

[DISCUSSION DRAFT]

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R.** \_\_\_\_\_

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 HOUSE OF REPRESENTATIVES

M\_\_\_\_ introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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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. 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;”; and

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-

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

5           “(B) IN-HOME PARENT SKILL-BASED PRO-  
6           GRAMS.—In-home parent skill-based programs  
7           for not more than a 12-month period that be-  
8           gins on any date described in paragraph (3)  
9           with respect to the child and that include par-  
10          enting skills training, parent education, and in-  
11          dividual and family counseling.

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

15                 “(A) A child who is a candidate for foster  
16                 care (as defined in section 475(13)) but can re-  
17                 main safely at home or in a kinship placement  
18                 with receipt of services or programs specified in  
19                 paragraph (1).

20                 “(B) A child in foster care who is a preg-  
21                 nant or parenting foster youth.

22          “(3) DATE DESCRIBED.—For purposes of para-  
23          graph (1), the dates described in this paragraph are  
24          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 fol-  
14          lowing prevention plan for the child and the fol-  
15          lowing requirements are met:

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

20                         “(i) CANDIDATES.—In the case of a  
21                         child who is a candidate for foster care de-  
22                         scribed in paragraph (2)(A), the prevention  
23                         plan shall identify the foster care preven-  
24                         tion strategy for the child so that the child  
25                         may remain safely at home, live tempo-

1 rarely with a kin caregiver until reunifica-  
2 tion can be safely achieved, or live perma-  
3 nently with a kin caregiver, list the services  
4 or programs to be provided to or on behalf  
5 of the child to ensure the success of that  
6 prevention strategy, and comply with such  
7 other requirements as the Secretary shall  
8 establish.

9 “(ii) PREGNANT OR PARENTING FOS-  
10 TER YOUTH.—In the case of a child who is  
11 a pregnant or parenting foster youth de-  
12 scribed in paragraph (2)(B), the preven-  
13 tion plan shall be included in the child’s  
14 case plan required under section 475(1),  
15 list the services or programs to be provided  
16 to or on behalf of the youth to ensure that  
17 the youth is prepared (in the case of a  
18 pregnant foster youth) or able (in the case  
19 of a parenting foster youth) to be a parent,  
20 describe the foster care prevention strategy  
21 for any child born to the youth, and com-  
22 ply with such other requirements as the  
23 Secretary shall establish.

24 “(B) TRAUMA-INFORMED.—The services or  
25 programs to be provided to or on behalf of a

1 child are provided under an organizational  
2 structure and treatment framework that in-  
3 volves understanding, recognizing, and respond-  
4 ing to the effects of all types of trauma and in  
5 accordance with recognized principles of a trau-  
6 ma-informed approach and trauma-specific  
7 interventions to address trauma’s consequences  
8 and facilitate healing.

9 “(C) ONLY SERVICES AND PROGRAMS PRO-  
10 VIDED IN ACCORDANCE WITH PROMISING, SUP-  
11 PORTED, OR WELL-SUPPORTED PRACTICES PER-  
12 MITTED.—

13 “(i) IN GENERAL.—Only State ex-  
14 penditures for services or programs speci-  
15 fied in subparagraph (A) or (B) of para-  
16 graph (1) that are provided in accordance  
17 with practices that meet the requirements  
18 specified in clause (ii) of this subparagraph  
19 and that meet the requirements specified  
20 in clause (iii), (iv), or (v), respectively, for  
21 being a promising, supported, or well-sup-  
22 ported practice, shall be eligible for a Fed-  
23 eral matching payment under section  
24 474(a)(6)(A).



1                   “(ii) GENERAL PRACTICE REQUIRE-  
2                   MENTS.—The general practice require-  
3                   ments specified in this clause are the fol-  
4                   lowing:

5                   “(I) The practice has a book,  
6                   manual, or other available writings  
7                   that specify the components of the  
8                   practice protocol and describe how to  
9                   administer the practice.

10                  “(II) There is no empirical basis  
11                  suggesting that, compared to its likely  
12                  benefits, the practice constitutes a  
13                  risk of harm to those receiving it.

14                  “(III) If multiple outcome studies  
15                  have been conducted, the overall  
16                  weight of evidence supports the bene-  
17                  fits of the practice.

18                  “(IV) Outcome measures are reli-  
19                  able and valid, and are administrated  
20                  consistently and accurately across all  
21                  those receiving the practice.

22                  “(V) There is no case data sug-  
23                  gesting a risk of harm that was prob-  
24                  ably caused by the treatment and that  
25                  was severe or frequent.

1           “(iii) PROMISING PRACTICE.—A prac-  
2           tice shall be considered to be a ‘promising  
3           practice’ if the practice is superior to an  
4           appropriate comparison practice using con-  
5           ventional standards of statistical signifi-  
6           cance (in terms of demonstrated meaning-  
7           ful improvements in validated measures of  
8           important child and parent outcomes, such  
9           as mental health, substance abuse, and  
10          child safety and well-being), as established  
11          by the results or outcomes of at least 1  
12          study that—

13                   “(I) was rated by an independent  
14                   systematic review for the quality of  
15                   the study design and execution and  
16                   determined to be well-designed and  
17                   well-executed; and

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

21           “(iv) SUPPORTED PRACTICE.—A prac-  
22           tice shall be considered to be a ‘supported  
23           practice’ if—

24                   “(I) the practice is superior to an  
25                   appropriate comparison practice using

1 conventional standards of statistical  
2 significance (in terms of demonstrated  
3 meaningful improvements in validated  
4 measures of important child and par-  
5 ent outcomes, such as mental health,  
6 substance abuse, and child safety and  
7 well-being), as established by the re-  
8 sults or outcomes of at least 1 study  
9 that—

10 “(aa) was rated by an inde-  
11 pendent systematic review for the  
12 quality of the study design and  
13 execution and determined to be  
14 well-designed and well-executed;

15 “(bb) was a rigorous ran-  
16 dom-controlled trial (or, if not  
17 available, a study using a rig-  
18 orous quasi-experimental re-  
19 search design); and

20 “(cc) was carried out in a  
21 usual care or practice setting;  
22 and

23 “(II) the study described in sub-  
24 clause (I) established that the practice  
25 has a sustained effect (when com-

1                   pared to a control group) for at least  
2                   6 months beyond the end of the treat-  
3                   ment.

4                   “(v) WELL-SUPPORTED PRACTICE.—A  
5                   practice shall be considered to be a ‘well-  
6                   supported practice’ if—

7                                 “(I) the practice is superior to an  
8                                 appropriate comparison practice using  
9                                 conventional standards of statistical  
10                                significance (in terms of demonstrated  
11                                meaningful improvements in validated  
12                                measures of important child and par-  
13                                ent outcomes, such as mental health,  
14                                substance abuse, and child safety and  
15                                well-being), as established by the re-  
16                                sults or outcomes of at least 2 studies  
17                                that—

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

23   “(bb) were rigorous random-  
24   controlled trials (or, if not avail-  
25   able, studies using a rigorous

1 quasi-experimental research de-  
2 sign); and

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

6 “(II) at least 1 of the studies de-  
7 scribed in subclause (I) established  
8 that the practice has a sustained ef-  
9 fect (when compared to a control  
10 group) for at least 1 year beyond the  
11 end of treatment.

12 “(D) GUIDANCE ON PRACTICES CRITERIA  
13 AND PRE-APPROVED SERVICES AND PRO-  
14 GRAMS.—

15 “(i) IN GENERAL.—Not later than Oc-  
16 tober 1, 2018, the Secretary shall issue  
17 guidance to States regarding the practices  
18 criteria required for services or programs  
19 to satisfy the requirements of subpara-  
20 graph (C). The guidance shall include a  
21 pre-approved list of services and programs  
22 that satisfy the requirements.

23 “(ii) UPDATES.—The Secretary shall  
24 issue updates to the guidance required by

1 clause (i) as often as the Secretary deter-  
2 mines necessary.

3 “(E) OUTCOME ASSESSMENT AND REPORT-  
4 ING.—The State shall collect and report to the  
5 Secretary the following information with respect  
6 to each child for whom, or on whose behalf  
7 mental health and substance abuse prevention  
8 and treatment services or in-home parent skill-  
9 based programs are provided during a 12-  
10 month period beginning on the date the child is  
11 determined by the State to be a child described  
12 in paragraph (2):

13 “(i) The specific services or programs  
14 provided and the total expenditures for  
15 each of the services or programs.

16 “(ii) The duration of the services or  
17 programs provided.

