

115TH CONGRESS
1ST SESSION

H. R. 2834

IN THE SENATE OF THE UNITED STATES

JUNE 21, 2017

Received; read twice and referred to the Committee on Finance

AN ACT

To improve the well-being of, and improve permanency outcomes for, children and families affected by heroin, opioids, and other substance abuse.

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 “Partnership Grants
3 to Strengthen Families Affected by Parental Substance
4 Abuse Act”.

5 **SEC. 2. ENHANCEMENTS TO GRANTS TO IMPROVE WELL-
6 BEING OF FAMILIES AFFECTED BY SUB-
7 STANCE ABUSE.**

8 Section 437(f) of the Social Security Act (42 U.S.C.
9 629g(f)) is amended—

10 (1) in the subsection heading, by striking “IN-
11 CREASE THE WELL-BEING OF, AND TO IMPROVE
12 THE PERMANENCY OUTCOMES FOR, CHILDREN AF-
13 FECTED BY” and inserting “IMPLEMENT IV–E PRE-
14 VENTION SERVICES, AND IMPROVE THE WELL-
15 BEING OF, AND IMPROVE PERMANENCY OUTCOMES
16 FOR, CHILDREN AND FAMILIES AFFECTED BY HER-
17 OIN, OPIOIDS, AND OTHER”;

18 (2) by striking paragraph (2) and inserting the
19 following:

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

25 “(A) MANDATORY PARTNERS FOR ALL
26 PARTNERSHIP GRANTS.—

1 “(i) The State child welfare agency
2 that is responsible for the administration
3 of the State plan under this part and part
4 E.

5 “(ii) The State agency responsible for
6 administering the substance abuse preven-
7 tion and treatment block grant provided
8 under subpart II of part B of title XIX of
9 the Public Health Service Act.

10 “(B) MANDATORY PARTNERS FOR PART-
11 NERSHIP GRANTS PROPOSING TO SERVE CHIL-
12 DREN IN OUT-OF-HOME PLACEMENTS.—If the
13 partnership proposes to serve children in out-of-
14 home placements, the Juvenile Court or Admin-
15 istrative Office of the Court that is most appro-
16 priate to oversee the administration of court
17 programs in the region to address the popu-
18 lation of families who come to the attention of
19 the court due to child abuse or neglect.

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

22 “(i) An Indian tribe or tribal consor-
23 tium.

24 “(ii) Nonprofit child welfare service
25 providers.

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

3 “(iv) Community health service pro-
4 viders, including substance abuse treat-
5 ment providers.

6 “(v) Community mental health pro-
7 viders.

8 “(vi) Local law enforcement agencies.

9 “(vii) School personnel.

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

12 “(ix) Any other providers, agencies,
13 personnel, officials, or entities that are re-
14 lated to the provision of child and family
15 services under a State plan approved under
16 this subpart.

17 “(D) EXCEPTION FOR REGIONAL PART-
18 NERSHIPS WHERE THE LEAD APPLICANT IS AN
19 INDIAN TRIBE OR TRIBAL CONSORTIA.—If an
20 Indian tribe or tribal consortium enters into a
21 regional partnership for purposes of this sub-
22 section, the Indian tribe or tribal consortium—

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

“(ii) may not enter into a collaborative agreement only with tribal child welfare agencies (or a consortium of the agencies); and

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

(3) in paragraph (3)—

(A) in subparagraph (A), by striking “\$500,000 and not more than \$1,000,000” and inserting “\$250,000 and not more than \$1,000,000”;

(B) in subparagraph (B)—

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

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

and

(iii) by adding at the end the following:

“(iii) SUFFICIENT PLANNING.—A grant awarded under this subsection shall be disbursed in two phases: a planning phase (not to exceed 2 years) and an im-

1 plementation phase. The total disburse-
2 ment to a grantee for the planning phase
3 may not exceed \$250,000, and may not ex-
4 ceed the total anticipated funding for the
5 implementation phase.”; and

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

7 “(D) LIMITATION ON PAYMENT FOR A FIS-
8 CAL YEAR.—No payment shall be made under
9 subparagraph (A) or (C) for a fiscal year until
10 the Secretary determines that the eligible part-
11 nership has made sufficient progress in meeting
12 the goals of the grant and that the members of
13 the eligible partnership are coordinating to a
14 reasonable degree with the other members of
15 the eligible partnership.”;

16 (4) in paragraph (4)—

17 (A) in subparagraph (B)—

18 (i) in clause (i), by inserting “, par-
19 ents, and families” after “children”;

20 (ii) in clause (ii), by striking “safety
21 and permanence for such children; and”
22 and inserting “safe, permanent caregiving
23 relationships for the children;”;

24 (iii) in clause (iii), by striking “or”
25 and inserting “increase reunification rates

1 for children who have been placed in out-
2 of-home care, or decrease”; and

3 (iv) by redesignating clause (iii) as
4 clause (v) and inserting after clause (ii)
5 the following:

6 “(iii) improve the substance abuse
7 treatment outcomes for parents including
8 retention in treatment and successful com-
9 pletion of treatment;

10 “(iv) facilitate the implementation, de-
11 livery, and effectiveness of prevention serv-
12 ices and programs under section 471(e);
13 and”;

14 (B) in subparagraph (D), by striking
15 “where appropriate,”; and

16 (C) by striking subparagraphs (E) and (F)
17 and inserting the following:

18 “(E) A description of a plan for sustaining
19 the services provided by or activities funded
20 under the grant after the conclusion of the
21 grant period, including through the use of pre-
22 vention services and programs under section
23 471(e) and other funds provided to the State
24 for child welfare and substance abuse preven-
25 tion and treatment services.

