State to be a child described  
25 in paragraph (2):

1           “(i) The specific services or programs  
2           provided and the total expenditures for  
3           each of the services or programs.

4           “(ii) The duration of the services or  
5           programs provided.

6           “(iii) In the case of a child described  
7           in paragraph (2)(A), the child’s placement  
8           status at the beginning, and at the end, of  
9           the 1-year period, respectively, and wheth-  
10          er the child entered foster care within 2  
11          years after being determined a candidate  
12          for foster care.

13          “(5) STATE PLAN COMPONENT.—

14               “(A) IN GENERAL.—A State electing to  
15               provide services or programs specified in para-  
16               graph (1) shall submit as part of the State plan  
17               required by subsection (a) a prevention services  
18               and programs plan component that meets the  
19               requirements of subparagraph (B).

20               “(B) PREVENTION SERVICES AND PRO-  
21               GRAMS PLAN COMPONENT.—In order to meet  
22               the requirements of this subparagraph, a pre-  
23               vention services and programs plan component,  
24               with respect to each 5-year period for which the

1 plan component is in operation in the State,  
2 shall include the following:

3 “(i) How providing services and pro-  
4 grams specified in paragraph (1) is ex-  
5 pected to improve specific outcomes for  
6 children and families.

7 “(ii) How the State will monitor and  
8 oversee the safety of children who receive  
9 services and programs specified in para-  
10 graph (1), including through periodic risk  
11 assessments throughout the period in  
12 which the services and programs are pro-  
13 vided on behalf of a child and reexamina-  
14 tion of the prevention plan maintained for  
15 the child under paragraph (4) for the pro-  
16 vision of the services or programs if the  
17 State determines the risk of the child en-  
18 tering foster care remains high despite the  
19 provision of the services or programs.

20 “(iii) With respect to the services and  
21 programs specified in subparagraphs (A)  
22 and (B) of paragraph (1), information on  
23 the specific promising, supported, or well-  
24 supported practices the State plans to use



1 to provide the services or programs, includ-  
2 ing a description of—

3 “(I) the services or programs and  
4 whether the practices used are prom-  
5 ising, supported, or well-supported;

6 “(II) how the State plans to im-  
7 plement the services or programs, in-  
8 cluding how implementation of the  
9 services or programs will be continu-  
10 ously monitored to ensure fidelity to  
11 the practice model and to determine  
12 outcomes achieved and how informa-  
13 tion learned from the monitoring will  
14 be used to refine and improve prac-  
15 tices;

16 “(III) how the State selected the  
17 services or programs;

18 “(IV) the target population for  
19 the services or programs; and

20 “(V) how each service or pro-  
21 gram provided will be evaluated  
22 through a well-designed and rigorous  
23 process, which may consist of an on-  
24 going, cross-site evaluation approved  
25 by the Secretary.

1 “(iv) A description of the consultation  
2 that the State agencies responsible for ad-  
3 ministering the State plans under this part  
4 and part B engage in with other State  
5 agencies responsible for administering  
6 health programs, including mental health  
7 and substance abuse prevention and treat-  
8 ment services, and with other public and  
9 private agencies with experience in admin-  
10 istering child and family services, including  
11 community-based organizations, in order to  
12 foster a continuum of care for children de-  
13 scribed in paragraph (2) and their parents  
14 or kin caregivers.

15 “(v) A description of how the State  
16 shall assess children and their parents or  
17 kin caregivers to determine eligibility for  
18 services or programs specified in para-  
19 graph (1).

20 “(vi) A description of how the services  
21 or programs specified in paragraph (1)  
22 that are provided for or on behalf of a  
23 child and the parents or kin caregivers of  
24 the child will be coordinated with other  
25 child and family services provided to the

1 child and the parents or kin caregivers of  
2 the child under the State plan under part  
3 B.

4 “(vii) Descriptions of steps the State  
5 is taking to support and enhance a com-  
6 petent, skilled, and professional child wel-  
7 fare workforce to deliver trauma-informed  
8 and evidence-based services, including—

9 “(I) ensuring that staff is quali-  
10 fied to provide services or programs  
11 that are consistent with the prom-  
12 ising, supported, or well-supported  
13 practice models selected; and

14 “(II) developing appropriate pre-  
15 vention plans, and conducting the risk  
16 assessments required under clause  
17 (iii).

18 “(viii) A description of how the State  
19 will provide training and support for case-  
20 workers in assessing what children and  
21 their families need, connecting to the fami-  
22 lies served, knowing how to access and de-  
23 liver the needed trauma-informed and evi-  
24 dence-based services, and overseeing and

1 evaluating the continuing appropriateness  
2 of the services.

3 “(ix) A description of how caseload  
4 size and type for prevention caseworkers  
5 will be determined, managed, and overseen.

6 “(x) An assurance that the State will  
7 report to the Secretary such information  
8 and data as the Secretary may require  
9 with respect to the provision of services  
10 and programs specified in paragraph (1),  
11 including information and data necessary  
12 to determine the performance measures for  
13 the State under paragraph (6) and compli-  
14 ance with paragraph (7).

15 “(C) REIMBURSEMENT FOR SERVICES  
16 UNDER THE PREVENTION PLAN COMPONENT.—

17 “(i) LIMITATION.—Except as provided  
18 in subclause (ii), a State may not receive  
19 a Federal payment under this part for a  
20 given promising, supported, or well-sup-  
21 ported practice unless (in accordance with  
22 subparagraph (B)(iii)(V)) the plan includes  
23 a well-designed and rigorous evaluation  
24 strategy for that practice.

1                   “(ii) WAIVER OF LIMITATION.—The  
 2                   Secretary may waive the requirement for a  
 3                   well-designed and rigorous evaluation of  
 4                   any well-supported practice if the Sec-  
 5                   retary deems the evidence of the effective-  
 6                   ness of the practice to be compelling and  
 7                   the State meets the continuous quality im-  
 8                   provement requirements included in sub-  
 9                   paragraph (B)(iii)(II) with regard to the  
 10                  practice.

11               “(6) PREVENTION SERVICES MEASURES.—

12                   “(A) ESTABLISHMENT; ANNUAL UP-  
 13                   DATES.—Beginning with fiscal year 2021, and  
 14                   annually thereafter, the Secretary shall estab-  
 15                   lish the following prevention services measures  
 16                   based on information and data reported by  
 17                   States that elect to provide services and pro-  
 18                   grams specified in paragraph (1):

19                   “(i) PERCENTAGE OF CANDIDATES  
 20                   FOR FOSTER CARE WHO DO NOT ENTER  
 21                   FOSTER CARE.—The percentage of can-  
 22                   didates for foster care for whom, or on  
 23                   whose behalf, the services or programs are  
 24                   provided who do not enter foster care, in-  
 25                   cluding those placed with a kin caregiver

1 outside of foster care, during the 12-month  
 2 period in which the services or programs  
 3 are provided and through the end of the  
 4 succeeding 12-month period.

5 “(ii) PER-CHILD SPENDING.—The  
 6 total amount of expenditures made for  
 7 mental health and substance abuse preven-  
 8 tion and treatment services or in-home  
 9 parent skill-based programs, respectively,  
 10 for, or on behalf of, each child described in  
 11 paragraph (2).

12 “(B) DATA.—The Secretary shall establish  
 13 and annually update the prevention services  
 14 measures—

15 “(i) based on the median State values  
 16 of the information reported under each  
 17 clause of subparagraph (A) for the 3 then  
 18 most recent years; and

19 “(ii) taking into account State dif-  
 20 ferences in the price levels of consumption  
 21 goods and services using the most recent  
 22 regional price parities published by the Bu-  
 23 reau of Economic Analysis of the Depart-  
 24 ment of Commerce or such other data as  
 25 the Secretary determines appropriate.

1           “(C) PUBLICATION OF STATE PREVENTION  
2 SERVICES MEASURES.—The Secretary shall an-  
3 nually make available to the public the preven-  
4 tion services measures of each State.

5           “(7) MAINTENANCE OF EFFORT FOR STATE  
6 FOSTER CARE PREVENTION EXPENDITURES.—

7           “(A) IN GENERAL.—If a State elects to  
8 provide services and programs specified in para-  
9 graph (1) for a fiscal year, the State foster care  
10 prevention expenditures for the fiscal year shall  
11 not be less than the amount of the expenditures  
12 for fiscal year 2014.

13           “(B) STATE FOSTER CARE PREVENTION  
14 EXPENDITURES.—The term ‘State foster care  
15 prevention expenditures’ means the following:

16           “(i) TANF; IV-B; SSBG.—State ex-  
17 penditures for foster care prevention serv-  
18 ices and activities under the State program  
19 funded under part A (including from  
20 amounts made available by the Federal  
21 Government), under the State plan devel-  
22 oped under part B (including any such  
23 amounts), or under the Social Services  
24 Block Grant Programs under subtitle A of  
25 title XX (including any such amounts).

1                   “(ii) OTHER STATE PROGRAMS.—  
 2                   State expenditures for foster care preven-  
 3                   tion services and activities under any State  
 4                   program that is not described in clause (i)  
 5                   (other than any State expenditures for fos-  
 6                   ter care prevention services and activities  
 7                   under the State program under this part  
 8                   (including under a waiver of the pro-  
 9                   gram)).

10                   “(C) STATE EXPENDITURES.—The term  
 11                   ‘State expenditures’ means all State or local  
 12                   funds that are expended by the State or a local  
 13                   agency including State or local funds that are  
 14                   matched or reimbursed by the Federal Govern-  
 15                   ment and State or local funds that are not  
 16                   matched or reimbursed by the Federal Govern-  
 17                   ment.

18                   “(D) DETERMINATION OF PREVENTION  
 19                   SERVICES AND ACTIVITIES.—The Secretary  
 20                   shall require each State that elects to provide  
 21                   services and programs specified in paragraph  
 22                   (1) to report the expenditures specified in sub-  
 23                   paragraph (B) for fiscal year 2014 and for such  
 24                   fiscal years thereafter as are necessary to deter-  
 25                   mine whether the State is complying with the



1 maintenance of effort requirement in subpara-  
 2 graph (A). The Secretary shall specify the spe-  
 3 cific services and activities under each program  
 4 referred to in subparagraph (B) that are ‘pre-  
 5 vention services and activities’ for purposes of  
 6 the reports.

7 “(8) PROHIBITION AGAINST USE OF STATE FOS-  
 8 TER CARE PREVENTION EXPENDITURES AND FED-  
 9 ERAL IV–E PREVENTION FUNDS FOR MATCHING OR  
 10 EXPENDITURE REQUIREMENT.—A State that elects  
 11 to provide services and programs specified in para-  
 12 graph (1) shall not use any State foster care preven-  
 13 tion expenditures for a fiscal year for the State  
 14 share of expenditures under section 474(a)(6) for a  
 15 fiscal year.

16 “(9) ADMINISTRATIVE COSTS.—Expenditures  
 17 described in section 474(a)(6)(B)—

18 “(A) shall not be eligible for payment  
 19 under subparagraph (A), (B), or (E) of section  
 20 474(a)(3); and

21 “(B) shall be eligible for payment under  
 22 section 474(a)(6)(B) without regard to whether  
 23 the expenditures are incurred on behalf of a  
 24 child who is, or is potentially, eligible for foster  
 25 care maintenance payments under this part.

1           “(10) APPLICATION.—The provision of services  
2           or programs under this subsection to or on behalf of  
3           a child described in paragraph (2) shall not be con-  
4           sidered to be receipt of aid or assistance under the  
5           State plan under this part for purposes of eligibility  
6           for any other program established under this Act.”.