18 “(iii) In the case of a child described  
19 in paragraph (2)(A), the child’s placement  
20 status at the beginning, and at the end, of  
21 the 1-year period, respectively, and wheth-  
22 er the child entered foster care within 2  
23 years after being determined a candidate  
24 for foster care.

25 “(5) STATE PLAN COMPONENT.—

1           “(A) IN GENERAL.—A State electing to  
2 provide services or programs specified in para-  
3 graph (1) shall submit as part of the State plan  
4 required by subsection (a) a prevention services  
5 and programs plan component that meets the  
6 requirements of subparagraph (B).

7           “(B) PREVENTION SERVICES AND PRO-  
8 GRAMS PLAN COMPONENT.—In order to meet  
9 the requirements of this subparagraph, a pre-  
10 vention services and programs plan component,  
11 with respect to each 5-year period for which the  
12 plan component is in operation in the State,  
13 shall include the following:

14           “(i) How providing services and pro-  
15 grams specified in paragraph (1) is ex-  
16 pected to improve specific outcomes for  
17 children and families.

18           “(ii) How the State will monitor and  
19 oversee the safety of children who receive  
20 services and programs specified in para-  
21 graph (1), including through periodic risk  
22 assessments throughout the period in  
23 which the services and programs are pro-  
24 vided on behalf of a child and reexamina-  
25 tion of the prevention plan maintained for

1 the child under paragraph (4) for the pro-  
2 vision of the services or programs if the  
3 State determines the risk of the child en-  
4 tering foster care remains high despite the  
5 provision of the services or programs.

6 “(iii) With respect to the services and  
7 programs specified in subparagraphs (A)  
8 and (B) of paragraph (1), information on  
9 the specific promising, supported, or well-  
10 supported practices the State plans to use  
11 to provide the services or programs, includ-  
12 ing a description of—

13 “(I) the services or programs and  
14 whether the practices used are prom-  
15 ising, supported, or well-supported;

16 “(II) how the State plans to im-  
17 plement the services or programs, in-  
18 cluding how implementation of the  
19 services or programs will be continu-  
20 ously monitored to ensure fidelity to  
21 the practice model and to determine  
22 outcomes achieved and how informa-  
23 tion learned from the monitoring will  
24 be used to refine and improve prac-  
25 tices;



1                   “(III) how the State selected the  
2                   services or programs;

3                   “(IV) the target population for  
4                   the services or programs; and

5                   “(V) how each service or pro-  
6                   gram provided will be evaluated  
7                   through a well-designed and rigorous  
8                   process, which may consist of an on-  
9                   going, cross-site evaluation approved  
10                  by the Secretary.

11                  “(iv) A description of the consultation  
12                  that the State agencies responsible for ad-  
13                  ministering the State plans under this part  
14                  and part B engage in with other State  
15                  agencies responsible for administering  
16                  health programs, including mental health  
17                  and substance abuse prevention and treat-  
18                  ment services, and with other public and  
19                  private agencies with experience in admin-  
20                  istering child and family services, including  
21                  community-based organizations, in order to  
22                  foster a continuum of care for children de-  
23                  scribed in paragraph (2) and their parents  
24                  or kin caregivers.

1           “(v) A description of how the State  
2 shall assess children and their parents or  
3 kin caregivers to determine eligibility for  
4 services or programs specified in para-  
5 graph (1).

6           “(vi) A description of how the services  
7 or programs specified in paragraph (1)  
8 that are provided for or on behalf of a  
9 child and the parents or kin caregivers of  
10 the child will be coordinated with other  
11 child and family services provided to the  
12 child and the parents or kin caregivers of  
13 the child under the State plan under part  
14 B.

15           “(vii) Descriptions of steps the State  
16 is taking to support and enhance a com-  
17 petent, skilled, and professional child wel-  
18 fare workforce to deliver trauma-informed  
19 and evidence-based services, including—

20                   “(I) ensuring that staff is quali-  
21 fied to provide services or programs  
22 that are consistent with the prom-  
23 ising, supported, or well-supported  
24 practice models selected; and

1                   “(II) develop appropriate preven-  
2                   tion plans and conduct the risk as-  
3                   sessments required under clause (iii).

4                   “(viii) A description of how the State  
5                   will provide training and support for case-  
6                   workers in assessing what children and  
7                   their families need, connecting to the fami-  
8                   lies served, knowing how to access and de-  
9                   liver the needed trauma-informed and evi-  
10                  dence-based services, and overseeing and  
11                  evaluating the continuing appropriateness  
12                  of the services.

13                  “(ix) A description of how caseload  
14                  size and type for prevention caseworkers  
15                  will be determined, managed, and overseen.

16                  “(x) An assurance that the State will  
17                  report to the Secretary such information  
18                  and data as the Secretary may require  
19                  with respect to the provision of services  
20                  and programs specified in paragraph (1),  
21                  including information and data necessary  
22                  to determine the performance measures for  
23                  the State under paragraph (6) and compli-  
24                  ance with paragraph (7).

1           “(C) REIMBURSEMENT FOR SERVICES  
2 UNDER THE PREVENTION PLAN COMPONENT.—

3           “(i) LIMITATION.—Except as provided  
4 in subclause (ii), a State may not receive  
5 a Federal payment under this part for a  
6 given promising, supported, or well-sup-  
7 ported practice unless (in accordance with  
8 subparagraph (B)(iii)(V)) the plan includes  
9 a well-designed and rigorous evaluation  
10 strategy for that practice.

11           “(ii) WAIVER OF LIMITATION.—The  
12 Secretary may waive the requirement for a  
13 well-designed and rigorous evaluation of  
14 any well-supported practice if the Sec-  
15 retary deems the evidence of the effective-  
16 ness of the practice to be compelling and  
17 the State meets the continuous quality im-  
18 provement requirements included in sub-  
19 paragraph (B)(iii)(II) with regard to the  
20 practice.

21           “(6) PREVENTION SERVICES MEASURES.—

22           “(A) ESTABLISHMENT; ANNUAL UP-  
23 DATES.—Beginning with fiscal year 2021, and  
24 annually thereafter, the Secretary shall estab-  
25 lish the following prevention services measures

1 based on information and data reported by  
2 States that elect to provide services and pro-  
3 grams specified in paragraph (1):

4 “(i) PERCENTAGE OF CANDIDATES  
5 FOR FOSTER CARE WHO DO NOT ENTER  
6 FOSTER CARE.—The percentage of can-  
7 didates for foster care for whom, or on  
8 whose behalf, the services or programs are  
9 provided who do not enter foster care, in-  
10 cluding those placed with a kin caregiver  
11 outside of foster care, during the 12-month  
12 period in which the services or programs  
13 are provided and through the end of the  
14 succeeding 12-month-period.

15 “(ii) PER-CHILD SPENDING.—The  
16 total amount of expenditures made for  
17 mental health and substance abuse preven-  
18 tion and treatment services, in-home par-  
19 ent skill-based programs, or kinship place-  
20 ment assistance, respectively, for, or on be-  
21 half of, each child described in paragraph  
22 (2).

23 “(B) DATA.—The Secretary shall establish  
24 and annually update the prevention services  
25 measures—

1                   “(i) based on the median State values  
2                   of the information reported under each  
3                   clause of subparagraph (A) for the then 3  
4                   most recent years; and

5                   “(ii) taking into account State dif-  
6                   ferences in the price levels of consumption  
7                   goods and services using the most recent  
8                   regional price parities published by the Bu-  
9                   reau of Economic Analysis of the Depart-  
10                  ment of Commerce or such other data as  
11                  the Secretary determines appropriate.

12                  “(C) PUBLICATION OF STATE PREVENTION  
13                  SERVICES MEASURES.—The Secretary shall an-  
14                  nually make available to the public the preven-  
15                  tion services measures of each State.

16                  “(7) MAINTENANCE OF EFFORT FOR STATE  
17                  FOSTER CARE PREVENTION EXPENDITURES.—

18                  “(A) IN GENERAL.—If a State elects to  
19                  provide services and programs specified in para-  
20                  graph (1) for a fiscal year, the State foster care  
21                  prevention expenditures for the fiscal year shall  
22                  not be less than the amount of the expenditures  
23                  for fiscal year 2014.

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

4           “(i) TANF; IV-B; SSBG.—State ex-  
5 penditures for foster care prevention serv-  
6 ices and activities under the State program  
7 funded under part A (including from  
8 amounts made available by the Federal  
9 Government), under the State plan devel-  
10 oped under part B (including any such  
11 amounts), or under the Social Services  
12 Block Grant Programs under subtitle A of  
13 title XX (including any such amounts).

