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111TH CONGRESS
1ST SESSION

S. 1286

To amend part E of title IV of the Social Security Act to allow children in foster care to be placed with their parents in residential family treatment centers that provide safe environments for treating addiction and promoting healthy parenting.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2009

Mr. ROCKEFELLER introduced the following bill; which was read twice and referred to the Committee on Finance

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A BILL

To amend part E of title IV of the Social Security Act to allow children in foster care to be placed with their parents in residential family treatment centers that provide safe environments for treating addiction and promoting healthy parenting.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Keeping Families Safe Act of 2009''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The 2001 report by the Center for Substance Abuse Treatment (CSAT) of the Pregnant and Postpartum Women and Their Infants Program, which provides comprehensive, family based treatment for substance abusing mothers and their children, found that at 6 months post treatment—

(A) 60 percent of the mothers remained alcohol and drug-free;

(B) drug-related offenses declined from 28 percent to 7 percent; and

(C) 75 percent of the mothers had physical custody of 1 or more children.

(2) The 2003 evaluation of the Center for Substance Abuse Treatment (CSAT) of the Pregnant and Postpartum Women and Their Infants Program of 24 residential family based treatment programs 6 months after treatment revealed the following successful outcomes for mothers and their children:

(A) 60 percent of the mothers in the programs remained completely clean and sober 6 months after discharge.

(B) 44 percent of the children in the programs were returned to their mothers from foster care.

(C) 88 percent of the children treated in the programs with their mothers remained stabilized and living with their mothers, 6 months after discharge.

(3) The Center for Substance Abuse Treatment (CSAT) of the Pregnant and Postpartum Women and Their Infants Program has found that rates of premature delivery, low birth weight, and infant mortality were improved for women who participated in the program, the costs of treating such women were offset by as much as 3 to 4 times the savings that resulted from reduced costs of crime, foster care, and Temporary Assistance to Needy Families (TANF) assistance, and adverse birth outcomes.

SEC. 3. AUTHORITY FOR STATES TO MAKE FOSTER CARE MAINTENANCE PAYMENTS TO RESIDENTIAL FAMILY TREATMENT CENTERS.

(a) IN GENERAL.—

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

(A) in subsection (b)(2)—

(i) by inserting ''or a residential family treatment center'' after ''child-care institution''; and

(ii) by inserting ''or residential family treatment center'' after ''such institution''; and

(B) in subsection (c)—

(i) by striking ''and'' before ''(2)''; and

(ii) by inserting before the period at the end the following: ''; and (3) the term 'residential family treatment center' means a State licensed program that enables parents and their children to live in a safe environment for a period of not less than 6 months and provides, on-site or by referral, substance abuse treatment services, children's early intervention services, family counseling, legal services, medical care, mental health services, nursery and preschool, parenting skills training, pediatric care, prenatal care, sexual abuse therapy, relapse prevention, transportation, and job or vocational training or classes leading to a secondary school diploma or a certificate of general equivalence''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1,

2009, without regard to whether regulations implementing such amendments are promulgated by such date.

(b) EVALUATION AND REPORT.—The Secretary of Health and Human Services shall, by grant, contract, or interagency agreement, evaluate the foster care maintenance payments made under section 472(b)(2) of the Social Security Act on behalf of a child who is in a residential family treatment center (as amended by subsection (a)(1)(A)) and, not later than 3 years after the date of enactment of this Act, shall submit a report to Congress on the results of such evaluation that includes an analysis of the outcomes for the children in foster care on whose behalf such payments are made.

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