7           (b) DEFINITION.—Section 475 of such Act (42  
8           U.S.C. 675) is amended by adding at the end the fol-  
9           lowing:

10          “(13) The term ‘child who is a candidate for foster  
11          care’ means, a child who is identified in a prevention plan  
12          under section 471(e)(4)(A) as being at imminent risk of  
13          entering foster care (without regard to whether the child  
14          would be eligible for foster care maintenance payments  
15          under section 472 or is or would be eligible for adoption  
16          assistance or kinship guardianship assistance payments  
17          under section 473) but who can remain safely in the  
18          child’s home or in a kinship placement as long as services  
19          or programs specified in section 471(e)(1) that are nec-  
20          essary to prevent the entry of the child into foster care  
21          are provided. The term includes a child whose adoption  
22          or guardianship arrangement is at risk of a disruption or  
23          dissolution that would result in a foster care placement.”.

24          (c) PAYMENTS UNDER TITLE IV–E.—Section 474(a)  
25          of such Act (42 U.S.C. 674(a)) is amended—

1           (1) in paragraph (5), by striking the period at  
2           the end and inserting “; plus”; and

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

4           “(6) subject to section 471(e)—

5                 “(A) for each quarter—

6                         “(i) subject to clause (ii)—

7                                 “(I) beginning after September  
8                                 30, 2019, and before October 1, 2025,  
9                                 an amount equal to 50 percent of the  
10                                total amount expended during the  
11                                quarter for the provision of services or  
12                                programs specified in subparagraph  
13                                (A) or (B) of section 471(e)(1) that  
14                                are provided in accordance with prom-  
15                                ising, supported, or well-supported  
16                                practices that meet the applicable cri-  
17                                teria specified for the practices in sec-  
18                                tion 471(e)(4)(C); and

19                               “(II) beginning after September  
20                                30, 2025, an amount equal to the  
21                                Federal medical assistance percentage  
22                                (which shall be as defined in section  
23                                1905(b), in the case of a State other  
24                                than the District of Columbia, or 70  
25                                percent, in the case of the District of

1 Columbia) of the total amount ex-  
2 pended during the quarter for the pro-  
3 vision of services or programs speci-  
4 fied in subparagraph (A) or (B) of  
5 section 471(e)(1) that are provided in  
6 accordance with promising, supported,  
7 or well-supported practices that meet  
8 the applicable criteria specified for the  
9 practices in section 471(e)(4)(C) (or,  
10 with respect to the payments made  
11 during the quarter under a coopera-  
12 tive agreement or contract entered  
13 into by the State and an Indian tribe,  
14 tribal organization, or tribal consor-  
15 tium for the administration or pay-  
16 ment of funds under this part, an  
17 amount equal to the Federal medical  
18 assistance percentage that would  
19 apply under section 479B(d) (in this  
20 paragraph referred to as the ‘tribal  
21 FMAP’) if the Indian tribe, tribal or-  
22 ganization, or tribal consortium made  
23 the payments under a program oper-  
24 ated under that section, unless the  
25 tribal FMAP is less than the Federal

1                   medical assistance percentage that ap-  
2                   plies to the State); except that

3                   “(ii) not less than 50 percent of the  
4                   total amount payable to a State under  
5                   clause (i) for a fiscal year shall be for the  
6                   provision of services or programs specified  
7                   in subparagraph (A) or (B) of section  
8                   471(e)(1) that are provided in accordance  
9                   with well-supported practices; plus

10                  “(B) for each quarter specified in subpara-  
11                  graph (A), an amount equal to the sum of the  
12                  following proportions of the total amount ex-  
13                  pended during the quarter:

14                  “(i) 50 percent of so much of the ex-  
15                  penditures as are found necessary by the  
16                  Secretary for the proper and efficient ad-  
17                  ministration of the State plan for the pro-  
18                  vision of services or programs specified in  
19                  section 471(e)(1), including expenditures  
20                  for activities approved by the Secretary  
21                  that promote the development of necessary  
22                  processes and procedures to establish and  
23                  implement the provision of the services and  
24                  programs for individuals who are eligible  
25                  for the services and programs and expendi-

1           tures attributable to data collection and re-  
2           porting; and

3           “(ii) 50 percent of so much of the ex-  
4           penditures with respect to the provision of  
5           services and programs specified in section  
6           471(e)(1) as are for training of personnel  
7           employed or preparing for employment by  
8           the State agency or by the local agency ad-  
9           ministering the plan in the political sub-  
10          division and of the members of the staff of  
11          State-licensed or State-approved child wel-  
12          fare agencies providing services to children  
13          described in section 471(e)(2) and their  
14          parents or kin caregivers, including on how  
15          to determine who are individuals eligible  
16          for the services or programs, how to iden-  
17          tify and provide appropriate services and  
18          programs, and how to oversee and evaluate  
19          the ongoing appropriateness of the services  
20          and programs.”.

21          (d) TECHNICAL ASSISTANCE AND BEST PRACTICES,  
22          CLEARINGHOUSE, AND DATA COLLECTION AND EVALUA-  
23          TIONS.—Section 476 of such Act (42 U.S.C. 676) is  
24          amended by adding at the end the following:

1       “(d) TECHNICAL ASSISTANCE AND BEST PRACTICES,  
 2   CLEARINGHOUSE, DATA COLLECTION, AND EVALUATIONS  
 3   RELATING TO PREVENTION SERVICES AND PROGRAMS.—

4               “(1) TECHNICAL ASSISTANCE AND BEST PRAC-  
 5   TICES.—The Secretary shall provide to States and,  
 6   as applicable, to Indian tribes, tribal organizations,  
 7   and tribal consortia, technical assistance regarding  
 8   the provision of services and programs described in  
 9   section 471(e)(1) and shall disseminate best prac-  
 10   tices with respect to the provision of the services and  
 11   programs, including how to plan and implement a  
 12   well-designed and rigorous evaluation of a prom-  
 13   ising, supported, or well-supported practice.

14              “(2) CLEARINGHOUSE OF PROMISING, SUP-  
 15   PORTED, AND WELL-SUPPORTED PRACTICES.—The  
 16   Secretary shall, directly or through grants, con-  
 17   tracts, or interagency agreements, evaluate research  
 18   on the practices specified in clauses (iii), (iv), and  
 19   (v), respectively, of section 471(e)(4)(C), and pro-  
 20   grams that meet the requirements described in sec-  
 21   tion 427(a)(1), including culturally specific, or  
 22   location- or population-based adaptations of the  
 23   practices, to identify and establish a public clearing-  
 24   house of the practices that satisfy each category de-  
 25   scribed by such clauses. In addition, the clearing-

1 house shall include information on the specific out-  
 2 comes associated with each practice, including  
 3 whether the practice has been shown to prevent child  
 4 abuse and neglect and reduce the likelihood of foster  
 5 care placement by supporting birth families and kin-  
 6 ship families and improving targeted supports for  
 7 pregnant and parenting youth and their children.

8 “(3) DATA COLLECTION AND EVALUATIONS.—  
 9 The Secretary, directly or through grants, contracts,  
 10 or interagency agreements, may collect data and  
 11 conduct evaluations with respect to the provision of  
 12 services and programs described in section 471(e)(1)  
 13 for purposes of assessing the extent to which the  
 14 provision of the services and programs—

15 “(A) reduces the likelihood of foster care  
 16 placement;

17 “(B) increases use of kinship care arrange-  
 18 ments; or

19 “(C) improves child well-being.

20 “(4) REPORTS TO CONGRESS.—

21 “(A) IN GENERAL.—The Secretary shall  
 22 submit to the Committee on Finance of the  
 23 Senate and the Committee on Ways and Means  
 24 of the House of Representatives periodic reports  
 25 based on the provision of services and programs



1 described in section 471(e)(1) and the activities  
 2 carried out under this subsection.

3 “(B) PUBLIC AVAILABILITY.—The Sec-  
 4 retary shall make the reports to Congress sub-  
 5 mitted under this paragraph publicly available.

6 “(5) APPROPRIATION.—Out of any money in  
 7 the Treasury of the United States not otherwise ap-  
 8 propriated, there is appropriated to the Secretary  
 9 \$1,000,000 for fiscal year 2016 and each fiscal year  
 10 thereafter to carry out this subsection.”.

11 (e) APPLICATION TO PROGRAMS OPERATED BY IN-  
 12 DIAN TRIBAL ORGANIZATIONS.—

13 (1) IN GENERAL.—Section 479B of such Act  
 14 (42 U.S.C. 679c) is amended—

15 (A) in subsection (c)(1)—

16 (i) in subparagraph (C)(i)—

17 (I) in subclause (II), by striking  
 18 “and” after the semicolon;

19 (II) in subclause (III), by strik-  
 20 ing the period at the end and insert-  
 21 ing “; and”; and

22 (III) by adding at the end the  
 23 following:

24 “(IV) at the option of the tribe,  
 25 organization, or consortium, services

1 and programs specified in section  
2 471(e)(1) to children described in sec-  
3 tion 471(e)(2) and their parents or  
4 kin caregivers, in accordance with sec-  
5 tion 471(e) and subparagraph (E).”;  
6 and

7 (ii) by adding at the end the fol-  
8 lowing:

9 “(E) PREVENTION SERVICES AND PRO-  
10 GRAMS FOR CHILDREN AND THEIR PARENTS  
11 AND KIN CAREGIVERS.—

12 “(i) IN GENERAL.—In the case of a  
13 tribe, organization, or consortium that  
14 elects to provide services and programs  
15 specified in section 471(e)(1) to children  
16 described in section 471(e)(2) and their  
17 parents or kin caregivers under the plan,  
18 the Secretary shall specify the require-  
19 ments applicable to the provision of the  
20 services and programs. The requirements  
21 shall, to the greatest extent practicable, be  
22 consistent with the requirements applicable  
23 to States under section 471(e) and shall  
24 permit the provision of the services and  
25 programs in the form of services and pro-

grams that are adapted to the culture and context of the tribal communities served.

“(ii) PERFORMANCE MEASURES.—The Secretary shall establish specific performance measures for each tribe, organization, or consortium that elects to provide services and programs specified in section 471(e)(1). The performance measures shall, to the greatest extent practicable, be consistent with the prevention services measures required for States under section 471(e)(6) but shall allow for consideration of factors unique to the provision of the services by tribes, organizations, or consortia.”; and

(B) in subsection (d)(1), by striking “and (5)” and inserting “(5), and (6)(A)”.

(2) CONFORMING AMENDMENT.—The heading for subsection (d) of section 479B of such Act (42 U.S.C. 679c) is amended by striking “FOR FOSTER CARE MAINTENANCE AND ADOPTION ASSISTANCE PAYMENTS”.

1 **SEC. 112. FOSTER CARE MAINTENANCE PAYMENTS FOR**  
 2 **CHILDREN WITH PARENTS IN A LICENSED**  
 3 **RESIDENTIAL FAMILY-BASED TREATMENT**  
 4 **FACILITY FOR SUBSTANCE ABUSE.**

5 (a) IN GENERAL.—Section 472 of the Social Security  
 6 Act (42 U.S.C. 672) is amended—

7 (1) in subsection (a)(2)(C), by striking “or”  
 8 and inserting “, with a parent residing in a licensed  
 9 residential family-based treatment facility, but only  
 10 to the extent permitted under subsection (j), or in  
 11 a”; and

12 (2) by adding at the end the following:

13 “(j) CHILDREN PLACED WITH A PARENT RESIDING  
 14 IN A LICENSED RESIDENTIAL FAMILY-BASED TREAT-  
 15 MENT FACILITY FOR SUBSTANCE ABUSE.—

16 “(1) IN GENERAL.—Notwithstanding the pre-  
 17 ceding provisions of this section, a child who is eligi-  
 18 ble for foster care maintenance payments under this  
 19 section, or who would be eligible for the payments if  
 20 the eligibility were determined without regard to  
 21 paragraphs (1)(B) and (3) of subsection (a), shall be  
 22 eligible for the payments for a period of not more  
 23 than 12 months during which the child is placed  
 24 with a parent who is in a licensed residential family-  
 25 based treatment facility for substance abuse, but  
 26 only if—

1           “(A) the recommendation for the place-  
2           ment is specified in the child’s case plan before  
3           the placement;

4           “(B) the treatment facility provides, as  
5           part of the treatment for substance abuse, par-  
6           enting skills training, parent education, and in-  
7           dividual and family counseling; and

8           “(C) the substance abuse treatment, par-  
9           enting skills training, parent education, and in-  
10          dividual and family counseling is provided  
11          under an organizational structure and treat-  
12          ment framework that involves understanding,  
13          recognizing, and responding to the effects of all  
14          types of trauma and in accordance with recog-  
15          nized principles of a trauma-informed approach  
16          and trauma-specific interventions to address the  
17          consequences of trauma and facilitate healing.