14           “(ii) OTHER STATE PROGRAMS.—  
15 State expenditures for foster care preven-  
16 tion services and activities under any State  
17 program that is not described in clause (i),  
18 (ii), or (iii) (other than any State expendi-  
19 tures for foster care prevention services  
20 and activities under the State program  
21 under this part (including under a waiver  
22 of the program)).

23           “(C) STATE EXPENDITURES.—The term  
24 ‘State expenditures’ means all State or local  
25 funds that are expended by the State or a local

1 agency including State or local funds that are  
2 matched or reimbursed by the Federal Govern-  
3 ment and State or local funds that are not  
4 matched or reimbursed by the Federal Govern-  
5 ment.

6 “(D) DETERMINATION OF PREVENTION  
7 SERVICES AND ACTIVITIES.—The Secretary  
8 shall require each State that elects to provide  
9 services and programs specified in paragraph  
10 (1) to report the expenditures specified in sub-  
11 paragraph (B) for fiscal year 2014 and for such  
12 fiscal years thereafter as are necessary to deter-  
13 mine whether the State is complying with the  
14 maintenance of effort requirement in subpara-  
15 graph (A). The Secretary shall specify the spe-  
16 cific services and activities under each program  
17 referred to in subparagraph (B) that are ‘pre-  
18 vention services and activities’ for purposes of  
19 the reports.

20 “(8) PROHIBITION AGAINST USE OF STATE FOS-  
21 TER CARE PREVENTION EXPENDITURES AND FED-  
22 ERAL IV-E PREVENTION FUNDS FOR MATCHING OR  
23 EXPENDITURE REQUIREMENT.—A State that elects  
24 to provide services and programs specified in para-  
25 graph (1) shall not use any State foster care preven-



1       tion expenditures for a fiscal year for the State  
2       share of expenditures under section 474(a)(6) for a  
3       fiscal year.

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

6           “(A) shall not be eligible for payment  
7       under subparagraph (A), (B), or (E) of section  
8       474(a)(3); and

9           “(B) shall be eligible for payment under  
10       section 474(a)(6)(B) without regard to whether  
11       the expenditures are incurred on behalf of a  
12       child who is, or is potentially, eligible for foster  
13       care maintenance payments under this part.

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

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

23          “(13) The term ‘child who is a candidate for foster  
24       care’ means, a child who is identified in a prevention plan  
25       under section 471(e)(4)(A) as being at imminent risk of

1 entering foster care (without regard to whether the child  
2 would be eligible for foster care maintenance payments  
3 under section 472 or is or would be eligible for adoption  
4 assistance or kinship guardianship assistance payments  
5 under section 473) but who can remain safely in the  
6 child’s home or in a kinship placement as long as services  
7 or programs specified in section 471(e)(1) that are nec-  
8 essary to prevent the entry of the child into foster care  
9 are provided. The term includes a child whose adoption  
10 or guardianship arrangement is at risk of a disruption or  
11 dissolution that would result in a foster care placement.”.

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

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

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

17 “(6) subject to section 471(e)—

18 “(A) for each quarter—

19 “(i) subject to clause (ii)—

20 “(I) beginning after September  
21 30, 2019, and before October 1, 2025,  
22 an amount equal to 50 percent of the  
23 total amount expended during the  
24 quarter for the provision of services or  
25 programs specified in subparagraph

1 (A) or (B) of section 471(e)(1) that  
2 are provided in accordance with prom-  
3 ising, supported, or well-supported  
4 practices that meet the applicable cri-  
5 teria specified for the practices in sec-  
6 tion 471(e)(4)(C); and

7 “(II) beginning after September  
8 30, 2025, an amount equal to the  
9 Federal medical assistance percentage  
10 (which shall be as defined in section  
11 1905(b), in the case of a State other  
12 than the District of Columbia, or 70  
13 percent, in the case of the District of  
14 Columbia) of the total amount ex-  
15 pended during the quarter for the pro-  
16 vision of services or programs speci-  
17 fied in subparagraph (A) or (B) of  
18 section 471(e)(1) that are provided in  
19 accordance with promising, supported,  
20 or well-supported practices that meet  
21 the applicable criteria specified for the  
22 practices in section 471(e)(4)(C) (or,  
23 with respect to the payments made  
24 during the quarter under a coopera-  
25 tive agreement or contract entered

1 into by the State and an Indian tribe,  
2 tribal organization, or tribal consor-  
3 tium for the administration or pay-  
4 ment of funds under this part, an  
5 amount equal to the Federal medical  
6 assistance percentage that would  
7 apply under section 479B(d) (in this  
8 paragraph referred to as the ‘tribal  
9 FMAP’) if the Indian tribe, tribal or-  
10 ganization, or tribal consortium made  
11 the payments under a program oper-  
12 ated under that section, unless the  
13 tribal FMAP is less than the Federal  
14 medical assistance percentage that ap-  
15 plies to the State); except that

16 “(ii) not less than 50 percent of the  
17 total amount payable to a State under  
18 clause (i) for a fiscal year shall be for the  
19 provision of services or programs specified  
20 in subparagraph (A) or (B) of section  
21 471(e)(1) that are provided in accordance  
22 with well-supported practices; plus

23 “(B) for each quarter specified in subpara-  
24 graph (A), an amount equal to the sum of the

1 following proportions of the total amount ex-  
2 pended during the quarter:

3 “(i) 50 percent of so much of the ex-  
4 penditures as are found necessary by the  
5 Secretary for the proper and efficient ad-  
6 ministration of the State plan for the pro-  
7 vision of services or programs specified in  
8 section 471(e)(1), including expenditures  
9 for activities approved by the Secretary  
10 that promote the development of necessary  
11 processes and procedures to establish and  
12 implement the provision of the services and  
13 programs for individuals who are eligible  
14 for the services and programs and expendi-  
15 tures attributable to data collection and re-  
16 porting; and

17 “(ii) 50 percent of so much of the ex-  
18 penditures with respect to the provision of  
19 services and programs specified in section  
20 471(e)(1) as are for training of personnel  
21 employed or preparing for employment by  
22 the State agency or by the local agency ad-  
23 ministering the plan in the political sub-  
24 division and of the members of the staff of  
25 State-licensed or State-approved child wel-

1           fare agencies providing services to children  
2           described in section 471(e)(2) and their  
3           parents or kin caregivers, including on how  
4           to determine who are individuals eligible  
5           for the services or programs, how to iden-  
6           tify and provide appropriate services and  
7           programs, and how to oversee and evaluate  
8           the ongoing appropriateness of the services  
9           and programs.”.

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

14          “(d) TECHNICAL ASSISTANCE AND BEST PRACTICES,  
15 CLEARINGHOUSE, DATA COLLECTION, AND EVALUATIONS  
16 RELATING TO PREVENTION SERVICES AND PROGRAMS.—

17                 “(1) TECHNICAL ASSISTANCE AND BEST PRAC-  
18 TICES.—The Secretary shall provide to States and,  
19 as applicable, to Indian tribes, tribal organizations,  
20 and tribal consortia, technical assistance regarding  
21 the provision of services and programs described in  
22 section 471(e)(1) and shall disseminate best prac-  
23 tices with respect to the provision of the services and  
24 programs, including how to plan and implement a

1 well-designed and rigorous evaluation of a prom-  
2 ising, supported, or well-supported practice.

3 “(2) CLEARINGHOUSE OF PROMISING, SUP-  
4 PORTED, AND WELL-SUPPORTED PRACTICES.—The  
5 Secretary shall, directly or through grants, con-  
6 tracts, or interagency agreements, evaluate research  
7 on the practices specified in clauses (iii), (iv), and  
8 (v), respectively, of section 471(e)(4)(C), including  
9 culturally specific, or location- or population-based  
10 adaptations of the practices, to identify and estab-  
11 lish a public clearinghouse of the practices that sat-  
12 isfy each category described by such clauses. In ad-  
13 dition, the clearinghouse shall include information on  
14 the specific outcomes associated with each practice,  
15 including whether the practice has been shown to  
16 prevent child abuse and neglect and reduce the like-  
17 lihood of foster care placement by supporting birth  
18 families and kinship families and improving targeted  
19 supports for pregnant and parenting youth and their  
20 children.

21 “(3) DATA COLLECTION AND EVALUATIONS.—  
22 The Secretary, directly or through grants, contracts,  
23 or interagency agreements, may collect data and  
24 conduct evaluations with respect to the provision of  
25 services and programs described in section 471(e)(1)

1 for purposes of assessing the extent to which the  
2 provision of the services and programs—

3 “(A) reduces the likelihood of foster care  
4 placement;

5 “(B) increases use of kinship care arrange-  
6 ments; or

7 “(C) improves child well-being.

