

115TH CONGRESS
1ST SESSION

H. R. 2742

IN THE SENATE OF THE UNITED STATES

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Received

AN ACT

To amend title IV of the Social Security Act to require States to adopt an electronic system to help expedite the placement of children in foster care or guardianship, or for adoption, across State lines, and to provide funding to aid States in developing such a system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Modernizing the Inter-
3 state Placement of Children in Foster Care Act”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds that—

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

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

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19 because of the outdated, administratively burden-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

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

24 (5) the National Electronic Interstate Compact
25 Enterprise (NEICE) was launched in August 2014
26 in Indiana, Nevada, Florida, South Carolina, Wis-

1 consin, and the District of Columbia, has since ex-
2 panded into Illinois, Virginia, Rhode Island, Cali-
3 fornia, Alaska, Nebraska, and Georgia, and is ex-
4 pected to be expanded into additional States to im-
5 prove the administrative process by which children
6 are placed with families across State lines;

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

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

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

22 **SEC. 3. STATE PLAN REQUIREMENT.**

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

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

3 (2) by inserting “, which in the case of a State
4 other than the Commonwealth of Puerto Rico, the
5 United States Virgin Islands, Guam, and American
6 Samoa, not later than October 1, 2027, shall include
7 the use of an electronic interstate case-processing
8 system” before the first semicolon.

9 (b) EXEMPTION OF INDIAN TRIBES.—Section
10 479B(c) of such Act (42 U.S.C. 679c(c)) is amended by
11 adding at the end the following:

12 “(4) INAPPLICABILITY OF STATE PLAN RE-
13 QUIREMENT TO HAVE IN EFFECT PROCEDURES PRO-
14 VIDING FOR THE USE AN ELECTRONIC INTERSTATE
15 CASE-PROCESSING SYSTEM.—The requirement in
16 section 471(a)(25) that a State plan provide that the
17 State shall have in effect procedures providing for
18 the use of an electronic interstate case-processing
19 system shall not apply to an Indian tribe, tribal or-
20 ganization, or tribal consortium that elects to oper-
21 ate a program under this part.”.

22 (c) EFFECTIVE DATE.—

23 (1) IN GENERAL.—The amendments made by
24 subsection (a) shall take effect on the first day of
25 the first calendar quarter beginning on or after the

1 date of the enactment of this Act, and shall apply
2 to payments under part E of title IV of the Social
3 Security Act for calendar quarters beginning on or
4 after such date.

5 (2) DELAY PERMITTED IF STATE LEGISLATION
6 REQUIRED.—If the Secretary of Health and Human
7 Services determines that State legislation (other
8 than legislation appropriating funds) is required in
9 order for a State plan developed pursuant to part E
10 of title IV of the Social Security Act to meet the ad-
11 ditional requirement imposed by the amendments
12 made by subsection (a), the plan shall not be re-
13 garded as failing to meet any of the additional re-
14 quirements before the first day of the first calendar
15 quarter beginning after the first regular session of
16 the State legislature that begins after the date of the
17 enactment of this Act. For purposes of the preceding
18 sentence, if the State has a 2-year legislative session,
19 each year of the session is deemed to be a separate
20 regular session of the State legislature.

1 **SEC. 4. FUNDING FOR THE DEVELOPMENT OF AN ELEC-**
 2 **TRONIC INTERSTATE CASE-PROCESSING SYS-**
 3 **TEM TO EXPEDITE THE INTERSTATE PLACE-**
 4 **MENT OF CHILDREN IN FOSTER CARE OR**
 5 **GUARDIANSHIP, OR FOR ADOPTION.**

6 Section 437 of the Social Security Act (42 U.S.C.
 7 629g) is amended by adding at the end the following:

8 “(g) FUNDING FOR THE DEVELOPMENT OF AN
 9 ELECTRONIC INTERSTATE CASE-PROCESSING SYSTEM TO
 10 EXPEDITE THE INTERSTATE PLACEMENT OF CHILDREN
 11 IN FOSTER CARE OR GUARDIANSHIP, OR FOR ADOP-
 12 TION.—

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

19 “(2) REQUIREMENTS.—A State that seeks
 20 funding under this subsection shall submit to the
 21 Secretary the following information:

22 “(A) A description of the goals and out-
 23 comes to be achieved, which goals and outcomes
 24 must result in—

25 “(i) reducing the time it takes for a
 26 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 funds, in-
13 cluding 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) FUNDING AUTHORITY.—The Secretary
20 may provide funds to a State that complies with
21 paragraph (2). In providing funds under this sec-
22 tion, the Secretary shall prioritize States that are
23 not yet connected with the electronic interstate case-
24 processing system referred to in paragraph (1).

1 “(4) USE OF FUNDS.—A State to which fund-
2 ing is provided under this subsection shall use the
3 funding to support the State in connecting with, or
4 enhancing or expediting services provided under, the
5 electronic interstate case-processing system referred
6 to in paragraph (1).

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

13 “(A) How using the electronic interstate
14 case-processing system developed pursuant to
15 paragraph (4) has changed the time it takes for
16 children to be placed across State lines.

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

1 “(C) The progress made by States in im-
2 plementing the electronic interstate case-proc-
3 essing system.

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

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

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

21 “(A) connecting the system with other
22 data systems (such as systems operated by
23 State law enforcement and judicial agencies,
24 systems operated by the Federal Bureau of In-

1 vestigation for the purposes of the Innocence
 2 Lost National Initiative, and other systems);

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

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

13 **SEC. 5. CONTINUATION OF DISCRETIONARY FUNDING TO**
 14 **PROMOTE SAFE AND STABLE FAMILIES.**

15 Section 437(a) of the Social Security Act (42 U.S.C.
 16 629g(a)) is amended by striking “2016” and inserting
 17 “2018”.

18 **SEC. 6. RESERVATION OF FUNDS TO IMPROVE THE INTER-**
 19 **STATE PLACEMENT OF CHILDREN.**

20 Section 437(b) of the Social Security Act (42 U.S.C.
 21 629g(b)) is amended by adding at the end the following:

22 “(4) IMPROVING THE INTERSTATE PLACEMENT
 23 OF CHILDREN.—The Secretary shall reserve
 24 \$5,000,000 of the amount made available for fiscal
 25 year 2018 for providing funding under subsection

1 (g), and the amount so reserved shall remain avail-
2 able through fiscal year 2022.”.

Passed the House of Representatives June 20, 2017.

Attest:

KAREN L. HAAS,
Clerk.