18          “(2) APPLICATION.—With respect to children  
19          for whom foster care maintenance payments are  
20          made under paragraph (1), only the children who  
21          satisfy the requirements of paragraphs (1)(B) and  
22          (3) of subsection (a) shall be considered to be chil-  
23          dren with respect to whom foster care maintenance  
24          payments are made under this section for purposes  
25          of subsection (h) or section 473(b)(3)(B).”.

1 (b) CONFORMING AMENDMENT.—Section 474(a)(1)  
 2 of the Social Security Act (42 U.S.C. 674(a)(1)) is amend-  
 3 ed by inserting “subject to section 472(j),” before “an  
 4 amount equal to the Federal”.

5 **SEC. 113. TITLE IV-E PAYMENTS FOR EVIDENCE-BASED**  
 6 **KINSHIP NAVIGATOR PROGRAMS.**

7 Section 474(a) of the Social Security Act (42 U.S.C.  
 8 674(a)), as amended by section 111(c), is amended—

9 (1) in paragraph (6), by striking the period at  
 10 the end and inserting “; plus”; and

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

12 “(7) an amount equal to 50 percent of the  
 13 amounts expended by the State during the quarter  
 14 as the Secretary determines are for kinship navi-  
 15 gator programs that meet the requirements de-  
 16 scribed in section 427(a)(1) and that the Secretary  
 17 determines are operated in accordance with prom-  
 18 ising, supported, or well-supported practices that  
 19 meet the applicable criteria specified for the prac-  
 20 tices in section 471(e)(4)(C), without regard to  
 21 whether the expenditures are incurred on behalf of  
 22 children who are, or are potentially, eligible for fos-  
 23 ter care maintenance payments under this part.”.

## **Subtitle B—Enhanced Support Under Title IV-B**

### **SEC. 121. ELIMINATION OF TIME LIMIT FOR FAMILY REUNI- FICATION SERVICES WHILE IN FOSTER CARE AND PERMITTING TIME-LIMITED FAMILY RE- UNIFICATION SERVICES WHEN A CHILD RE- TURNS HOME FROM FOSTER CARE.**

(a) IN GENERAL.—Section 431(a)(7) of the Social Security Act (42 U.S.C. 629a(a)(7)) is amended—

(1) in the paragraph heading, by striking “TIME-LIMITED FAMILY” and inserting “FAMILY”; and

(2) in subparagraph (A)—

(A) by striking “time-limited family” and inserting “family”;

(B) by inserting “or a child who has been returned home” after “child care institution”; and

(C) by striking “, but only during the 15-month period that begins on the date that the child, pursuant to section 475(5)(F), is considered to have entered foster care” and inserting “and to ensure the strength and stability of the reunification. In the case of a child who has been returned home, the services and activities

1           shall only be provided during the 15-month pe-  
 2           riod that begins on the date that the child re-  
 3           turns home.”.

4           (b) CONFORMING AMENDMENTS.—

5           (1) Section 430 of such Act (42 U.S.C. 629) is  
 6           amended in the matter preceding paragraph (1), by  
 7           striking “time-limited”.

8           (2) Subsections (a)(4), (a)(5)(A), and (b)(1) of  
 9           section 432 of such Act (42 U.S.C. 629b) are  
 10          amended by striking “time-limited” each place it ap-  
 11          pears.

12 **SEC. 122. REDUCING BUREAUCRACY AND UNNECESSARY**  
 13 **DELAYS WHEN PLACING CHILDREN IN**  
 14 **HOMES ACROSS STATE LINES.**

15          (a) STATE PLAN REQUIREMENT.—Section  
 16 471(a)(25) of the Social Security Act (42 U.S.C.  
 17 671(a)(25)) is amended—

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

20           (2) by inserting “, which, not later than Octo-  
 21          ber 1, 2026, shall include the use of an electronic  
 22          interstate case-processing system” before the first  
 23          semicolon.

24          (b) GRANTS FOR THE DEVELOPMENT OF AN ELEC-  
 25          TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EX-



1 PEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN  
 2 FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—  
 3 Section 437 of such Act (42 U.S.C. 637) is amended by  
 4 adding at the end the following:

5 “(g) GRANTS FOR THE DEVELOPMENT OF AN ELEC-  
 6 TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EX-  
 7 PEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN  
 8 FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—

9 “(1) PURPOSE.—The purpose of this subsection  
 10 is to facilitate the development of an electronic inter-  
 11 state case-processing system for the exchange of  
 12 data and documents to expedite the placements of  
 13 children in foster, guardianship, or adoptive homes  
 14 across State lines.

15 “(2) APPLICATION REQUIREMENTS.—A State  
 16 that desires a grant under this subsection shall sub-  
 17 mit to the Secretary an application containing the  
 18 following:

19 “(A) A description of the goals and out-  
 20 comes to be achieved during the period for  
 21 which grant funds are sought, which goals and  
 22 outcomes must result in—

23 “(i) reducing the time it takes for a  
 24 child to be provided with a safe and appro-

1           priate   permanent   living   arrangement  
2           across State lines;

3           “(ii) improving administrative proc-  
4           esses and reducing costs in the foster care  
5           system; and

6           “(iii) the secure exchange of relevant  
7           case files and other necessary materials in  
8           real time, and timely communications and  
9           placement decisions regarding interstate  
10          placements of children.

11          “(B) A description of the activities to be  
12          funded in whole or in part with the grant  
13          funds, including the sequencing of the activities.

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

17          “(D) Such other information as the Sec-  
18          retary may require.

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

22          “(4) USE OF FUNDS.—A State to which a grant  
23          is made under this subsection shall use the grant to  
24          support the State in connecting with the electronic

1 interstate case-processing system described in para-  
2 graph (1).

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

9 “(A) How using the electronic interstate  
10 case-processing system developed pursuant to  
11 paragraph (4) has changed the time it takes for  
12 children to be placed across State lines.

13 “(B) The number of cases subject to the  
14 Interstate Compact on the Placement of Chil-  
15 dren that were processed through the electronic  
16 interstate case-processing system, and the num-  
17 ber of interstate child placement cases that  
18 were processed outside the electronic interstate  
19 case-processing system, by each State in each  
20 year.

21 “(C) The progress made by States in im-  
22 plementing the electronic interstate case-proc-  
23 essing system.

24 “(D) How using the electronic interstate  
25 case-processing system has affected various

1 metrics related to child safety and well-being,  
2 including the time it takes for children to be  
3 placed across State lines.

4 “(E) How using the electronic interstate  
5 case-processing system has affected administra-  
6 tive costs and caseworker time spent on placing  
7 children across State lines.

8 “(6) DATA INTEGRATION.—The Secretary, in  
9 consultation with the Secretariat for the Interstate  
10 Compact on the Placement of Children and the  
11 States, shall assess how the electronic interstate  
12 case-processing system developed pursuant to para-  
13 graph (4) could be used to better serve and protect  
14 children that come to the attention of the child wel-  
15 fare system, by—

16 “(A) connecting the system with other  
17 data systems (such as systems operated by  
18 State law enforcement and judicial agencies,  
19 systems operated by the Federal Bureau of In-  
20 vestigation for the purposes of the Innocence  
21 Lost National Initiative, and other systems);

22 “(B) simplifying and improving reporting  
23 related to paragraphs (34) and (35) of section  
24 471(a) regarding children or youth who have

1           been identified as being a sex trafficking victim  
2           or children missing from foster care; and

3           “(C) improving the ability of States to  
4           quickly comply with background check require-  
5           ments of section 471(a)(20), including checks of  
6           child abuse and neglect registries as required by  
7           section 471(a)(20)(B).”.

8           (c) RESERVATION OF FUNDS TO IMPROVE THE  
9 INTERSTATE PLACEMENT OF CHILDREN.—Section 437(b)  
10 of such Act (42 U.S.C. 637(b)) is amended by adding at  
11 the end the following:

12           “(4) IMPROVING THE INTERSTATE PLACEMENT  
13 OF CHILDREN.—The Secretary shall reserve  
14 \$5,000,000 of the amount made available for fiscal  
15 year 2017 for grants under subsection (g), and the  
16 amount so reserved shall remain available through  
17 fiscal year 2021.”.

18 **SEC. 123. ENHANCEMENTS TO GRANTS TO IMPROVE WELL-**  
19 **BEING OF FAMILIES AFFECTED BY SUB-**  
20 **STANCE ABUSE.**

21           Section 437(f) of the Social Security Act (42 U.S.C.  
22 629g(f)) is amended—

23           (1) in the subsection heading, by striking “IN-  
24 CREASE THE WELL-BEING OF, AND TO IMPROVE  
25 THE PERMANENCY OUTCOMES FOR, CHILDREN AF-

1 FECTED BY” and inserting “IMPLEMENT IV–E PRE-  
 2 VENTION SERVICES, AND IMPROVE THE WELL-  
 3 BEING OF, AND IMPROVE PERMANENCY OUTCOMES  
 4 FOR, CHILDREN AND FAMILIES AFFECTED BY HER-  
 5 OIN, OPIOIDS, AND OTHER”;

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

8 “(2) REGIONAL PARTNERSHIP DEFINED.—In  
 9 this subsection, the term ‘regional partnership’  
 10 means a collaborative agreement (which may be es-  
 11 tablished on an interstate, State, or intrastate basis)  
 12 entered into by the following:

13 “(A) MANDATORY PARTNERS FOR ALL  
 14 PARTNERSHIP GRANTS.—

15 “(i) The State child welfare agency  
 16 that is responsible for the administration  
 17 of the State plan under this part and part  
 18 E.

19 “(ii) The State agency responsible for  
 20 administering the substance abuse preven-  
 21 tion and treatment block grant provided  
 22 under subpart II of part B of title XIX of  
 23 the Public Health Service Act.

24 “(B) MANDATORY PARTNERS FOR PART-  
 25 NERSHIP GRANTS PROPOSING TO SERVE CHIL-

DREN IN OUT-OF-HOME PLACEMENTS.—If the partnership proposes to serve children in out-of-home placements, the Juvenile Court or Administrative Office of the Court that is most appropriate to oversee the administration of court programs in the region to address the population of families who come to the attention of the court due to child abuse or neglect.

“(C) OPTIONAL PARTNERS.—At the option of the partnership, any of the following:

“(i) An Indian tribe or tribal consortium.

“(ii) Nonprofit child welfare service providers.

“(iii) For-profit child welfare service providers.

“(iv) Community health service providers, including substance abuse treatment providers.

“(v) Community mental health providers.

“(vi) Local law enforcement agencies.

“(vii) School personnel.

“(viii) Tribal child welfare agencies (or a consortia of the agencies).