8 “(4) REPORTS TO CONGRESS.—

9 “(A) IN GENERAL.—The Secretary shall  
10 submit to the Committee on Finance of the  
11 Senate and the Committee on Ways and Means  
12 of the House of Representatives periodic reports  
13 based on the provision of services and programs  
14 described in section 471(e)(1) and the activities  
15 carried out under this subsection.

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

19 “(5) APPROPRIATION.—Out of any money in  
20 the Treasury of the United States not otherwise ap-  
21 propriated, there is appropriated to the Secretary  
22 \$1,000,000 for fiscal year 2016 and each fiscal year  
23 thereafter to carry out this subsection.”.

24 (e) APPLICATION TO PROGRAMS OPERATED BY IN-  
25 DIAN TRIBAL ORGANIZATIONS.—



1           (1) IN GENERAL.—Section 479B of such Act  
2           (42 U.S.C. 679e) is amended—

3           (A) in subsection (c)(1)—

4           (i) in subparagraph (C)(i)—

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

7           (II) in subclause (III), by strik-  
8           ing the period at the end and insert-  
9           ing “; and”; and

10          (III) by adding at the end the  
11          following:

12          “(IV) at the option of the tribe,  
13          organization, or consortium, services  
14          and programs specified in section  
15          471(e)(1) to children described in sec-  
16          tion 471(e)(2) and their parents or  
17          kin caregivers, in accordance with sec-  
18          tion 471(e) and subparagraph (E).”;  
19          and

20          (ii) by adding at the end the fol-  
21          lowing:

22          “(E) PREVENTION SERVICES AND PRO-  
23          GRAMS FOR CHILDREN AND THEIR PARENTS  
24          AND KIN CAREGIVERS.—

1                   “(i) IN GENERAL.—In the case of a  
2                   tribe, organization, or consortium that  
3                   elects to provide services and programs  
4                   specified in section 471(e)(1) to children  
5                   described in section 471(e)(2) and their  
6                   parents or kin caregivers under the plan,  
7                   the Secretary shall specify the require-  
8                   ments applicable to the provision of the  
9                   services and programs. The requirements  
10                  shall, to the greatest extent practicable, be  
11                  consistent with the requirements applicable  
12                  to States under section 471(e) and shall  
13                  permit the provision of the services and  
14                  programs in the form of services and pro-  
15                  grams that are adapted to the culture and  
16                  context of the tribal communities served.

17                  “(ii) PERFORMANCE MEASURES.—The  
18                  Secretary shall establish specific perform-  
19                  ance measures for each tribe, organization,  
20                  or consortium that elects to provide serv-  
21                  ices and programs specified in section  
22                  471(e)(1). The performance measures  
23                  shall, to the greatest extent practicable, be  
24                  consistent with the prevention services  
25                  measures required for States under section

1           471(e)(6) but shall allow for consideration  
2           of factors unique to the provision of the  
3           services by tribes, organizations, or con-  
4           sortia.”; and

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

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

12 **SEC. 112. FOSTER CARE MAINTENANCE PAYMENTS FOR**  
13                   **CHILDREN WITH PARENTS IN A LICENSED**  
14                   **RESIDENTIAL FAMILY-BASED TREATMENT**  
15                   **FACILITY FOR SUBSTANCE ABUSE.**

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

18           (1) in subsection (a)(2)(C), by striking “or”  
19           and inserting “, with a parent residing in a licensed  
20           residential family-based treatment facility, but only  
21           to the extent permitted under subsection (j), or in  
22           a”; and

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

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

4           “(1) IN GENERAL.—Notwithstanding the pre-  
5 ceding provisions of this section, a child who is eligi-  
6 ble for foster care maintenance payments under this  
7 section, or who would be eligible for the payments if  
8 the eligibility were determined without regard to  
9 paragraphs (1)(B) and (3) of subsection (a), shall be  
10 eligible for the payments for a period of not more  
11 than 12 months during which the child is placed  
12 with a parent who is in a licensed residential family-  
13 based treatment facility for substance abuse, but  
14 only if—

15           “(A) the recommendation for the place-  
16 ment is specified in the child’s case plan before  
17 the placement;

18           “(B) the treatment facility provides, as  
19 part of the treatment for substance abuse, par-  
20 enting skills training, parent education, and in-  
21 dividual and family counseling; and

22           “(C) the substance abuse treatment, par-  
23 enting skills training, parent education, and in-  
24 dividual and family counseling is provided  
25 under an organizational structure and treat-



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

13           **Subtitle B—Enhanced Support**  
14           **Under Title IV-B**

15           **SEC. 121. ELIMINATION OF TIME LIMIT FOR FAMILY REUNI-**  
16                                   **FICATION SERVICES WHILE IN FOSTER CARE**  
17                                   **AND PERMITTING TIME-LIMITED FAMILY RE-**  
18                                   **UNIFICATION SERVICES WHEN A CHILD RE-**  
19                                   **URNS HOME FROM FOSTER CARE.**

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

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

25                   (2) in subparagraph (A)—

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

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

6 (C) by striking “, but only during the 15-  
7 month period that begins on the date that the  
8 child, pursuant to section 475(5)(F), is consid-  
9 ered to have entered foster care” and inserting  
10 “and to ensure the strength and stability of the  
11 reunification. In the case of a child who has  
12 been returned home, the services and activities  
13 shall only be provided during the 15-month pe-  
14 riod that begins on the date that the child re-  
15 turns home.”.

16 (b) CONFORMING AMENDMENTS.—

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

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

1 **SEC. 122. REDUCING BUREAUCRACY AND UNNECESSARY**  
2 **DELAYS WHEN PLACING CHILDREN IN**  
3 **HOMES ACROSS STATE LINES.**

4 (a) STATE PLAN REQUIREMENT.—Section  
5 471(a)(25) of the Social Security Act (42 U.S.C.  
6 671(a)(25)) is amended—

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

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

13 (b) GRANTS FOR THE DEVELOPMENT OF AN ELEC-  
14 TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EX-  
15 PEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN  
16 FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—  
17 Section 437 of such Act (42 U.S.C. 637) is amended by  
18 adding at the end the following:

19 “(g) GRANTS FOR THE DEVELOPMENT OF AN ELEC-  
20 TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EX-  
21 PEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN  
22 FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—

23 “(1) PURPOSE.—The purpose of this subsection  
24 is to facilitate the development of an electronic inter-  
25 state case-processing system for the exchange of  
26 data and documents to expedite the placements of



1 children in foster, guardianship, or adoptive homes  
2 across State lines.

3 “(2) APPLICATION REQUIREMENTS.—A State  
4 that desires a grant under this subsection shall sub-  
5 mit to the Secretary an application containing the  
6 following:

7 “(A) A description of the goals and out-  
8 comes to be achieved during the period for  
9 which grant funds are sought, which goals and  
10 outcomes must result in—

11 “(i) reducing the time it takes for a  
12 child to be provided with a safe and appro-  
13 priate permanent living arrangement  
14 across State lines;

15 “(ii) improving administrative proc-  
16 esses and reducing costs in the foster care  
17 system; and

18 “(iii) the secure exchange of relevant  
19 case files and other necessary materials in  
20 real time, and timely communications and  
21 placement decisions regarding interstate  
22 placements of children.

23 “(B) A description of the activities to be  
24 funded in whole or in part with the grant  
25 funds, including the sequencing of the activities.

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

4           “(D) Such other information as the Sec-  
5           retary may require.

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

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

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

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

24                 “(B) The number of cases subject to the  
25                 Interstate Compact on the Placement of Chil-

1           dren that were processed through the electronic  
2           interstate case-processing system, and the num-  
3           ber of interstate child placement cases that  
4           were processed outside the electronic interstate  
5           case-processing system, by each State in each  
6           year.

7           “(C) The progress made by States in im-  
8           plementing the electronic interstate case-proc-  
9           essing system.

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

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

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

1 children that come to the attention of the child wel-  
2 fare system, by—

3 “(A) connecting the system with other  
4 data systems (such as systems operated by  
5 State law enforcement and judicial agencies,  
6 systems operated by the Federal Bureau of In-  
7 vestigation for the purposes of the Innocence  
8 Lost National Initiative, and other systems);

9 “(B) simplifying and improving reporting  
10 related to paragraphs (34) and (35) of section  
11 471(a) regarding children or youth who have  
12 been identified as being a sex trafficking victim  
13 or children missing from foster care; and

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

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

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

1 year 2017 for grants under subsection (g), and the  
2 amount so reserved shall remain available through  
3 fiscal year 2021.”.

