

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

# H. R. 5456

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Family First Preven-  
3 tion Services Act of 2016”.

4 **SEC. 2. TABLE OF CONTENTS.**

5       The table of contents for this Act is as follows:

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

TITLE I—INVESTING IN PREVENTION AND FAMILY SERVICES

Sec. 101. Purpose.

Subtitle A—Prevention Activities Under Title IV–E

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

Subtitle B—Enhanced Support Under Title IV–B

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

Subtitle C—Miscellaneous

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

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

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

TITLE III—CONTINUING SUPPORT FOR CHILD AND FAMILY  
SERVICES

- Sec. 301. Supporting and retaining foster families for children.  
 Sec. 302. Extension of child and family services programs.  
 Sec. 303. Improvements to the John H. Chafee Foster Care Independence Program and related provisions.

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

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

TITLE V—TECHNICAL CORRECTIONS

- Sec. 501. Technical corrections to data exchange standards to improve program coordination.  
 Sec. 502. Technical corrections to State requirement to address the developmental needs of young children.

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

- Sec. 601. Delay of adoption assistance phase-in.  
 Sec. 602. GAO study and report on State reinvestment of savings resulting from increase in adoption assistance.

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

**3 SEC. 101. PURPOSE.**

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

1     **Subtitle A—Prevention Activities**  
2                     **Under Title IV-E**

3     **SEC. 111. FOSTER CARE PREVENTION SERVICES AND PRO-**  
4                     **GRAMS.**

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

7                 (1) in subsection (a)(1), by striking “and” and  
8                 all that follows through the semicolon and inserting  
9                 “, adoption assistance in accordance with section  
10                473, and, at the option of the State, services or pro-  
11               grams specified in subsection (e)(1) of this section  
12               for children who are candidates for foster care or  
13               who are pregnant or parenting foster youth and the  
14               parents or kin caregivers of the children, in accord-  
15               ance with the requirements of that subsection;”; and

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

17               “(e) PREVENTION AND FAMILY SERVICES AND PRO-  
18 GRAMS.—

19               “(1) IN GENERAL.—Subject to the succeeding  
20               provisions of this subsection, the Secretary may  
21               make a payment to a State for providing the fol-  
22               lowing services or programs for a child described in  
23               paragraph (2) and the parents or kin caregivers of  
24               the child when the need of the child, such a parent,  
25               or such a caregiver for the services or programs are

1 directly related to the safety, permanence, or well-  
2 being of the child or to preventing the child from en-  
3 tering foster care:

4 “(A) MENTAL HEALTH AND SUBSTANCE  
5 ABUSE PREVENTION AND TREATMENT SERV-  
6 ICES.—Mental health and substance abuse pre-  
7 vention and treatment services provided by a  
8 qualified clinician for not more than a 12-  
9 month period that begins on any date described  
10 in paragraph (3) with respect to the child.

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

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

21 “(A) A child who is a candidate for foster  
22 care (as defined in section 475(13)) but can re-  
23 main safely at home or in a kinship placement  
24 with receipt of services or programs specified in  
25 paragraph (1).

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

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

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

10          “(B) The date on which a child is identi-  
11          fied in a prevention plan maintained under  
12          paragraph (4) as a pregnant or parenting foster  
13          youth in need of services or programs specified  
14          in paragraph (1).

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

22          “(A) PREVENTION PLAN.—The State  
23          maintains a written prevention plan for the  
24          child that meets the following requirements (as  
25          applicable):

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

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

12                   “(II) list the services or pro-  
13 grams to be provided to or on behalf  
14 of the child to ensure the success of  
15 that prevention strategy; and

16                   “(III) comply with such other re-  
17 quirements as the Secretary shall es-  
18 tablish.

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

1                   “(I) be included in the child’s  
2                   case plan required under section  
3                   475(1);

4                   “(II) list the services or pro-  
5                   grams to be provided to or on behalf  
6                   of the youth to ensure that the youth  
7                   is prepared (in the case of a pregnant  
8                   foster youth) or able (in the case of a  
9                   parenting foster youth) to be a par-  
10                  ent;

11                  “(III) describe the foster care  
12                  prevention strategy for any child born  
13                  to the youth; and

14                  “(IV) comply with such other re-  
15                  quirements as the Secretary shall es-  
16                  tablish.

17                  “(B) TRAUMA-INFORMED.—The services or  
18                  programs to be provided to or on behalf of a  
19                  child are provided under an organizational  
20                  structure and treatment framework that in-  
21                  volves understanding, recognizing, and respond-  
22                  ing to the effects of all types of trauma and in  
23                  accordance with recognized principles of a trau-  
24                  ma-informed approach and trauma-specific

1 interventions to address trauma’s consequences  
2 and facilitate healing.