1           “(ix) Any other providers, agencies,  
 2           personnel, officials, or entities that are re-  
 3           lated to the provision of child and family  
 4           services under a State plan approved under  
 5           this subpart.

6           “(D) EXCEPTION FOR REGIONAL PART-  
 7           NERSHIPS WHERE THE LEAD APPLICANT IS AN  
 8           INDIAN TRIBE OR TRIBAL CONSORTIA.—If an  
 9           Indian tribe or tribal consortium enters into a  
 10          regional partnership for purposes of this sub-  
 11          section, the Indian tribe or tribal consortium—

12                 “(i) may (but is not required to) in-  
 13                 clude the State child welfare agency as a  
 14                 partner in the collaborative agreement;

15                 “(ii) may not enter into a collabo-  
 16                 rative agreement only with tribal child wel-  
 17                 fare agencies (or a consortium of the agen-  
 18                 cies); and

19                 “(iii) if the condition described in  
 20                 paragraph (2)(B) applies, may include  
 21                 tribal court organizations in lieu of other  
 22                 judicial partners.”;

23          (3) in paragraph (3)—

24                 (A) in subparagraph (A)—



1 (i) by striking “2012 through 2016”  
 2 and inserting “2017 through 2021”; and

3 (ii) by striking “\$500,000 and not  
 4 more than \$1,000,000” and inserting  
 5 “\$250,000 and not more than  
 6 \$1,000,000”;

7 (B) in subparagraph (B)—

8 (i) in the subparagraph heading, by  
 9 inserting “; PLANNING” after “APPROVAL”;

10 (ii) in clause (i), by striking “clause  
 11 (ii)” and inserting “clauses (ii) and (iii)”;  
 12 and

13 (iii) by adding at the end the fol-  
 14 lowing:

15 “(iii) SUFFICIENT PLANNING.—A  
 16 grant awarded under this subsection shall  
 17 be disbursed in 2 phases: a planning phase  
 18 (not to exceed 2 years); and an implemen-  
 19 tation phase. The total disbursement to a  
 20 grantee for the planning phase may not ex-  
 21 ceed \$250,000, and may not exceed the  
 22 total anticipated funding for the implemen-  
 23 tation phase.”; and

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

- 1           “(D) LIMITATION ON PAYMENT FOR A FIS-  
 2           CAL YEAR.—No payment shall be made under  
 3           subparagraph (A) or (C) for a fiscal year until  
 4           the Secretary determines that the eligible part-  
 5           nership has made sufficient progress in meeting  
 6           the goals of the grant and that the members of  
 7           the eligible partnership are coordinating to a  
 8           reasonable degree with the other members of  
 9           the eligible partnership.”;
- 10          (4) in paragraph (4)—
- 11                (A) in subparagraph (B)—
- 12                   (i) in clause (i), by inserting “, par-  
 13                   ents, and families” after “children”;
- 14                   (ii) in clause (ii), by striking “safety  
 15                   and permanence for such children; and”  
 16                   and inserting “safe, permanent caregiving  
 17                   relationships for the children;”;
- 18                   (iii) in clause (iii), by striking “or”  
 19                   and inserting “increase reunification rates  
 20                   for children who have been placed in out of  
 21                   home care, or decrease”; and
- 22                   (iv) by redesignating clause (iii) as  
 23                   clause (v) and inserting after clause (ii)  
 24                   the following:

1                   “(iii) improve the substance abuse  
2                   treatment outcomes for parents including  
3                   retention in treatment and successful com-  
4                   pletion of treatment;

5                   “(iv) facilitate the implementation, de-  
6                   livery, and effectiveness of prevention serv-  
7                   ices and programs under section 471(e);  
8                   and”;

9                   (B) in subparagraph (D), by striking  
10                  “where appropriate,”; and

11                  (C) by striking subparagraphs (E) and (F)  
12                  and inserting the following:

13                  “(E) A description of a plan for sustaining  
14                  the services provided by or activities funded  
15                  under the grant after the conclusion of the  
16                  grant period, including through the use of pre-  
17                  vention services and programs under section  
18                  471(e) and other funds provided to the State  
19                  for child welfare and substance abuse preven-  
20                  tion and treatment services.

21                  “(F) Additional information needed by the  
22                  Secretary to determine that the proposed activi-  
23                  ties and implementation will be consistent with  
24                  research or evaluations showing which practices  
25                  and approaches are most effective.”;

(5) in paragraph (5)(A), by striking “abuse treatment” and inserting “use disorder treatment including medication assisted treatment and in-home substance abuse disorder treatment and recovery”;

(6) in paragraph (7)—

(A) by striking “and” at the end of subparagraph (C); and

(B) by redesignating subparagraph (D) as subparagraph (E) and inserting after subparagraph (C) the following:

“(D) demonstrate a track record of successful collaboration among child welfare, substance abuse disorder treatment and mental health agencies; and”;

(7) in paragraph (8)—

(A) in subparagraph (A)—

(i) by striking “establish indicators that will be” and inserting “review indicators that are”; and

(ii) by striking “in using funds made available under such grants to achieve the purpose of this subsection” and inserting “and establish a set of core indicators related to child safety, parental recovery, parenting capacity, and family well-being.

1 In developing the core indicators, to the  
 2 extent possible, indicators shall be made  
 3 consistent with the outcome measures de-  
 4 scribed in section 471(e)(6)’’;

5 (B) in subparagraph (B)—

6 (i) in the matter preceding clause (i),  
 7 by inserting “base the performance meas-  
 8 ures on lessons learned from prior rounds  
 9 of regional partnership grants under this  
 10 subsection, and” before “consult”; and

11 (ii) by striking clauses (iii) and (iv)  
 12 and inserting the following:

13 “(iii) Other stakeholders or constitu-  
 14 encies as determined by the Secretary.”;

15 (8) in paragraph (9)(A), by striking clause (i)  
 16 and inserting the following:

17 “(i) SEMIANNUAL REPORTS.—Not  
 18 later than September 30 of each fiscal year  
 19 in which a recipient of a grant under this  
 20 subsection is paid funds under the grant,  
 21 and every 6 months thereafter, the grant  
 22 recipient shall submit to the Secretary a  
 23 report on the services provided and activi-  
 24 ties carried out during the reporting pe-  
 25 riod, progress made in achieving the goals

1 of the program, the number of children,  
 2 adults, and families receiving services, and  
 3 such additional information as the Sec-  
 4 retary determines is necessary. The report  
 5 due not later than September 30 of the  
 6 last such fiscal year shall include, at a  
 7 minimum, data on each of the performance  
 8 indicators included in the evaluation of the  
 9 regional partnership.”; and

10 (9) in paragraph (10), by striking “2012  
 11 through 2016” and inserting “2017 through 2021”.

## 12 **Subtitle C—Miscellaneous**

### 13 **SEC. 131. REVIEWING AND IMPROVING LICENSING STAND-** 14 **ARDS FOR PLACEMENT IN A RELATIVE FOS-** 15 **TER FAMILY HOME.**

16 (a) IDENTIFICATION OF REPUTABLE MODEL LI-  
 17 CENSING STANDARDS.—Not later than October 1, 2017,  
 18 the Secretary of Health and Human Services shall identify  
 19 reputable model licensing standards with respect to the li-  
 20 censing of foster family homes (as defined in section  
 21 472(c)(1) of the Social Security Act).

22 (b) STATE PLAN REQUIREMENT.—Section 471(a) of  
 23 the Social Security Act is amended—

24 (1) in paragraph (34)(B), by striking “and”  
 25 after the semicolon;

1           (2) in paragraph (35)(B), by striking the period  
2       at the end and inserting a semicolon; and

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

4           “(36) provides that, not later than April 1,  
5       2018, the State shall submit to the Secretary infor-  
6       mation addressing—

7           “(A) whether the State licensing standards  
8       are in accord with model standards identified  
9       by the Secretary, and if not, the reason for the  
10      specific deviation and a description as to why  
11      having a standard that is reasonably in accord  
12      with the corresponding national model stand-  
13      ards is not appropriate for the State;

14          “(B) whether the State has elected to  
15      waive standards established in 471(a)(10)(A)  
16      for relative foster family homes (pursuant to  
17      waiver authority provided by 471(a)(10)(D)), a  
18      description of which standards the State most  
19      commonly waives, and if the State has not  
20      elected to waive the standards, the reason for  
21      not waiving these standards;

22          “(C) if the State has elected to waive  
23      standards specified in subparagraph (B), how  
24      caseworkers are trained to use the waiver au-  
25      thority and whether the State has developed a

process or provided tools to assist caseworkers in waiving nonsafety standards per the authority provided in 471(a)(10)(D) to quickly place children with relatives; and

“(D) a description of the steps the State is taking to improve caseworker training or the process, if any; and”.

**SEC. 132. DEVELOPMENT OF A STATEWIDE PLAN TO PREVENT CHILD ABUSE AND NEGLECT FATALITIES.**

Section 422(b)(19) of the Social Security Act (42 U.S.C. 622(b)(19)) is amended to read as follows:

“(19) document steps taken to track and prevent child maltreatment deaths by including—

“(A) a description of the steps the State is taking to compile complete and accurate information on the deaths required by Federal law to be reported by the State agency referred to in paragraph (1), including gathering relevant information on the deaths from the relevant organizations in the State including entities such as State vital statistics department, child death review teams, law enforcement agencies, offices of medical examiners or coroners; and



1           “(B) a description of the steps the State is  
 2           taking to develop and implement of a com-  
 3           prehensive, statewide plan to prevent the fatali-  
 4           ties that involves and engages relevant public  
 5           and private agency partners, including those in  
 6           public health, law enforcement, and the  
 7           courts.”.

8 **SEC. 133. MODERNIZING THE TITLE AND PURPOSE OF**  
 9           **TITLE IV-E.**

10       (a) PART HEADING.—The heading for part E of title  
 11 IV of the Social Security Act (42 U.S.C. 670 et seq.) is  
 12 amended to read as follows:

13 **“Subtitle E—Federal Payments for**  
 14 **Foster Care, Prevention, and**  
 15 **Permanency”.**

16       (b) PURPOSE.—The first sentence of section 470 of  
 17 such Act (42 U.S.C. 670) is amended—

18           (1) by striking “1995) and” and inserting  
 19           “1995),”;

20           (2) by inserting “kinship guardianship assist-  
 21           ance, and prevention services or programs specified  
 22           in section 471(e)(1),” after “needs,”; and

23           (3) by striking “(commencing with the fiscal  
 24           year which begins October 1, 1980)”.

1 **SEC. 134. EFFECTIVE DATES.**

2 (a) EFFECTIVE DATES.—

3 (1) IN GENERAL.—Except as provided in para-  
4 graph (2), subject to subsection (b), the amend-  
5 ments made by this title shall take effect on October  
6 1, 2016.

7 (2) EXCEPTIONS.—The amendments made by  
8 sections 131 and 133 shall take effect on the date  
9 of enactment of this Act.

10 (b) TRANSITION RULE.—

11 (1) IN GENERAL.—In the case of a State plan  
12 under part B or E of title IV of the Social Security  
13 Act which the Secretary of Health and Human Serv-  
14 ices determines requires State legislation (other than  
15 legislation appropriating funds) in order for the plan  
16 to meet the additional requirements imposed by the  
17 amendments made by this title, the State plan shall  
18 not be regarded as failing to comply with the re-  
19 quirements of such part solely on the basis of the  
20 failure of the plan to meet such additional require-  
21 ments before the first day of the first calendar quar-  
22 ter beginning after the close of the first regular ses-  
23 sion of the State legislature that begins after the  
24 date of enactment of this Act. For purposes of the  
25 previous sentence, in the case of a State that has a  
26 2-year legislative session, each year of the session

1 shall be deemed to be a separate regular session of  
2 the State legislature.