1 “(F) Additional information needed by the
2 Secretary to determine that the proposed activi-
3 ties and implementation will be consistent with
4 research or evaluations showing which practices
5 and approaches are most effective.”;

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

10 (6) in paragraph (7)—

11 (A) by striking “and” at the end of sub-
12 paragraph (C); and

13 (B) by redesignating subparagraph (D) as
14 subparagraph (E) and inserting after subpara-
15 graph (C) the following:

16 “(D) demonstrate a track record of suc-
17 cessful collaboration among child welfare, sub-
18 stance abuse disorder treatment and mental
19 health agencies; and”;

20 (7) in paragraph (8)—

21 (A) in subparagraph (A)—

22 (i) by striking “establish indicators
23 that will be” and inserting “review indica-
24 tors that are”; and

1 (ii) by striking “in using funds made
 2 available under such grants to achieve the
 3 purpose of this subsection” and inserting
 4 “and establish a set of core indicators re-
 5 lated to child safety, parental recovery,
 6 parenting capacity, and family well-being.
 7 In developing the core indicators, to the
 8 extent possible, indicators shall be made
 9 consistent with the outcome measures de-
 10 scribed in section 471(e)(6)”; and

11 (B) in subparagraph (B)—

12 (i) in the matter preceding clause (i),
 13 by inserting “base the performance meas-
 14 ures on lessons learned from prior rounds
 15 of regional partnership grants under this
 16 subsection, and” before “consult”; and

17 (ii) by striking clauses (iii) and (iv)
 18 and inserting the following:

19 “(iii) Other stakeholders or constitu-
 20 encies as determined by the Secretary.”;
 21 and

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

24 “(i) SEMIANNUAL REPORTS.—Not
 25 later than September 30 of each fiscal year

1 in which a recipient of a grant under this
2 subsection is paid funds under the grant,
3 and every 6 months thereafter, the grant
4 recipient shall submit to the Secretary a
5 report on the services provided and activi-
6 ties carried out during the reporting pe-
7 riod, progress made in achieving the goals
8 of the program, the number of children,
9 adults, and families receiving services, and
10 such additional information as the Sec-
11 retary determines is necessary. The report
12 due not later than September 30 of the
13 last such fiscal year shall include, at a
14 minimum, data on each of the performance
15 indicators included in the evaluation of the
16 regional partnership.”.

17 **SEC. 3. EFFECTIVE DATE.**

18 (a) IN GENERAL.—Subject to subsection (b), the
19 amendments made by this Act shall take effect on October
20 1, 2017.

21 (b) TRANSITION RULE.—

22 (1) IN GENERAL.—In the case of a State plan
23 under part B of title IV of the Social Security Act
24 which the Secretary of Health and Human Services
25 determines requires State legislation (other than leg-

1 isolation appropriating funds) in order for the plan to
2 meet the additional requirements imposed by the
3 amendments made by this Act, the State plan shall
4 not be regarded as failing to comply with the re-
5 quirements of such part solely on the basis of the
6 failure of the plan to meet such additional require-
7 ments before the first day of the first calendar quar-
8 ter beginning after the close of the first regular ses-
9 sion of the State legislature that begins after the
10 date of enactment of this Act. For purposes of the
11 previous sentence, in the case of a State that has a
12 2-year legislative session, each year of the session
13 shall be deemed to be a separate regular session of
14 the State legislature.

15 (2) APPLICATION TO PROGRAMS OPERATED BY
16 INDIAN TRIBAL ORGANIZATIONS.—In the case of an
17 Indian tribe, tribal organization, or tribal consortium
18 which the Secretary of Health and Human Services
19 determines requires time to take action necessary to
20 comply with the additional requirements imposed by
21 the amendments made by this Act (whether the
22 tribe, organization, or tribal consortium has a plan
23 under section 479B of the Social Security Act or a
24 cooperative agreement or contract entered into with
25 a State), the Secretary shall provide the tribe, orga-

1 nization, or tribal consortium with such additional
2 time as the Secretary determines is necessary for the
3 tribe, organization, or tribal consortium to take the
4 action to comply with the additional requirements
5 before being regarded as failing to comply with the
6 requirements.

Passed the House of Representatives June 20, 2017.

Attest:

KAREN L. HAAS,

Clerk.