4 **SEC. 123. ENHANCEMENTS TO GRANTS TO IMPROVE WELL-**  
5 **BEING OF FAMILIES AFFECTED BY SUB-**  
6 **STANCE ABUSE.**

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

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

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

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

24 “(A) MANDATORY PARTNERS FOR ALL  
25 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;

1           “(ii) may not enter into a collabo-  
2           rative agreement only with tribal child wel-  
3           fare agencies (or a consortium of the agen-  
4           cies); and

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

9           (3) in paragraph (3)—

10           (A) in subparagraph (A)—

11           (i) by striking “2012 through 2016”  
12           and inserting “2017 through 2021”; and

13           (ii) by striking “\$500,000 and not  
14           more than \$1,000,000” and inserting  
15           “\$250,000 and not more than \$750,000”;

16           (B) in subparagraph (B)—

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

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

22           (iii) by adding at the end the fol-  
23           lowing:

24           “(iii) SUFFICIENT PLANNING.—A  
25           grant awarded under this subsection shall



1 be disbursed in 2 phases: a planning phase  
2 (not to exceed 2 years); and an implemen-  
3 tation phase. The total disbursement to a  
4 grantee for the planning phase may not ex-  
5 ceed \$250,000, and may not exceed the  
6 total anticipated funding for the implemen-  
7 tation phase.”; and

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

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

18 (4) in paragraph (4)—

19 (A) in subparagraph (B)—

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

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

1 (iii) in clause (iii), by striking “or”  
2 and inserting “increase reunification rates  
3 for children who have been placed in out of  
4 home care, or decrease”; and

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

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

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

16 (B) in subparagraph (D), by striking  
17 “where appropriate,”; and

18 (C) by striking subparagraphs (E) and (F)  
19 and inserting the following:

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

1 for child welfare and substance abuse preven-  
2 tion and treatment services.

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

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

12 (6) in paragraph (7)—

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

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

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

22 (7) in paragraph (8)—

23 (A) in subparagraph (A)—

1 (i) by striking “establish indicators  
2 that will be” and inserting “review indica-  
3 tors that are”; and

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

14 (B) in subparagraph (B)—

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

20 (ii) by striking clauses (iii) and (iv)  
21 and inserting the following:

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

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

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

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

1                   **Subtitle C—Miscellaneous**

2   **SEC. 131. REVIEWING AND IMPROVING LICENSING STAND-**  
3                   **ARDS FOR PLACEMENT IN A RELATIVE FOS-**  
4                   **TER FAMILY HOME.**

5           (a) IDENTIFICATION OF REPUTABLE MODEL LI-  
6   CENSING STANDARDS.—Not later than October 1, 2017,  
7   the Secretary of Health and Human Services shall identify  
8   reputable model licensing standards with respect to the li-  
9   censing of foster family homes (as defined in section  
10 472(c)(1) of the Social Security Act).

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

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

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

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

18               “(36) provides that, not later than April 1,  
19               2018, the State shall submit to the Secretary infor-  
20               mation addressing—

21                       “(A) whether the State licensing standards  
22                       are in accord with model standards identified  
23                       by the Secretary, and if not, the reason for the  
24                       specific deviation and a description as to why  
25                       having a standard that is reasonably in accord

1 with the corresponding national model stand-  
2 ards is not appropriate for the State;

3 “(B) whether the State has elected to  
4 waive standards established in 471(a)(10)(A)  
5 for relative foster family homes (pursuant to  
6 waiver authority provided by 471(a)(10)(D)), a  
7 description of which standards the State most  
8 commonly waives, and if the State has not  
9 elected to waive the standards, the reason for  
10 not waiving these standards;

11 “(C) if the State has elected to waive  
12 standards specified in subparagraph (B), how  
13 caseworkers are trained to use the waiver au-  
14 thority and whether the State has developed a  
15 process or provided tools to assist caseworkers  
16 in waiving nonsafety standards per the author-  
17 ity provided in 471(a)(10)(D) to quickly place  
18 children with relatives; and

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

1 **SEC. 132. DEVELOPMENT OF A STATEWIDE PLAN TO PRE-**  
2 **VENT CHILD ABUSE AND NEGLECT FATALI-**  
3 **TIES.**

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

6 “(19) document steps taken to track and pre-  
7 vent child maltreatment deaths by including—

8 “(A) a description of the steps the State is  
9 taking to compile complete and accurate infor-  
10 mation on the deaths required by Federal law  
11 to be reported by the State agency referred to  
12 in paragraph (1), including gathering relevant  
13 information on the deaths from the relevant or-  
14 ganizations in the State including entities such  
15 as State vital statistics department, child death  
16 review teams, law enforcement agencies, offices  
17 of medical examiners or coroners; and

18 “(B) a description of the steps the state is  
19 taking to develop and implement of a com-  
20 prehensive, statewide plan to prevent the fatali-  
21 ties that involves and engages relevant public  
22 and private agency partners, including those in  
23 public health, law enforcement and the courts.”.



1 **SEC. 133. MODERNIZING THE TITLE AND PURPOSE OF**  
2 **TITLE IV-E.**

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

6 **“Subtitle E—Federal Payments for**  
7 **Foster Care, Prevention, and**  
8 **Permanency”.**

9 (b) PURPOSE.—The 1st sentence of section 470 of  
10 such Act (42 U.S.C. 670) is amended—

11 (1) by striking “1995) and” and inserting  
12 “1995),”;

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

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

18 **SEC. 134. EFFECTIVE DATES.**

19 (a) EFFECTIVE DATES.—

20 (1) IN GENERAL.—Except as provided in para-  
21 graph (2), subject to subsection (b), the amend-  
22 ments made by this title shall take effect on October  
23 1, 2016.

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

1 (b) TRANSITION RULE.—

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

20 (2) APPLICATION TO PROGRAMS OPERATED BY  
21 INDIAN TRIBAL ORGANIZATIONS.—In the case of an  
22 Indian tribe, tribal organization, or tribal consortium  
23 which the Secretary of Health and Human Services  
24 determines requires time to take action necessary to  
25 comply with the additional requirements imposed by

1 the amendments made by this title (whether the  
2 tribe, organization, or tribal consortium has a plan  
3 under section 479B of the Social Security Act or a  
4 cooperative agreement or contract entered into with  
5 a State), the Secretary shall provide the tribe, orga-  
6 nization, or tribal consortium with such additional  
7 time as the Secretary determines is necessary for the  
8 tribe, organization, or tribal consortium to take the  
9 action to comply with the additional requirements  
10 before being regarded as failing to comply with the  
11 requirements.

12 **TITLE II—ENSURING THE NE-**  
13 **CESSITY OF A PLACEMENT**  
14 **THAT IS NOT IN A FOSTER**  
15 **FAMILY HOME**

16 **SEC. 201. LIMITATION ON FEDERAL FINANCIAL PARTICIPA-**  
17 **TION FOR PLACEMENTS THAT ARE NOT IN**  
18 **FOSTER FAMILY HOMES.**

19 (a) **LIMITATION ON FEDERAL FINANCIAL PARTICIPA-**  
20 **TION.—**

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

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

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

5 “(k) LIMITATION ON FEDERAL FINANCIAL PARTICI-  
6 PATION.—

7 “(1) IN GENERAL.—Beginning with the third  
8 week for which foster care maintenance payments  
9 are made under this section on behalf of a child  
10 placed in a child-care institution, no Federal pay-  
11 ment shall be made to the State under section  
12 474(a)(1) for amounts expended for foster care  
13 maintenance payments on behalf of the child un-  
14 less—

15 “(A) the child is placed in a child-care in-  
16 stitution that is a setting specified in paragraph  
17 (2) (or is placed in a licensed residential family-  
18 based treatment facility consistent with sub-  
19 section (j)); and

20 “(B) in the case of a child placed in a  
21 qualified residential treatment program (as de-  
22 fined in paragraph (4)), the requirements speci-  
23 fied in paragraph (3) and section 475A(c) are  
24 met.

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

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

6                   “(B) A setting specializing in providing  
7                   prenatal, post-partum, or parenting supports  
8                   for youth.

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

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

15                   “(A) DEADLINE FOR ASSESSMENT.—In  
16                   the case of a child who is placed in a qualified  
17                   residential treatment program, if the assess-  
18                   ment required under section 475A(c)(1) is not  
19                   completed within 30 days after the placement is  
20                   made, no Federal payment shall be made to the  
21                   State under section 474(a)(1) for any amounts  
22                   expended for foster care maintenance payments  
23                   on behalf of the child during the placement.