3 (2) APPLICATION TO PROGRAMS OPERATED BY  
4 INDIAN TRIBAL ORGANIZATIONS.—In the case of an  
5 Indian tribe, tribal organization, or tribal consortium  
6 which the Secretary of Health and Human Services  
7 determines requires time to take action necessary to  
8 comply with the additional requirements imposed by  
9 the amendments made by this title (whether the  
10 tribe, organization, or tribal consortium has a plan  
11 under section 479B of the Social Security Act or a  
12 cooperative agreement or contract entered into with  
13 a State), the Secretary shall provide the tribe, orga-  
14 nization, or tribal consortium with such additional  
15 time as the Secretary determines is necessary for the  
16 tribe, organization, or tribal consortium to take the  
17 action to comply with the additional requirements  
18 before being regarded as failing to comply with the  
19 requirements.

1 **TITLE II—ENSURING THE NE-**  
 2 **CESSITY OF A PLACEMENT**  
 3 **THAT IS NOT IN A FOSTER**  
 4 **FAMILY HOME**

5 **SEC. 201. LIMITATION ON FEDERAL FINANCIAL PARTICIPA-**  
 6 **TION FOR PLACEMENTS THAT ARE NOT IN**  
 7 **FOSTER FAMILY HOMES.**

8 (a) LIMITATION ON FEDERAL FINANCIAL PARTICIPA-  
 9 TION.—

10 (1) IN GENERAL.—Section 472 of the Social  
 11 Security Act (42 U.S.C. 672), as amended by sec-  
 12 tion 112, is amended—

13 (A) in subsection (a)(2)(C), by inserting “,  
 14 but only to the extent permitted under sub-  
 15 section (k)” after “institution”; and

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

17 “(k) LIMITATION ON FEDERAL FINANCIAL PARTICI-  
 18 PATION.—

19 “(1) IN GENERAL.—Beginning with the third  
 20 week for which foster care maintenance payments  
 21 are made under this section on behalf of a child  
 22 placed in a child-care institution, no Federal pay-  
 23 ment shall be made to the State under section  
 24 474(a)(1) for amounts expended for foster care

1 maintenance payments on behalf of the child un-  
2 less—

3 “(A) the child is placed in a child-care in-  
4 stitution that is a setting specified in paragraph  
5 (2) (or is placed in a licensed residential family-  
6 based treatment facility consistent with sub-  
7 section (j)); and

8 “(B) in the case of a child placed in a  
9 qualified residential treatment program (as de-  
10 fined in paragraph (4)), the requirements speci-  
11 fied in paragraph (3) and section 475A(c) are  
12 met.

13 “(2) SPECIFIED SETTINGS FOR PLACEMENT.—  
14 The settings for placement specified in this para-  
15 graph are the following:

16 “(A) A qualified residential treatment pro-  
17 gram (as defined in paragraph (4)).

18 “(B) A setting specializing in providing  
19 prenatal, post-partum, or parenting supports  
20 for youth.

21 “(C) In the case of a child who has at-  
22 tained 18 years of age, a supervised setting in  
23 which the child is living independently.

1           “(3) ASSESSMENT TO DETERMINE APPRO-  
2           PRIATENESS OF PLACEMENT IN A QUALIFIED RESI-  
3           DENTIAL TREATMENT PROGRAM.—

4           “(A) DEADLINE FOR ASSESSMENT.—In  
5           the case of a child who is placed in a qualified  
6           residential treatment program, if the assess-  
7           ment required under section 475A(c)(1) is not  
8           completed within 30 days after the placement is  
9           made, no Federal payment shall be made to the  
10          State under section 474(a)(1) for any amounts  
11          expended for foster care maintenance payments  
12          on behalf of the child during the placement.

13          “(B) DEADLINE FOR TRANSITION OUT OF  
14          PLACEMENT.—If the assessment required under  
15          section 475A(c)(1) determines that the place-  
16          ment of a child in a qualified residential treat-  
17          ment program is not appropriate, a court dis-  
18          approves such a placement under section  
19          475A(c)(2), or a child who has been in an ap-  
20          proved placement in a qualified residential  
21          treatment program is going to return home or  
22          be placed with a fit and willing relative, a legal  
23          guardian, or an adoptive parent, or in a foster  
24          family home, Federal payments shall be made  
25          to the State under section 474(a)(1) for

1 amounts expended for foster care maintenance  
2 payments on behalf of the child while the child  
3 remains in the qualified residential treatment  
4 program only during the period necessary for  
5 the child to transition home or to such a place-  
6 ment. In no event shall a State receive Federal  
7 payments under section 474(a)(1) for amounts  
8 expended for foster care maintenance payments  
9 on behalf of a child who remains placed in a  
10 qualified residential treatment program after  
11 the end of the 30-day period that begins on the  
12 date a determination is made that the place-  
13 ment is no longer the recommended or approved  
14 placement for the child.

15 “(4) QUALIFIED RESIDENTIAL TREATMENT  
16 PROGRAM.—For purposes of this part, the term  
17 ‘qualified residential treatment program’ means a  
18 program that—

19 “(A) has a trauma-informed treatment  
20 model that is designed to address the needs, in-  
21 cluding clinical needs as appropriate, of chil-  
22 dren with serious emotional or behavioral dis-  
23 orders or disturbances and, with respect to a  
24 child, is able to implement the treatment identi-

1           fied for the child by the assessment of the child  
2           required under section 475A(c);

3           “(B) has registered or licensed nursing  
4           staff and other licensed clinical staff who—

5           “(i) provide care within the scope of  
6           their practice as defined by State law;

7           “(ii) are on-site during business  
8           hours; and

9           “(iii) are available 24 hours a day and  
10          7 days a week;

11          “(C) to the extent appropriate, and in ac-  
12          cordance with the child’s best interests, facili-  
13          tates participation of family members in the  
14          child’s treatment program;

15          “(D) facilitates outreach to the family  
16          members of the child, including siblings, docu-  
17          ments how the outreach is made (including con-  
18          tact information), and maintains contact infor-  
19          mation for any known biological family and fic-  
20          tive kin of the child;

21          “(E) documents how family members are  
22          integrated into the treatment process for the  
23          child, including post-discharge, and how sibling  
24          connections are maintained;



1           “(F) provides discharge planning and fam-  
 2           ily-based aftercare support for at least 6  
 3           months post-discharge; and

4           “(G) is licensed in accordance with section  
 5           471(a)(10) and is accredited by any of the fol-  
 6           lowing independent, not-for-profit organizations:

7                   “(i) The Commission on Accreditation  
 8                   of Rehabilitation Facilities (CARF).

9                   “(ii) The Joint Commission on Ac-  
 10                  creditation of Healthcare Organizations  
 11                  (JCAHO).

12                  “(iii) The Council on Accreditation  
 13                  (COA).

14                  “(iv) Any other independent, not-for-  
 15                  profit accrediting organization approved by  
 16                  the Secretary.”.

17           (2)   CONFORMING    AMENDMENT.—Section  
 18           474(a)(1) of the Social Security Act (42 U.S.C.  
 19           674(a)(1)), as amended by section 112(b), is amend-  
 20           ed by striking “subsection (j)” and inserting “sub-  
 21           sections (j) and (k)”.

22           (b) DEFINITION OF FOSTER FAMILY HOME, CHILD-  
 23           CARE INSTITUTION.—Section 472(c) of such Act (42  
 24           U.S.C. 672(c)(1)) is amended to read as follows:

25           “(c) DEFINITIONS.—For purposes of this part:

1 “(1) FOSTER FAMILY HOME.—

2 “(A) IN GENERAL.—The term ‘foster fam-  
3 ily home’ means the home of an individual or  
4 family—

5 “(i) that is licensed or approved by  
6 the State in which it is situated as a foster  
7 family home that meets the standards es-  
8 tablished for the licensing or approval; and

9 “(ii) in which a child in foster care  
10 has been placed in the care of an indi-  
11 vidual, who resides with the child and who  
12 has been licensed or approved by the State  
13 to be a foster parent—

14 “(I) that the State deems capable  
15 of adhering to the reasonable and pru-  
16 dent parent standard;

17 “(II) that provides 24-hour sub-  
18 stitute care for children placed away  
19 from their parents or other care-  
20 takers; and

21 “(III) that provides the care for  
22 not more than 6 children in foster  
23 care.

24 “(B) STATE FLEXIBILITY.—The number of  
25 foster children that may be cared for in a home

under subparagraph (A) may exceed the numerical limitation in subparagraph (A)(ii)(III), at the option of the State, for any of the following reasons:

“(i) To allow a parenting youth in foster care to remain with the child of the parenting youth.

“(ii) To allow siblings to remain together.

“(iii) To allow a child with an established meaningful relationship with the family to remain with the family.

“(iv) To allow a family with special training or skills to provide care to a child who has a severe disability.

“(C) RULE OF CONSTRUCTION.—Subparagraph (A) shall not be construed as prohibiting a foster parent from renting the home in which the parent cares for a foster child placed in the parent’s care.

“(2) CHILD-CARE INSTITUTION.—

“(A) IN GENERAL.—The term ‘child-care institution’ means a private child-care institution, or a public child-care institution which accommodates no more than 25 children, which is

1 licensed by the State in which it is situated or  
 2 has been approved by the agency of the State  
 3 responsible for licensing or approval of institu-  
 4 tions of this type as meeting the standards es-  
 5 tablished for the licensing.

6 “(B) SUPERVISED SETTINGS.—In the case  
 7 of a child who has attained 18 years of age, the  
 8 term shall include a supervised setting in which  
 9 the individual is living independently, in accord-  
 10 ance with such conditions as the Secretary shall  
 11 establish in regulations.

12 “(C) EXCLUSIONS.—The term shall not in-  
 13 clude detention facilities, forestry camps, train-  
 14 ing schools, or any other facility operated pri-  
 15 marily for the detention of children who are de-  
 16 termined to be delinquent.”.

17 (c) TRAINING FOR STATE JUDGES, ATTORNEYS, AND  
 18 OTHER LEGAL PERSONNEL IN CHILD WELFARE  
 19 CASES.—Section 438(b)(1) of such Act (42 U.S.C.  
 20 629h(b)(1)) is amended in the matter preceding subpara-  
 21 graph (A) by inserting “shall provide for the training of  
 22 judges, attorneys, and other legal personnel in child wel-  
 23 fare cases on Federal child welfare policies and payment  
 24 limitations with respect to children in foster care who are

1 placed in settings that are not a foster family home,” after  
2 “with respect to the child,”.

3 (d) ASSURANCE OF NONIMPACT ON JUVENILE JUS-  
4 TICE SYSTEM.—

5 (1) STATE PLAN REQUIREMENT.—Section  
6 471(a) of such Act (42 U.S.C. 671(a)), as amended  
7 by section 131, is further amended by adding at the  
8 end the following:

9 “(37) includes a certification that, in response  
10 to the limitation imposed under section 472(k) with  
11 respect to foster care maintenance payments made  
12 on behalf of any child who is placed in a setting that  
13 is not a foster family home, the State will not enact  
14 or advance policies or practices that would result in  
15 a significant increase in the population of youth in  
16 the State’s juvenile justice system.”.