3 “(C) ONLY SERVICES AND PROGRAMS PRO-  
4 VIDED IN ACCORDANCE WITH PROMISING, SUP-  
5 PORTED, OR WELL-SUPPORTED PRACTICES PER-  
6 MITTED.—

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

19 “(ii) GENERAL PRACTICE REQUIRE-  
20 MENTS.—The general practice require-  
21 ments specified in this clause are the fol-  
22 lowing:

23 “(I) The practice has a book,  
24 manual, or other available writings  
25 that specify the components of the

1 practice protocol and describe how to  
2 administer the practice.

3 “(II) There is no empirical basis  
4 suggesting that, compared to its likely  
5 benefits, the practice constitutes a  
6 risk of harm to those receiving it.

7 “(III) If multiple outcome studies  
8 have been conducted, the overall  
9 weight of evidence supports the bene-  
10 fits of the practice.

11 “(IV) Outcome measures are reli-  
12 able and valid, and are administrated  
13 consistently and accurately across all  
14 those receiving the practice.

15 “(V) There is no case data sug-  
16 gesting a risk of harm that was prob-  
17 ably caused by the treatment and that  
18 was severe or frequent.

19 “(iii) PROMISING PRACTICE.—A prac-  
20 tice shall be considered to be a ‘promising  
21 practice’ if the practice is superior to an  
22 appropriate comparison practice using con-  
23 ventional standards of statistical signifi-  
24 cance (in terms of demonstrated meaning-  
25 ful improvements in validated measures of

1 important child and parent outcomes, such  
2 as mental health, substance abuse, and  
3 child safety and well-being), as established  
4 by the results or outcomes of at least one  
5 study that—

6 “(I) was rated by an independent  
7 systematic review for the quality of  
8 the study design and execution and  
9 determined to be well-designed and  
10 well-executed; and

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

14 “(iv) SUPPORTED PRACTICE.—A prac-  
15 tice shall be considered to be a ‘supported  
16 practice’ if—

17 “(I) the practice is superior to an  
18 appropriate comparison practice using  
19 conventional standards of statistical  
20 significance (in terms of demonstrated  
21 meaningful improvements in validated  
22 measures of important child and par-  
23 ent outcomes, such as mental health,  
24 substance abuse, and child safety and  
25 well-being), as established by the re-

1 sults or outcomes of at least one study  
2 that—

3 “(aa) was rated by an inde-  
4 pendent systematic review for the  
5 quality of the study design and  
6 execution and determined to be  
7 well-designed and well-executed;

8 “(bb) was a rigorous ran-  
9 dom-controlled trial (or, if not  
10 available, a study using a rig-  
11 orous quasi-experimental re-  
12 search design); and

13 “(cc) was carried out in a  
14 usual care or practice setting;  
15 and

16 “(II) the study described in sub-  
17 clause (I) established that the practice  
18 has a sustained effect (when com-  
19 pared to a control group) for at least  
20 6 months beyond the end of the treat-  
21 ment.

22 “(v) WELL-SUPPORTED PRACTICE.—A  
23 practice shall be considered to be a ‘well-  
24 supported practice’ if—

1           “(I) the practice is superior to an  
2 appropriate comparison practice using  
3 conventional standards of statistical  
4 significance (in terms of demonstrated  
5 meaningful improvements in validated  
6 measures of important child and par-  
7 ent outcomes, such as mental health,  
8 substance abuse, and child safety and  
9 well-being), as established by the re-  
10 sults or outcomes of at least two stud-  
11 ies that—

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

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

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

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

7                   “(D) GUIDANCE ON PRACTICES CRITERIA  
8                   AND PRE-APPROVED SERVICES AND PRO-  
9                   GRAMS.—

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

18                   “(ii) UPDATES.—The Secretary shall  
19                   issue updates to the guidance required by  
20                   clause (i) as often as the Secretary deter-  
21                   mines necessary.

22                   “(E) OUTCOME ASSESSMENT AND REPORT-  
23                   ING.—The State shall collect and report to the  
24                   Secretary the following information with respect  
25                   to each child for whom, or on whose behalf

1 mental health and substance abuse prevention  
2 and treatment services or in-home parent skill-  
3 based programs are provided during a 12-  
4 month period beginning on the date the child is  
5 determined by the State to be a child described  
6 in paragraph (2):

7 “(i) The specific services or programs  
8 provided and the total expenditures for  
9 each of the services or programs.

10 “(ii) The duration of the services or  
11 programs provided.

12 “(iii) In the case of a child described  
13 in paragraph (2)(A), the child’s placement  
14 status at the beginning, and at the end, of  
15 the 1-year period, respectively, and wheth-  
16 er the child entered foster care within 2  
17 years after being determined a candidate  
18 for foster care.