24                   “(B) DEADLINE FOR TRANSITION OUT OF  
25                   PLACEMENT.—If the assessment required under

1 section 475A(c)(1) determines that the place-  
2 ment of a child in a qualified residential treat-  
3 ment program is not appropriate, a court dis-  
4 approves such a placement under section  
5 475A(c)(2), or a child who has been in an ap-  
6 proved placement in a qualified residential  
7 treatment program is going to return home or  
8 be placed with a fit and willing relative, a legal  
9 guardian, or an adoptive parent, or in a foster  
10 family home, Federal payments shall be made  
11 to the State under section 474(a)(1) for  
12 amounts expended for foster care maintenance  
13 payments on behalf of the child while the child  
14 remains in the qualified residential treatment  
15 program only during the period necessary for  
16 the child to transition home or to such a place-  
17 ment. In no event shall a State receive Federal  
18 payments under section 474(a)(1) for amounts  
19 expended for foster care maintenance payments  
20 on behalf of a child who remains placed in a  
21 qualified residential treatment program after  
22 the end of the 30-day period that begins on the  
23 date a determination is made that the place-  
24 ment is no longer the recommended or approved  
25 placement for the child.

1           “(4) QUALIFIED RESIDENTIAL TREATMENT  
2 PROGRAM.—For purposes of this part, the term  
3 ‘qualified residential treatment program’ means a  
4 program that—

5           “(A) has a trauma-informed treatment  
6 model that is designed to address the needs, in-  
7 cluding clinical needs as appropriate, of chil-  
8 dren with serious emotional or behavioral dis-  
9 orders or disturbances and, with respect to a  
10 child, is able to implement the treatment identi-  
11 fied for the child by the assessment of the child  
12 required under section 475A(c);

13           “(B) has registered or licensed nursing  
14 staff and other licensed clinical staff who—

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

17           “(ii) are on-site during business  
18 hours; and

19           “(iii) are available 24 hours a day and  
20 7 days a week;

21           “(C) to extent appropriate, and in accord-  
22 ance with the child’s best interests, facilitates  
23 participation of family members in the child’s  
24 treatment program;

1           “(D) facilitates outreach to the family  
2 members of the child , including siblings, docu-  
3 ments how the outreach is made (including con-  
4 tact information), and maintains contact infor-  
5 mation for any known biological family and fic-  
6 tive kin of the child;

7           “(E) documents how family members are  
8 integrated into the treatment process for the  
9 child, including post-discharge, and how sibling  
10 connections are maintained;

11           “(F) provides discharge planning and fam-  
12 ily-based aftercare support for at least 6  
13 months post-discharge; and

14           “(G) is licensed in accordance with section  
15 471(a)(10) and is accredited by any of the fol-  
16 lowing independent, not-for-profit organizations:

17           “(i) The Commission on Accreditation  
18 of Rehabilitation Facilities (CARF).

19           “(ii) The Joint Commission on Ac-  
20 creditation of Healthcare Organizations  
21 (JCAHO).

22           “(iii) The Council on Accreditation  
23 (COA).



1                   “(iv) Any other independent, not-for-  
2                   profit accrediting organization approved by  
3                   the Secretary.”.

4                   (2) CONFORMING AMENDMENT.—Section  
5                   474(a)(1) of the Social Security Act (42 U.S.C.  
6                   674(a)(1)), as amended by section 112(b), is amend-  
7                   ed by striking “subsection (j)” and inserting “sub-  
8                   sections (j) and (k)”.

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

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

13                         “(1) FOSTER FAMILY HOME.—

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

17   “(i) that is licensed or approved by  
18   the State in which it is situated as a foster  
19   family home that meets the standards es-  
20   tablished for the licensing or approval; and

21   “(ii) in which a child in foster care  
22   has been placed in the care of an indi-  
23   vidual, who resides with the child and who  
24   has been licensed or approved by the State  
25   to be a foster parent,—

1                   “(I) that the State deems capable  
2                   of adhering to the reasonable and pru-  
3                   dent parent standard;

4                   “(II) that provides 24-hour sub-  
5                   stitute care for children placed away  
6                   from their parents or other care-  
7                   takers; and

8                   “(III) that provides the care for  
9                   not more than 6 children in foster  
10                  care.

11                  “(B) STATE FLEXIBILITY.—The number of  
12                  foster children that may be cared for in a home  
13                  under subparagraph (A) may exceed the numer-  
14                  ical limitation in subparagraph (A)(ii)(III), at  
15                  the option of the State, for any of the following  
16                  reasons:

17                         “(i) To allow a parenting youth in fos-  
18                         ter care to remain with the child of the  
19                         parenting youth.

20                         “(ii) To allow siblings to remain to-  
21                         gether.

22                         “(iii) To allow a child with an estab-  
23                         lished meaningful relationship with the  
24                         family to remain with the family.

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

4                   “(C) RULE OF CONSTRUCTION.—Subpara-  
5                   graph (A) shall not be construed as prohibiting  
6                   a foster parent from renting the home in which  
7                   the parent cares for a foster child placed in the  
8                   parent’s care.

9                   “(2) CHILD-CARE INSTITUTION.—

10                   “(A) IN GENERAL.—The term ‘child-care  
11                   institution’ means a private child-care institu-  
12                   tion, or a public child-care institution which ac-  
13                   commodates no more than 25 children, which is  
14                   licensed, by the State in which it is situated or  
15                   has been approved by the agency of the State  
16                   responsible for licensing or approval of institu-  
17                   tions of this type, as meeting the standards es-  
18                   tablished for the licensing.

19                   “(B) SUPERVISED SETTINGS.—In the case  
20                   of a child who has attained 18 years of age, the  
21                   term shall include a supervised setting in which  
22                   the individual is living independently, in accord-  
23                   ance with such conditions as the Secretary shall  
24                   establish in regulations.

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

6           (c) TRAINING FOR STATE JUDGES, ATTORNEYS AND  
7 OTHER LEGAL PERSONNEL IN CHILD WELFARE  
8 CASES.—Section 438(b)(1) of such Act (42 U.S.C.  
9 629h(b)(1)) is amended in the matter preceding subpara-  
10 graph (A), by inserting “shall provide for the training of  
11 judges, attorneys and other legal personnel in child welfare  
12 cases on Federal child welfare policies and payment limita-  
13 tions with respect to children in foster care who are placed  
14 in settings that are not a foster family home,” after “with  
15 respect to the child,”.

16           (d) ASSURANCE OF NONIMPACT ON JUVENILE JUS-  
17 TICE SYSTEM.—

18           (1) STATE PLAN REQUIREMENT.—Section  
19 471(a) of such Act (42 U.S.C. 671(a)), as amended  
20 by section 131, is further amended by adding at the  
21 end the following:

22           “(37) includes a certification that, in response  
23 to the limitation imposed under section 472(k) with  
24 respect to foster care maintenance payments made  
25 on behalf of any child who is placed in a setting that

1 is not a foster family home, the State will not enact  
2 or advance policies or practices that would result in  
3 a significant increase in the population of youth in  
4 the State’s juvenile justice system.”.

5 (2) GAO STUDY AND REPORT.—The Comp-  
6 troller General of the United States shall evaluate  
7 the impact, if any, on State juvenile justice systems  
8 of the limitation imposed under section 472(k) of  
9 the Social Security Act (as added by section  
10 201(a)(1)) on foster care maintenance payments  
11 made on behalf of any child who is placed in a set-  
12 ting that is not a foster family home, in accordance  
13 with the amendments made by subsections (a) and  
14 (b) of this section. In particular, the Comptroller  
15 General shall evaluate the extent to which children  
16 in foster care who also are subject to the juvenile  
17 justice system of the State are placed in a facility  
18 under the jurisdiction of the juvenile justice system  
19 and whether the lack of available congregate care  
20 placements under the jurisdiction of the child wel-  
21 fare systems is a contributing factor to that result.  
22 Not later than December 31, 2023, the Comptroller  
23 General shall submit to Congress a report on the re-  
24 sults of the evaluation.