17 (2) GAO STUDY AND REPORT.—The Comp-  
18 troller General of the United States shall evaluate  
19 the impact, if any, on State juvenile justice systems  
20 of the limitation imposed under section 472(k) of  
21 the Social Security Act (as added by section  
22 201(a)(1)) on foster care maintenance payments  
23 made on behalf of any child who is placed in a set-  
24 ting that is not a foster family home, in accordance  
25 with the amendments made by subsections (a) and

1 (b) of this section. In particular, the Comptroller  
 2 General shall evaluate the extent to which children  
 3 in foster care who also are subject to the juvenile  
 4 justice system of the State are placed in a facility  
 5 under the jurisdiction of the juvenile justice system  
 6 and whether the lack of available congregate care  
 7 placements under the jurisdiction of the child wel-  
 8 fare systems is a contributing factor to that result.  
 9 Not later than December 31, 2023, the Comptroller  
 10 General shall submit to Congress a report on the re-  
 11 sults of the evaluation.

12 **SEC. 202. ASSESSMENT AND DOCUMENTATION OF THE**  
 13 **NEED FOR PLACEMENT IN A QUALIFIED RES-**  
 14 **IDENTIAL TREATMENT PROGRAM.**

15 Section 475A of the Social Security Act (42 U.S.C.  
 16 675a) is amended by adding at the end the following:

17 “(c) ASSESSMENT, DOCUMENTATION, AND JUDICIAL  
 18 DETERMINATION REQUIREMENTS FOR PLACEMENT IN A  
 19 QUALIFIED RESIDENTIAL TREATMENT PROGRAM.—In  
 20 the case of any child who is placed in a qualified residen-  
 21 tial treatment program (as defined in section 472(k)(4)),  
 22 the following requirements shall apply for purposes of ap-  
 23 proving the case plan for the child and the case system  
 24 review procedure for the child:

1           “(1)(A) Within 30 days of the start of each  
2           placement in such a setting, a qualified individual  
3           (as defined in subparagraph (D)) shall—

4                   “(i) assess the strengths and needs of the  
5                   child using an age-appropriate, evidence-based,  
6                   validated, functional assessment tool approved  
7                   by the Secretary;

8                   “(ii) determine whether the needs of the  
9                   child can be met with family members or  
10                  through placement in a foster family home or,  
11                  if not, which setting from among the settings  
12                  specified in section 472(k)(2) would provide the  
13                  most effective and appropriate level of care for  
14                  the child in the least restrictive environment  
15                  and be consistent with the short- and long-term  
16                  goals for the child, as specified in the perma-  
17                  nency plan for the child; and

18                  “(iii) develop a list of child-specific short-  
19                  and long-term mental and behavioral health  
20                  goals.

21           “(B)(i) The State shall assemble a family and  
22           permanency team for the child in accordance with  
23           the requirements of clauses (ii) and (iii). The quali-  
24           fied individual conducting the assessment required  
25           under subparagraph (A) shall work in conjunction

1 with the family of, and permanency team for, the  
2 child while conducting and making the assessment.

3 “(ii) The family and permanency team shall  
4 consist of all appropriate biological family members,  
5 relative, and fictive kin of the child, as well as, as  
6 appropriate, professionals who are a resource to the  
7 family of the child, such as teachers, medical or  
8 mental health providers who have treated the child,  
9 or clergy. In the case of a child who has attained  
10 age 14, the family and permanency team shall in-  
11 clude the members of the permanency planning team  
12 for the child that are selected by the child in accord-  
13 ance with section 475(5)(C)(iv).

14 “(iii) The State shall document in the child’s  
15 case plan—

16 “(I) the reasonable and good faith effort of  
17 the State to identify and include all such indi-  
18 viduals on the family of, and permanency team  
19 for, the child;

20 “(II) all contact information for members  
21 of the family and permanency team, as well as  
22 contact information for other family members  
23 and fictive kin who are not part of the family  
24 and permanency team;



1           “(III) evidence that meetings of the family  
2           and permanency team, including meetings relat-  
3           ing to the assessment required under subpara-  
4           graph (A), are held at a time and place conven-  
5           ient for family;

6           “(IV) if reunification is the goal, evidence  
7           demonstrating that the parent from whom the  
8           child was removed provided input on the mem-  
9           bers of the family and permanency team;

10          “(V) evidence that the assessment required  
11          under subparagraph (A) is determined in con-  
12          junction with the family and permanency team;  
13          and

14          “(VI) the placement preferences of the  
15          family and permanency team relative to the as-  
16          sessment and, if the placement preferences of  
17          the family and permanency team and child are  
18          not the placement setting recommended by the  
19          qualified individual conducting the assessment  
20          under subparagraph (A), the reasons why the  
21          preferences of the team and of the child were  
22          not recommended.

23          “(C) In the case of a child who the qualified in-  
24          dividual conducting the assessment under subpara-  
25          graph (A) determines should not be placed in a fos-

1       ter family home, the qualified individual shall specify  
2       in writing the reasons why the needs of the child  
3       cannot be met by the family of the child or in a fos-  
4       ter family home. A shortage or lack of foster family  
5       homes shall not be an acceptable reason for deter-  
6       mining that a needs of the child cannot be met in  
7       a foster family home. The qualified individual also  
8       shall specify in writing why the recommended place-  
9       ment in a qualified residential treatment program is  
10      the setting that will provide the child with the most  
11      effective and appropriate level of care in the least re-  
12      strictive environment and how that placement is con-  
13      sistent with the short- and long-term goals for the  
14      child, as specified in the permanency plan for the  
15      child.

16           “(D)(i) Subject to clause (ii), in this subsection,  
17      the term ‘qualified individual’ means a trained pro-  
18      fessional or licensed clinician who is not an employee  
19      of the State agency and who is not connected to, or  
20      affiliated with, any placement setting in which chil-  
21      dren are placed by the State.

22           “(ii) The Secretary may approve a request of a  
23      State to waive any requirement in clause (i) upon a  
24      submission by the State, in accordance with criteria  
25      established by the Secretary, that certifies that the

1 trained professionals or licensed clinicians with re-  
2 sponsibility for performing the assessments de-  
3 scribed in subparagraph (A) shall maintain objec-  
4 tivity with respect to determining the most effective  
5 and appropriate placement for a child.

6 “(2) Within 60 days of the start of each place-  
7 ment in a qualified residential treatment program, a  
8 family or juvenile court or another court (including  
9 a tribal court) of competent jurisdiction, or an ad-  
10 ministrative body appointed or approved by the  
11 court, independently, shall—

12 “(A) consider the assessment, determina-  
13 tion, and documentation made by the qualified  
14 individual conducting the assessment under  
15 paragraph (1);

16 “(B) determine whether the needs of the  
17 child can be met through placement in a foster  
18 family home or, if not, whether placement of  
19 the child in a qualified residential treatment  
20 program provides the most effective and appro-  
21 priate level of care for the child in the least re-  
22 strictive environment and whether that place-  
23 ment is consistent with the short- and long-  
24 term goals for the child, as specified in the per-  
25 manency plan for the child; and

1           “(C) approve or disapprove the placement.

2           “(3) The written documentation made under  
3 paragraph (1)(C) and documentation of the deter-  
4 mination and approval or disapproval of the place-  
5 ment in a qualified residential treatment program by  
6 a court or administrative body under paragraph (2)  
7 shall be included in and made part of the case plan  
8 for the child.

9           “(4) As long as a child remains placed in a  
10 qualified residential treatment program, the State  
11 agency shall submit evidence at each status review  
12 and each permanency hearing held with respect to  
13 the child—

14           “(A) demonstrating that ongoing assess-  
15 ment of the strengths and needs of the child  
16 continues to support the determination that the  
17 needs of the child cannot be met through place-  
18 ment in a foster family home, that the place-  
19 ment in a qualified residential treatment pro-  
20 gram provides the most effective and appro-  
21 priate level of care for the child in the least re-  
22 strictive environment, and that the placement is  
23 consistent with the short- and long-term goals  
24 for the child, as specified in the permanency  
25 plan for the child;

1           “(B) documenting the specific treatment or  
2           service needs that will be met for the child in  
3           the placement and the length of time the child  
4           is expected to need the treatment or services;  
5           and

6           “(C) documenting the efforts made by the  
7           State agency to prepare the child to return  
8           home or to be placed with a fit and willing rel-  
9           ative, a legal guardian, or an adoptive parent,  
10          or in a foster family home.

11          “(5) In the case of any child who is placed in  
12          a qualified residential treatment program for more  
13          than 12 consecutive months or 18 nonconsecutive  
14          months (or, in the case of a child who has not at-  
15          tained age 13, for more than 6 consecutive or non-  
16          consecutive months), the State agency shall submit  
17          to the Secretary—

18               “(A) the most recent versions of the evi-  
19               dence and documentation specified in paragraph  
20               (4); and

21               “(B) the signed approval of the head of  
22               the State agency for the continued placement of  
23               the child in that setting.”.

1 **SEC. 203. PROTOCOLS TO PREVENT INAPPROPRIATE DIAG-**  
 2 **NOSES.**

3 (a) STATE PLAN REQUIREMENT.—Section  
 4 422(b)(15)(A) of the Social Security Act (42 U.S.C.  
 5 622(b)(15)(A)) is amended—

6 (1) in clause (vi), by striking “and” after the  
 7 semicolon;

8 (2) by redesignating clause (vii) as clause (viii);  
 9 and

10 (3) by inserting after clause (vi) the following:

11 “(vii) the procedures and protocols  
 12 the State has established to ensure that  
 13 children in foster care placements are not  
 14 inappropriately diagnosed with mental ill-  
 15 ness, other emotional or behavioral dis-  
 16 orders, medically fragile conditions, or de-  
 17 velopmental disabilities, and placed in set-  
 18 tings that are not foster family homes as  
 19 a result of the inappropriate diagnoses;  
 20 and”.

21 (b) EVALUATION.—Section 476 of such Act (42  
 22 U.S.C. 676), as amended by sections 111(d) and 131(a),  
 23 is further amended by adding at the end the following:

24 “(f) EVALUATION OF STATE PROCEDURES AND PRO-  
 25 TOCOLS TO PREVENT INAPPROPRIATE DIAGNOSES OF  
 26 MENTAL ILLNESS OR OTHER CONDITIONS.—The Sec-

1 retary shall conduct an evaluation of the procedures and  
 2 protocols established by States in accordance with the re-  
 3 quirements of section 422(b)(15)(A)(vii). The evaluation  
 4 shall analyze the extent to which States comply with and  
 5 enforce the procedures and protocols and the effectiveness  
 6 of various State procedures and protocols and shall iden-  
 7 tify best practices. Not later than January 1, 2019, the  
 8 Secretary shall submit a report on the results of the eval-  
 9 uation to Congress.”.

10 **SEC. 204. ADDITIONAL DATA AND REPORTS REGARDING**  
 11 **CHILDREN PLACED IN A SETTING THAT IS**  
 12 **NOT A FOSTER FAMILY HOME.**

13 Section 479A(a)(7)(A) of the Social Security Act (42  
 14 U.S.C. 679b(a)(7)(A)) is amended by striking clauses (i)  
 15 through (vi) and inserting the following:

16 “(i) with respect to each such place-  
 17 ment—

18 “(I) the type of the placement  
 19 setting, including whether the place-  
 20 ment is shelter care, a group home  
 21 and if so, the range of the child popu-  
 22 lation in the home, a residential treat-  
 23 ment facility, a hospital or institution  
 24 providing medical, rehabilitative, or  
 25 psychiatric care, a setting specializing

1 in providing prenatal, post-partum or  
2 parenting supports, or some other  
3 kind of child-care institution and if so,  
4 what kind;

5 “(II) the number of children in  
6 the placement setting and the age,  
7 race, ethnicity, and gender of each of  
8 the children;

9 “(III) for each child in the place-  
10 ment setting, the length of the place-  
11 ment of the child in the setting,  
12 whether the placement of the child in  
13 the setting is the first placement of  
14 the child and if not, the number and  
15 type of previous placements of the  
16 child, and whether the child has spe-  
17 cial needs or another diagnosed men-  
18 tal or physical illness or condition;  
19 and

20 “(IV) the extent of any special-  
21 ized education, treatment, counseling,  
22 or other services provided in the set-  
23 ting; and

24 “(ii) separately, the number and ages  
25 of children in the placements who have a



1                   permanency plan of another planned per-  
2                   manent living arrangement; and”.

3 **SEC. 205. EFFECTIVE DATES; APPLICATION TO WAIVERS.**

4       (a) EFFECTIVE DATES.—

5           (1) IN GENERAL.—Subject to paragraph (2)  
6           and subsections (b) and (c), the amendments made  
7           by this title shall take effect on October 1, 2016.

8           (2) TRANSITION RULE.—In the case of a State  
9           plan under part B or E of title IV of the Social Se-  
10          curity Act which the Secretary of Health and  
11          Human Services determines requires State legisla-  
12          tion (other than legislation appropriating funds) in  
13          order for the plan to meet the additional require-  
14          ments imposed by the amendments made by this  
15          title, the State plan shall not be regarded as failing  
16          to comply with the requirements of such part solely  
17          on the basis of the failure of the plan to meet the  
18          additional requirements before the first day of the  
19          first calendar quarter beginning after the close of  
20          the first regular session of the State legislature that  
21          begins after the date of enactment of this Act. For  
22          purposes of the previous sentence, in the case of a  
23          State that has a 2-year legislative session, each year  
24          of the session shall be deemed to be a separate reg-  
25          ular session of the State legislature.

1 (b) LIMITATION ON FEDERAL FINANCIAL PARTICI-  
 2 PATION FOR PLACEMENTS THAT ARE NOT IN FOSTER  
 3 FAMILY HOMES AND RELATED PROVISIONS.—The  
 4 amendments made by sections 201(a), 201(b), 201(d),  
 5 and 202 shall take effect on October 1, 2019.

6 (c) APPLICATION TO STATES WITH WAIVERS.—In  
 7 the case of a State that, on the date of enactment of this  
 8 Act, has in effect a waiver approved under section 1130  
 9 of the Social Security Act (42 U.S.C. 1320a–9), the  
 10 amendments made by this title shall not apply with respect  
 11 to the State before the expiration (determined without re-  
 12 gard to any extensions) of the waiver to the extent the  
 13 amendments are inconsistent with the terms of the waiver.

14 **TITLE III—CONTINUING SUP-**  
 15 **PORT FOR CHILD AND FAM-**  
 16 **ILY SERVICES**

17 **SEC. 301. SUPPORTING AND RETAINING FOSTER FAMILIES**  
 18 **FOR CHILDREN.**

19 (a) SUPPORTING AND RETAINING FOSTER PARENTS  
 20 AS A FAMILY SUPPORT SERVICE.—Section 431(a)(2)(B)  
 21 of the Social Security Act (42 U.S.C. 631(a)(2)(B)) is  
 22 amended by redesignating clauses (iii) through (vi) as  
 23 clauses (iv) through (vii), respectively, and inserting after  
 24 clause (ii) the following:

1                   “(iii) To support and retain foster  
 2                   families so they can provide quality family-  
 3                   based settings for children in foster care.”.

4           (b) SUPPORT FOR FOSTER FAMILY HOMES.—Section  
 5 436 of such Act (42 U.S.C. 629f) is amended by adding  
 6 at the end the following:

7           “(c) SUPPORT FOR FOSTER FAMILY HOMES.—Out  
 8 of any money in the Treasury of the United States not  
 9 otherwise appropriated, there are appropriated to the Sec-  
 10 retary for fiscal year 2018, \$8,000,000 for the Secretary  
 11 to make competitive grants to States, Indian tribes, or  
 12 tribal consortia to support the recruitment and retention  
 13 of high-quality foster families to increase their capacity  
 14 to place more children in family settings, focused on  
 15 States, Indian tribes, or tribal consortia with the highest  
 16 percentage of children in non-family settings. The amount  
 17 appropriated under this subparagraph shall remain avail-  
 18 able through fiscal year 2022.”.

19 **SEC. 302. EXTENSION OF CHILD AND FAMILY SERVICES**  
 20 **PROGRAMS.**

21           (a) EXTENSION OF STEPHANIE TUBBS JONES CHILD  
 22 WELFARE SERVICES PROGRAM.—Section 425 of the So-  
 23 cial Security Act (42 U.S.C. 625) is amended by striking  
 24 “2012 through 2016” and inserting “2017 through  
 25 2021”.

1 (b) EXTENSION OF PROMOTING SAFE AND STABLE  
2 FAMILIES PROGRAM AUTHORIZATIONS.—

3 (1) IN GENERAL.—Section 436(a) of such Act  
4 (42 U.S.C. 629f(a)) is amended by striking all that  
5 follows “\$345,000,000” and inserting “for each of  
6 fiscal years 2017 through 2021.”.

7 (2) DISCRETIONARY GRANTS.—Section 437(a)  
8 of such Act (42 U.S.C. 629g(a)) is amended by  
9 striking “2012 through 2016” and inserting “2017  
10 through 2021”.

11 (c) EXTENSION OF FUNDING RESERVATIONS FOR  
12 MONTHLY CASEWORKER VISITS AND REGIONAL PART-  
13 NERSHIP GRANTS.—Section 436(b) of such Act (42  
14 U.S.C. 629f(b)) is amended—

15 (1) in paragraph (4)(A), by striking “2012  
16 through 2016” and inserting “2017 through 2021”;  
17 and

18 (2) in paragraph (5), by striking “2012  
19 through 2016” and inserting “2017 through 2021”.

20 (d) REAUTHORIZATION OF FUNDING FOR STATE  
21 COURTS.—

22 (1) EXTENSION OF PROGRAM.—Section  
23 438(c)(1) of such Act (42 U.S.C. 629h(c)(1)) is  
24 amended by striking “2012 through 2016” and in-  
25 serting “2017 through 2021”.

1           (2) EXTENSION OF FEDERAL SHARE.—Section  
 2       438(d) of such Act (42 U.S.C. 629h(d)) is amended  
 3       by striking “2012 through 2016” and inserting  
 4       “2017 through 2021”.

5       (e) REPEAL OF EXPIRED PROVISIONS.—Section  
 6       438(e) of such Act (42 U.S.C. 629h(e)) is repealed.

7   **SEC. 303. IMPROVEMENTS TO THE JOHN H. CHAFEE FOS-**  
 8                           **TER CARE INDEPENDENCE PROGRAM AND**  
 9                           **RELATED PROVISIONS.**

10       (a) AUTHORITY TO SERVE FORMER FOSTER YOUTH  
 11   UP TO AGE 23.—Section 477 of the Social Security Act  
 12   (42 U.S.C. 677) is amended—

13           (1) in subsection (a)(5), by inserting “(or 23  
 14       years of age, in the case of a State with a certifi-  
 15       cation under subsection (b)(3)(A)(ii) to provide as-  
 16       sistance and services to youths who have aged out  
 17       of foster care and have not attained such age, in ac-  
 18       cordance with such subsection)” after “21 years of  
 19       age”;

20           (2) in subsection (b)(3)(A)—

21                   (A) by inserting “(i)” before “A certifi-  
 22       cation”;

23                   (B) by striking “children who have left fos-  
 24       ter care” and all that follows through the pe-  
 25       riod and inserting “youths who have aged out

1 of foster care and have not attained 21 years of  
2 age.”; and

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

4 “(ii) If the State has elected under  
5 section 475(8)(B) to extend eligibility for  
6 foster care to all children who have not at-  
7 tained 21 years of age, or if the Secretary  
8 determines that the State agency respon-  
9 sible for administering the State plans  
10 under this part and part B uses State  
11 funds or any other funds not provided  
12 under this part to provide services and as-  
13 sistance for youths who have aged out of  
14 foster care that are comparable to the  
15 services and assistance the youths would  
16 receive if the State had made such an elec-  
17 tion, the certification required under clause  
18 (i) may provide that the State will provide  
19 assistance and services to youths who have  
20 aged out of foster care and have not at-  
21 tained 23 years of age.”; and

22 (3) in subsection (b)(3)(B), by striking “chil-  
23 dren who have left foster care” and all that follows  
24 through the period and inserting “youths who have  
25 aged out of foster care and have not attained 21

1       years of age (or 23 years of age, in the case of a  
 2       State with a certification under subparagraph (A)(i)  
 3       to provide assistance and services to youths who  
 4       have aged out of foster care and have not attained  
 5       such age, in accordance with subparagraph  
 6       (A)(ii)).”.

7       (b) AUTHORITY TO REDISTRIBUTE UNSPENT  
 8 FUNDS.—Section 477(d) of such Act (42 U.S.C. 677(d))  
 9 is amended—

10           (1) in paragraph (4), by inserting “or does not  
 11       expend allocated funds within the time period speci-  
 12       fied under 477(d)(3)” after “provided by the Sec-  
 13       retary”; and

14           (2) by adding at the end the following:

15           “(5) REDISTRIBUTION OF UNEXPENDED  
 16 AMOUNTS.—

17           “(A) AVAILABILITY OF AMOUNTS.—To the  
 18       extent that amounts paid to States under this  
 19       section in a fiscal year remain unexpended by  
 20       the States at the end of the succeeding fiscal  
 21       year, the Secretary may make the amounts  
 22       available for redistribution in the second suc-  
 23       ceeding fiscal year among the States that apply  
 24       for additional funds under this section for that  
 25       second succeeding fiscal year.

“(B) REDISTRIBUTION.—

“(i) IN GENERAL.—The Secretary shall redistribute the amounts made available under subparagraph (A) for a fiscal year among eligible applicant States. In this subparagraph, the term ‘eligible applicant State’ means a State that has applied for additional funds for the fiscal year under subparagraph (A) if the Secretary determines that the State will use the funds for the purpose for which originally allotted under this section.

“(ii) AMOUNT TO BE REDISTRIBUTED.—The amount to be redistributed to each eligible applicant State shall be the amount so made available multiplied by the State foster care ratio, (as defined in subsection (c)(4), except that, in such subsection, ‘all eligible applicant States (as defined in subsection (d)(5)(B)(i))’ shall be substituted for ‘all States’).

“(iii) TREATMENT OF REDISTRIBUTED AMOUNT.—Any amount made available to a State under this paragraph shall be regarded as part of the allotment of the



1 State under this section for the fiscal year  
 2 in which the redistribution is made.

3 “(C) TRIBES.—For purposes of this para-  
 4 graph, the term ‘State’ includes an Indian tribe,  
 5 tribal organization, or tribal consortium that re-  
 6 ceives an allotment under this section.”.

7 (c) EXPANDING AND CLARIFYING THE USE OF EDU-  
 8 CATION AND TRAINING VOUCHERS.—

9 (1) IN GENERAL.—Section 477(i)(3) of such  
 10 Act (42 U.S.C. 677(i)(3)) is amended—

11 (A) by striking “on the date” and all that  
 12 follows through “23” and inserting “to remain  
 13 eligible until they attain 26 years of age”; and

14 (B) by inserting “, but in no event may a  
 15 youth participate in the program for more than  
 16 5 years (whether or not consecutive)” before  
 17 the period.

18 (2) CONFORMING AMENDMENT.—Section  
 19 477(i)(1) of such Act (42 U.S.C. 677(i)(1)) is  
 20 amended by inserting “who have attained 14 years  
 21 of age” before the period.