1 **SEC. 202. ASSESSMENT AND DOCUMENTATION OF THE**  
2 **NEED FOR PLACEMENT IN A QUALIFIED RES-**  
3 **IDENTIAL TREATMENT PROGRAM.**

4 Section 475A of the Social Security Act (42 U.S.C.  
5 675a) is amended by adding at the end the following:

6 “(c) ASSESSMENT, DOCUMENTATION, AND JUDICIAL  
7 DETERMINATION REQUIREMENTS FOR PLACEMENT IN A  
8 QUALIFIED RESIDENTIAL TREATMENT PROGRAM.—In  
9 the case of any child who is placed in a qualified residen-  
10 tial treatment program (as defined in section 472(k)(4)),  
11 the following requirements shall apply for purposes of ap-  
12 proving the case plan for the child and the case system  
13 review procedure for the child:

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

17 “(i) assess the strengths and needs of the  
18 child using an age-appropriate, evidence-based,  
19 validated, functional assessment tool approved  
20 by the Secretary;

21 “(ii) determine whether the needs of the  
22 child can be met with family members or  
23 through placement in a foster family home or,  
24 if not, which setting from among the settings  
25 specified in section 472(k)(2) would provide the  
26 most effective and appropriate level of care for

1           the child in the least restrictive environment  
2           and be consistent with the short- and long-term  
3           goals for the child, as specified in the perma-  
4           nency plan for the child; and

5                   “(iii) develop a list of child-specific short-  
6           and long-term mental and behavioral health  
7           goals.

8                   “(B)(i) The State shall assemble a family and  
9           permanency team for the child in accordance with  
10          the requirements of clauses (ii) and (iii). The quali-  
11          fied individual conducting the assessment required  
12          under subparagraph (A) shall work in conjunction  
13          with the family of, and permanency team for, the  
14          child while conducting and making the assessment.

15                   “(ii) The family and permanency team shall  
16          consist of all appropriate biological family members,  
17          relative, and fictive kin of the child, as well as, as  
18          appropriate, professionals who are a resource to the  
19          family of the child, such as teachers, medical or  
20          mental health providers who have treated the child,  
21          or clergy. In the case of a child who has attained  
22          age 14, the family and permanency team shall in-  
23          clude the members of the permanency planning team  
24          for the child that are selected by the child in accord-  
25          ance with section 475(5)(C)(iv).

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

3           “(I) the reasonable and good faith effort of  
4 the State to identify and include all such indi-  
5 viduals on the family of, and permanency team  
6 for, the child;

7           “(II) all contact information for members  
8 of the family and permanency team, as well as  
9 contact information for other family members  
10 and fictive kin who are not part of the family  
11 and permanency team;

12           “(III) evidence that meetings of the family  
13 and permanency team, including meetings relat-  
14 ing to the assessment required under subpara-  
15 graph (A), are held at a time and place conven-  
16 ient for family;

17           “(IV) if reunification is the goal, evidence  
18 demonstrating that the parent from whom the  
19 child was removed provided input on the mem-  
20 bers of the family and permanency team;

21           “(V) evidence that the assessment required  
22 under subparagraph (A) is determined in con-  
23 junction with the family and permanency team;  
24 and



1           “(VI) the placement preferences of the  
2           family and permanency team relative to the as-  
3           sessment and, if the placement preferences of  
4           the family and permanency team and child are  
5           not the placement setting recommended by the  
6           qualified individual conducting the assessment  
7           under subparagraph (A), the reasons why the  
8           preferences of the team and of the child were  
9           not recommended.

10          “(C) In the case of a child who the qualified in-  
11          dividual conducting the assessment under subpara-  
12          graph (A) determines should not be placed in a fos-  
13          ter family home, the qualified individual shall specify  
14          in writing the reasons why the needs of the child  
15          cannot be met by the family of the child or in a fos-  
16          ter family home. A shortage or lack of foster family  
17          homes shall not be an acceptable reason for deter-  
18          mining that a needs of the child cannot be met in  
19          a foster family home. The qualified individual also  
20          shall specify in writing why the recommended place-  
21          ment in a qualified residential treatment program is  
22          the setting that will provide the child with the most  
23          effective and appropriate level of care in the least re-  
24          strictive environment and how that placement is con-  
25          sistent with the short- and long-term goals for the

1 child, as specified in the permanency plan for the  
2 child.

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

9 “(ii) The Secretary may approve a request of a  
10 State to waive any requirement in clause (i) upon a  
11 submission by the State, in accordance with criteria  
12 established by the Secretary, that certifies that the  
13 trained professionals or licensed clinicians with re-  
14 sponsibility for performing the assessments de-  
15 scribed in subparagraph (A) shall maintain objec-  
16 tivity with respect to determining the most effective  
17 and appropriate placement for a child.

18 “(2) Within 60 days of the start of each place-  
19 ment in a qualified residential treatment program, a  
20 family or juvenile court or another court (including  
21 a tribal court) of competent jurisdiction, or an ad-  
22 ministrative body appointed or approved by the  
23 court, independently, shall—

24 “(A) consider the assessment, determina-  
25 tion, and documentation made by the qualified

1 individual conducting the assessment under  
2 paragraph (1);

3 “(B) determine whether the needs of the  
4 child can be met through placement in a foster  
5 family home or, if not, whether placement of  
6 the child in a qualified residential treatment  
7 program provides the most effective and appro-  
8 priate level of care for the child in the least re-  
9 strictive environment and whether that place-  
10 ment is consistent with the short- and long-  
11 term goals for the child, as specified in the per-  
12 manency plan for the child; and

13 “(C) approve or disapprove the placement.

14 “(3) The written documentation made under  
15 paragraph (1)(C) and documentation of the deter-  
16 mination and approval or disapproval of the place-  
17 ment in a qualified residential treatment program by  
18 a court or administrative body under paragraph (2)  
19 shall be included in and made part of the case plan  
20 for the child.

21 “(4) As long as a child remains placed in a  
22 qualified residential treatment program, the State  
23 agency shall submit evidence at each status review  
24 and each permanency hearing held with respect to  
25 the child—

1           “(A) demonstrating that ongoing assess-  
2           ment of the strengths and needs of the child  
3           continues to support the determination that the  
4           needs of the child cannot be met through place-  
5           ment in a foster family home, that the place-  
6           ment in a qualified residential treatment pro-  
7           gram provides the most effective and appro-  
8           priate level of care for the child in the least re-  
9           strictive environment, and that the placement is  
10          consistent with the short- and long-term goals  
11          for the child, as specified in the permanency  
12          plan for the child;

13           “(B) documenting the specific treatment or  
14          service needs that will be met for the child in  
15          the placement and the length of time the child  
16          is expected to need the treatment or services;  
17          and

18           “(C) documenting the efforts made by the  
19          State agency to prepare the child to return  
20          home or to be placed with a fit and willing rel-  
21          ative, a legal guardian, or an adoptive parent,  
22          or in a foster family home.

23           “(5) In the case of any child who is placed in  
24          a qualified residential treatment program for more  
25          than 12 consecutive months or 18 nonconsecutive

1 months (or, in the case of a child who has not at-  
2 tained age 13, for more than 6 consecutive or non-  
3 consecutive months), the State agency shall submit  
4 to the Secretary—

5 “(A) the most recent versions of the evi-  
6 dence and documentation specified in paragraph  
7 (4); and

8 “(B) the signed approval of the head of  
9 the State agency for the continued placement of  
10 the child in that setting.”.

11 **SEC. 203. PROTOCOLS TO PREVENT INAPPROPRIATE DIAG-**  
12 **NOSES.**

13 (a) STATE PLAN REQUIREMENT.—Section  
14 422(b)(15)(A) of the Social Security Act (42 U.S.C.  
15 622(b)(15)(A)) is amended—

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

18 (2) by redesignating clause (vii) as clause (viii);

19 and

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

21 “(vii) the procedures and protocols  
22 the State has established to ensure that  
23 children in foster care placements are not  
24 inappropriately diagnosed with mental ill-  
25 ness, other emotional or behavioral dis-

1 orders, medically fragile conditions, or de-  
2 velopmental disabilities, and placed in set-  
3 tings that are not foster family homes as  
4 a result of the inappropriate diagnoses;  
5 and”.

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

9 “(f) EVALUATION OF STATE PROCEDURES AND PRO-  
10 TOCOLS TO PREVENT INAPPROPRIATE DIAGNOSES OF  
11 MENTAL ILLNESS OR OTHER CONDITIONS.—The Sec-  
12 retary shall conduct an evaluation of the procedures and  
13 protocols established by States in accordance with the re-  
14 quirements of section 422(b)(15)(A)(vii). The evaluation  
15 shall analyze the extent to which States comply with and  
16 enforce the procedures and protocols and the effectiveness  
17 of various State procedures and protocols and shall iden-  
18 tify best practices. Not later than January 1, 2019, the  
19 Secretary shall submit a report on the results of the eval-  
20 uation to Congress.”.