22 (d) OTHER IMPROVEMENTS.—Section 477 of such  
 23 Act (42 U.S.C. 677), as amended by subsections (a), (b),  
 24 and (c) is amended—

(1) in the section heading, by striking “**INDEPENDENCE PROGRAM**” and inserting “**PROGRAM FOR SUCCESSFUL TRANSITION TO ADULTHOOD**”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “identify children who are likely to remain in foster care until 18 years of age and to help these children make the transition to self-sufficiency by providing services” and inserting “support all youth who have experienced foster care at age 14 or older in their transition to adulthood through transitional services”;

(ii) by inserting “and post-secondary education” after “high school diploma”; and

(iii) by striking “training in daily living skills, training in budgeting and financial management skills” and inserting “training and opportunities to practice daily living skills (such as financial literacy training and driving instruction)”;

(B) in paragraph (2), by striking “who are likely to remain in foster care until 18 years of

age receive the education, training, and services necessary to obtain employment” and inserting “who have experienced foster care at age 14 or older achieve meaningful, permanent connections with a caring adult”;

(C) in paragraph (3), by striking “who are likely to remain in foster care until 18 years of age prepare for and enter postsecondary training and education institutions” and inserting “who have experienced foster care at age 14 or older engage in age or developmentally appropriate activities, positive youth development, and experiential learning that reflects what their peers in intact families experience”; and

(D) by striking paragraph (4) and redesignating paragraphs (5) through (8) as paragraphs (4) through (7);

(3) in subsection (b)—

(A) in paragraph (2)(D), by striking “adolescents” and inserting “youth”; and

(B) in paragraph (3)—

(i) in subparagraph (D)—

(I) by inserting “including training on youth development” after “to provide training”; and

1 (II) by striking “adolescents pre-  
 2 paring for independent living” and all  
 3 that follows through the period and  
 4 inserting “youth preparing for a suc-  
 5 cessful transition to adulthood and  
 6 making a permanent connection with  
 7 a caring adult”;

8 (ii) in subparagraph (H), by striking  
 9 “adolescents” each place it appears and in-  
 10 serting “youth”; and

11 (iii) in subparagraph (K)—

12 (I) by striking “an adolescent”  
 13 and inserting “a youth”; and

14 (II) by striking “the adolescent”  
 15 each place it appears and inserting  
 16 “the youth”; and

17 (4) in subsection (f), by striking paragraph (2)  
 18 and inserting the following:

19 “(2) REPORT TO CONGRESS.—Not later than  
 20 October 1, 2017, the Secretary shall submit to the  
 21 Committee on Ways and Means of the House of  
 22 Representatives and the Committee on Finance of  
 23 the Senate a report on the National Youth in Tran-  
 24 sition Database and any other databases in which  
 25 States report outcome measures relating to children

1 in foster care and children who have aged out of fos-  
2 ter care or left foster care for kinship guardianship  
3 or adoption. The report shall include the following:

4 “(A) A description of the reasons for entry  
5 into foster care and of the foster care experi-  
6 ences, such as length of stay, number of place-  
7 ment settings, case goal, and discharge reason  
8 of 17-year-olds who are surveyed by the Na-  
9 tional Youth in Transition Database and an  
10 analysis of the comparison of that description  
11 with the reasons for entry and foster care expe-  
12 riences of children of other ages who exit from  
13 foster care before attaining age 17.

14 “(B) A description of the characteristics of  
15 the individuals who report poor outcomes at  
16 ages 19 and 21 to the National Youth in Tran-  
17 sition Database.

18 “(C) Benchmarks for determining what  
19 constitutes a poor outcome for youth who re-  
20 main in or have exited from foster care and  
21 plans the executive branch will take to incor-  
22 porate these benchmarks in efforts to evaluate  
23 child welfare agency performance in providing  
24 services to children transitioning from foster  
25 care.

1 “(D) An analysis of the association be-  
 2 tween types of placement, number of overall  
 3 placements, time spent in foster care, and other  
 4 factors, and outcomes at ages 19 and 21.

5 “(E) An analysis of the differences in out-  
 6 comes for children in and formerly in foster  
 7 care at age 19 and 21 among States.”.

8 (e) CLARIFYING DOCUMENTATION PROVIDED TO  
 9 FOSTER YOUTH LEAVING FOSTER CARE.—Section  
 10 475(5)(I) of such Act (42 U.S.C. 675) is amended by in-  
 11 serting after “REAL ID Act of 2005” the following: “,  
 12 and any official documentation necessary to prove that the  
 13 child was previously in foster care”.

14 **TITLE IV—CONTINUING INCEN-**  
 15 **TIVES TO STATES TO PRO-**  
 16 **MOTE ADOPTION AND LEGAL**  
 17 **GUARDIANSHIP**

18 **SEC. 401. REAUTHORIZING ADOPTION AND LEGAL GUARD-**  
 19 **IANSHIP INCENTIVE PROGRAMS.**

20 Section 473A of the Social Security Act (42 U.S.C.  
 21 673b) is amended—

22 (1) in subsection (b)(4), by striking “2013  
 23 through 2015” and inserting “2016 through 2020”;

24 (2) in subsection (h)(1)(D), by striking “2016”  
 25 and inserting “2021”; and

1           (3) in subsection (h)(2), by striking “2016”  
 2           and inserting “2021”.

3                           **TITLE V—TECHNICAL**  
 4                           **CORRECTIONS**

5   **SEC. 501. TECHNICAL CORRECTIONS TO DATA EXCHANGE**  
 6                           **STANDARDS TO IMPROVE PROGRAM COORDI-**  
 7                           **NATION.**

8           (a) IN GENERAL.—Section 440 of the Social Security  
 9   Act (42 U.S.C. 629m) is amended to read as follows:

10   **“SEC. 440. DATA EXCHANGE STANDARDS FOR IMPROVED**  
 11                           **INTEROPERABILITY.**

12           “(a) DESIGNATION.—The Secretary shall, in con-  
 13   sultation with an interagency work group established by  
 14   the Office of Management and Budget and considering  
 15   State government perspectives, by rule, designate data ex-  
 16   change standards to govern, under this part—

17                   “(1) necessary categories of information that  
 18           State agencies operating programs under State  
 19           plans approved under this part are required under  
 20           applicable Federal law to electronically exchange  
 21           with another State agency; and

22                   “(2) Federal reporting and data exchange re-  
 23           quired under applicable Federal law.

1       “(b) REQUIREMENTS.—The data exchange standards  
2 required by paragraph (1) shall, to the extent prac-  
3 ticable—

4               “(1) incorporate a widely accepted, non-propri-  
5 etary, searchable, computer-readable format, such as  
6 the eXtensible Markup Language;

7               “(2) contain interoperable standards developed  
8 and maintained by intergovernmental partnerships,  
9 such as the National Information Exchange Model;

10              “(3) incorporate interoperable standards devel-  
11 oped and maintained by Federal entities with au-  
12 thority over contracting and financial assistance;

13              “(4) be consistent with and implement applica-  
14 ble accounting principles;

15              “(5) be implemented in a manner that is cost-  
16 effective and improves program efficiency and effec-  
17 tiveness; and

18              “(6) be capable of being continually upgraded  
19 as necessary.

20       “(c) RULE OF CONSTRUCTION.—Nothing in this sub-  
21 section shall be construed to require a change to existing  
22 data exchange standards found to be effective and effi-  
23 cient.”.

24       (b) EFFECTIVE DATE.—Not later than the date that  
25 is 24 months after the date of the enactment of this sec-



tion, the Secretary of Health and Human Services shall  
 issue a proposed rule that—

(1) identifies federally required data exchanges,  
 include specification and timing of exchanges to be  
 standardized, and address the factors used in deter-  
 mining whether and when to standardize data ex-  
 changes; and

(2) specifies State implementation options and  
 describes future milestones.

**SEC. 502. TECHNICAL CORRECTIONS TO STATE REQUIRE-  
 MENT TO ADDRESS THE DEVELOPMENTAL  
 NEEDS OF YOUNG CHILDREN.**

Section 422(b)(18) of the Social Security Act (42  
 U.S.C. 622(b)(18)) is amended by striking “such chil-  
 dren” and inserting “all vulnerable children under 5 years  
 of age”.

**TITLE VI—ENSURING STATES  
 REINVEST SAVINGS RESULT-  
 ING FROM INCREASE IN  
 ADOPTION ASSISTANCE**

**SEC. 601. DELAY OF ADOPTION ASSISTANCE PHASE-IN.**

Section 473(e)(1) of the Social Security Act (42  
 U.S.C. 673(e)(1)) is amended—

1           (1) in subparagraph (A), by striking “fiscal  
2       year” each place it appears and inserting “period”;  
3       and

4           (2) in subparagraph (B)—

5               (A) in the matter preceding the table, by  
6       striking “fiscal year” and inserting “period”;  
7       and

8               (B) in the table—

9                   (i) by striking “of fiscal year:” and in-  
10       serting “of.”;

11                  (ii) by striking “2010” and inserting  
12       “Fiscal year 2010”;

13                  (iii) by striking “2011” and inserting  
14       “Fiscal year 2011”;

15                  (iv) by striking “2012” and inserting  
16       “Fiscal year 2012”;

17                  (v) by striking “2013” and inserting  
18       “Fiscal year 2013”;

19                  (vi) by striking “2014” and inserting  
20       “Fiscal year 2014”;

21                  (vii) by striking “2015” and inserting  
22       “Fiscal year 2015”;

23                  (viii) by striking “2016” and inserting  
24       “October 1, 2015, through March 31,  
25       2019”;

1 (ix) by striking “2017” and inserting  
 2 “April 1, 2019, through March 31, 2020”;  
 3 and  
 4 (x) by striking “2018” and inserting  
 5 “April 1, 2020,”.

6 **SEC. 602. GAO STUDY AND REPORT ON STATE REINVEST-**  
 7 **MENT OF SAVINGS RESULTING FROM IN-**  
 8 **CREASE IN ADOPTION ASSISTANCE.**

9 (a) STUDY.—The Comptroller General of the United  
 10 States shall study the extent to which States are com-  
 11 plying with the requirements of section 473(a)(8) of the  
 12 Social Security Act relating to the effects of phasing out  
 13 the AFDC income eligibility requirements for adoption as-  
 14 sistance payments under section 473 of the Social Security  
 15 Act, as enacted by section 402 of the Fostering Connec-  
 16 tions to Success and Increasing Adoptions Act of 2008  
 17 (Public Law 110–351; 122 Stat. 3975) and amended by  
 18 section 206 of the Preventing Sex Trafficking and  
 19 Strengthening Families Act (Public Law 113–183; 128  
 20 Stat. 1919). In particular, the Comptroller General shall  
 21 analyze the extent to which States are complying with the  
 22 following requirements under section 473(a)(8)(D) of the  
 23 Social Security Act:

24 (1) The requirement to spend an amount equal  
 25 to the amount of the savings (if any) in State ex-

1       penditures under part E of title IV of the Social Se-  
2       curity resulting from phasing out the AFDC income  
3       eligibility requirements for adoption assistance pay-  
4       ments under section 473 of such Act to provide to  
5       children of families any service that may be provided  
6       under part B or E of title IV of such Act.

7           (2) The requirement that a State shall spend  
8       not less than 30 percent of the amount of any sav-  
9       ings described in subparagraph (A) on post-adoption  
10      services, post-guardianship services, and services to  
11      support and sustain positive permanent outcomes for  
12      children who otherwise might enter into foster care  
13      under the responsibility of the State, with at least  $\frac{2}{3}$   
14      of the spending by the State to comply with the 30  
15      percent requirement being spent on post-adoption  
16      and post-guardianship services.

17      (b) REPORT.—The Comptroller General of the  
18      United States shall submit to the Committee on Finance  
19      of the Senate, the Committee on Ways and Means of the  
20      House of Representatives, and the Secretary of Health  
21      and Human Services a report that contains the results of  
22      the study required by subsection (a), including rec-  
23      ommendations to ensure compliance with laws referred to  
24      in subsection (a).

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