1 **SEC. 204. ADDITIONAL DATA AND REPORTS REGARDING**  
2 **CHILDREN PLACED IN A SETTING THAT IS**  
3 **NOT A FOSTER FAMILY HOME.**

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

7 “(i) with respect to each such place-  
8 ment—

9 “(I) the type of the placement  
10 setting, including whether the place-  
11 ment is shelter care, a group home  
12 and if so, the range of the child popu-  
13 lation in the home, a residential treat-  
14 ment facility, a hospital or institution  
15 providing medical, rehabilitative, or  
16 psychiatric care, a setting specializing  
17 in providing prenatal, post-partum or  
18 parenting supports, or some other  
19 kind of child-care institution and if so,  
20 what kind;

21 “(II) the number of children in  
22 the placement setting and the age,  
23 race, ethnicity, and gender of each of  
24 the children;

25 “(III) for each child in the place-  
26 ment setting, the length of the place-

1                   ment of the child in the setting,  
2                   whether the placement of the child in  
3                   the setting is the first placement of  
4                   the child and if not, the number and  
5                   type of previous placements of the  
6                   child, and whether the child has spe-  
7                   cial needs or another diagnosed men-  
8                   tal or physical illness or condition;  
9                   and

10                               “(IV) the extent of any special-  
11                               ized education, treatment, counseling,  
12                               or other services provided in the set-  
13                               ting; and

14                               “(ii) separately, the number and ages  
15                               of children in the placements who have a  
16                               permanency plan of another planned per-  
17                               manent living arrangement; and”.

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

19       (a) **EFFECTIVE DATES.—**

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

23                   (2) **TRANSITION RULE.—**In the case of a State  
24                   plan under part B or E of title IV of the Social Se-  
25                   curity Act which the Secretary of Health and



1 Human Services determines requires State legisla-  
2 tion (other than legislation appropriating funds) in  
3 order for the plan to meet the additional require-  
4 ments imposed by the amendments made by this  
5 title, the State plan shall not be regarded as failing  
6 to comply with the requirements of such part solely  
7 on the basis of the failure of the plan to meet the  
8 additional requirements before the first day of the  
9 first calendar quarter beginning after the close of  
10 the first regular session of the State legislature that  
11 begins after the date of enactment of this Act. For  
12 purposes of the previous sentence, in the case of a  
13 State that has a 2-year legislative session, each year  
14 of the session shall be deemed to be a separate reg-  
15 ular session of the State legislature.

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

21 (c) APPLICATION TO STATES WITH WAIVERS.—In  
22 the case of a State that, on the date of enactment of this  
23 Act, has in effect a waiver approved under section 1130  
24 of the Social Security Act (42 U.S.C. 1320a-9), the  
25 amendments made by this title shall not apply with respect

1 to the State before the expiration (determined without re-  
2 gard to any extensions) of the waiver to the extent the  
3 amendments are inconsistent with the terms of the waiver.

4 **TITLE III—CONTINUING SUP-**  
5 **PORT FOR CHILD AND FAM-**  
6 **ILY SERVICES**

7 **SEC. 301. SUPPORTING AND RETAINING FOSTER FAMILIES**  
8 **FOR CHILDREN.**

9 Section 431(a)(2)(B) of the Social Security Act (42  
10 U.S.C. 631(a)(2)(B)) is amended by redesignating  
11 clauses (iii) through (vi) as clauses (iv) through (vii), re-  
12 spectively, and inserting after clause (ii) the following:

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

16 **SEC. 302. EXTENSION OF CHILD AND FAMILY SERVICES**  
17 **PROGRAMS.**

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

23 (b) **EXTENSION OF PROMOTING SAFE AND STABLE**  
24 **FAMILIES PROGRAM AUTHORIZATIONS.**—

1           (1) IN GENERAL.—Section 436(a) of such Act  
2           (42 U.S.C. 629f(a)) is amended by striking all that  
3           follows “\$345,000,000” and inserting “for each of  
4           fiscal years 2017 through 2021.”.

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

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

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

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

18          (d) REAUTHORIZATION OF FUNDING FOR STATE  
19          COURTS.—

20                 (1) EXTENSION OF PROGRAM.—Section  
21                 438(c)(1) of such Act (42 U.S.C. 629h(c)(1)) is  
22                 amended by striking “2012 through 2016” and in-  
23                 serting “2017 through 2021”.

24                 (2) EXTENSION OF FEDERAL SHARE.—Section  
25                 438(d) of such Act (42 U.S.C. 629h(d)) is amended

1 by striking “2012 through 2016” and inserting  
2 “2017 through 2021”.

3 (e) REPEAL OF EXPIRED PROVISIONS.—Section  
4 438(e) of such Act (42 U.S.C. 629h(e)) is repealed.

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

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

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

18 (2) in subsection (b)(3)(A)—

19 (A) by inserting “(i)” before “A certifi-  
20 cation”;

21 (B) by striking “children who have left fos-  
22 ter care” and all that follows through the pe-  
23 riod and inserting “youths who have aged out  
24 of foster care and have not attained 21 years of  
25 age.”; and

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

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

20 (3) in subsection (b)(3)(B), by striking “chil-  
21 dren who have left foster care” and all that follows  
22 through the period and inserting “youths who have  
23 aged out of foster care and have not attained 21  
24 years of age (or 23 years of age, in the case of a  
25 State with a certification under subparagraph (A)(i)

1 to provide assistance and services to youths who  
2 have aged out of foster care and have not attained  
3 such age, in accordance with subparagraph  
4 (A)(ii).”.

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

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

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

13 “(5) REDISTRIBUTION OF UNEXPENDED  
14 AMOUNTS.—

15 “(A) AVAILABILITY OF AMOUNTS.—To the  
16 extent that amounts paid to States under this  
17 section in a fiscal year remain unexpended by  
18 the States at the end of the succeeding fiscal  
19 year, the Secretary may make the amounts  
20 available for redistribution in the 2nd suc-  
21 ceeding fiscal year among the States that apply  
22 for additional funds under this section for that  
23 2nd succeeding fiscal year.

24 “(B) REDISTRIBUTION.—

1           “(i) IN GENERAL.—The Secretary  
2 shall redistribute the amounts made avail-  
3 able under subparagraph (A) for a fiscal  
4 year among eligible applicant States. In  
5 this subparagraph, the term ‘eligible appli-  
6 cant State’ means a State that has applied  
7 for additional funds for the fiscal year  
8 under subparagraph (A) if the Secretary  
9 determines that the State will use the  
10 funds for the purpose for which originally  
11 allotted under this section.

12           “(ii) AMOUNT TO BE REDISTRIB-  
13 UTED.—The amount to be redistributed to  
14 each eligible applicant State shall be the  
15 amount so made available multiplied by the  
16 State foster care ratio, (as defined in sub-  
17 section (c)(4), except that, in such sub-  
18 section, ‘all eligible applicant States (as de-  
19 fined in subsection (d)(5)(B)(i))’ shall be  
20 substituted for ‘all States’).

21           “(iii) TREATMENT OF REDISTRIBUTED  
22 AMOUNT.—Any amount made available to  
23 a State under this paragraph shall be re-  
24 garded 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           (1) in the section heading, by striking “**INDE-**  
2           **PENDENCE PROGRAM**” and inserting “**PROGRAM**  
3           **FOR SUCCESSFUL TRANSITION TO ADULT-**  
4           **HOOD**”;

5           (2) in subsection (a)—

6           (A) in paragraph (1)—

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

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

18          (iii) by striking “training in daily liv-  
19          ing skills, training in budgeting and finan-  
20          cial management skills” and inserting  
21          “training and opportunities to practice  
22          daily living skills (such as financial literacy  
23          training and driving instruction)”;

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

1 age receive the education, training, and services  
2 necessary to obtain employment” and inserting  
3 “who have experienced foster care at age 14 or  
4 older achieve meaningful, permanent connec-  
5 tions with a caring adult”;

6 (C) in paragraph (3), by striking “who are  
7 likely to remain in foster care until 18 years of  
8 age prepare for and enter postsecondary train-  
9 ing and education institutions” and inserting  
10 “who have experienced foster care at age 16 or  
11 older engage in age or developmentally appro-  
12 priate activities, positive youth development,  
13 and experiential learning that reflects what  
14 their peers in intact families experience”; and

15 (D) by striking paragraph (4) and redesign-  
16 ating paragraphs (5) through (8) as para-  
17 graphs (4) through (7);

18 (3) in subsection (b)—

19 (A) in paragraph (2)(D), by striking “ado-  
20 lescents” and inserting “youth”; and

21 (B) in paragraph (3)—

22 (i) in subparagraph (D)—

23 (I) by inserting “including train-  
24 ing on youth development” after “to  
25 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 sserting “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-

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

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

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

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

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

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

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

22 Section 473(e)(1) of the Social Security Act (42  
23 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, or thereafter”.

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).