19 “(5) STATE PLAN COMPONENT.—

20 “(A) IN GENERAL.—A State electing to  
21 provide services or programs specified in para-  
22 graph (1) shall submit as part of the State plan  
23 required by subsection (a) a prevention services  
24 and programs plan component that meets the  
25 requirements of subparagraph (B).

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

8           “(i) How providing services and pro-  
9 grams specified in paragraph (1) is ex-  
10 pected to improve specific outcomes for  
11 children and families.

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

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

8                   “(I) the services or programs and  
9 whether the practices used are prom-  
10 ising, supported, or well-supported;

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

21                   “(III) how the State selected the  
22 services or programs;

23                   “(IV) the target population for  
24 the services or programs; and

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

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

21                  “(v) A description of how the State  
22                  shall assess children and their parents or  
23                  kin caregivers to determine eligibility for  
24                  services or programs specified in para-  
25                  graph (1).

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

10           “(vii) Descriptions of steps the State  
11           is taking to support and enhance a com-  
12           petent, skilled, and professional child wel-  
13           fare workforce to deliver trauma-informed  
14           and evidence-based services, including—

15                   “(I) ensuring that staff is quali-  
16                   fied to provide services or programs  
17                   that are consistent with the prom-  
18                   ising, supported, or well-supported  
19                   practice models selected; and

20                   “(II) developing appropriate pre-  
21                   vention plans, and conducting the risk  
22                   assessments required under clause  
23                   (iii).

24           “(viii) A description of how the State  
25           will provide training and support for case-

1 workers in assessing what children and  
2 their families need, connecting to the fami-  
3 lies served, knowing how to access and de-  
4 liver the needed trauma-informed and evi-  
5 dence-based services, and overseeing and  
6 evaluating the continuing appropriateness  
7 of the services.

8 “(ix) A description of how caseload  
9 size and type for prevention caseworkers  
10 will be determined, managed, and overseen.

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

20 “(C) REIMBURSEMENT FOR SERVICES  
21 UNDER THE PREVENTION PLAN COMPONENT.—

22 “(i) LIMITATION.—Except as provided  
23 in subclause (ii), a State may not receive  
24 a Federal payment under this part for a  
25 given promising, supported, or well-sup-

1           ported practice unless (in accordance with  
2           subparagraph (B)(iii)(V)) the plan includes  
3           a well-designed and rigorous evaluation  
4           strategy for that practice.

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

15          “(6) PREVENTION SERVICES MEASURES.—

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

23                         “(i) PERCENTAGE OF CANDIDATES  
24                         FOR FOSTER CARE WHO DO NOT ENTER  
25                         FOSTER CARE.—The percentage of can-

1 didates for foster care for whom, or on  
2 whose behalf, the services or programs are  
3 provided who do not enter foster care, in-  
4 cluding those placed with a kin caregiver  
5 outside of foster care, during the 12-month  
6 period in which the services or programs  
7 are provided and through the end of the  
8 succeeding 12-month-period.

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

16 “(B) DATA.—The Secretary shall establish  
17 and annually update the prevention services  
18 measures—

19 “(i) based on the median State values  
20 of the information reported under each  
21 clause of subparagraph (A) for the 3 then  
22 most recent years; and

23 “(ii) taking into account State dif-  
24 ferences in the price levels of consumption  
25 goods and services using the most recent

1 regional price parities published by the Bu-  
2 reau of Economic Analysis of the Depart-  
3 ment of Commerce or such other data as  
4 the Secretary determines appropriate.

5 “(C) PUBLICATION OF STATE PREVENTION  
6 SERVICES MEASURES.—The Secretary shall an-  
7 nually make available to the public the preven-  
8 tion services measures of each State.

9 “(7) MAINTENANCE OF EFFORT FOR STATE  
10 FOSTER CARE PREVENTION EXPENDITURES.—

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

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

20 “(i) TANF; IV-B; SSBG.—State ex-  
21 penditures for foster care prevention serv-  
22 ices and activities under the State program  
23 funded under part A (including from  
24 amounts made available by the Federal  
25 Government), under the State plan devel-

1           oped under part B (including any such  
2           amounts), or under the Social Services  
3           Block Grant Programs under subtitle A of  
4           title XX (including any such amounts).

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

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

22          “(D) DETERMINATION OF PREVENTION  
23          SERVICES AND ACTIVITIES.—The Secretary  
24          shall require each State that elects to provide  
25          services and programs specified in paragraph

1 (1) to report the expenditures specified in sub-  
2 paragraph (B) for fiscal year 2014 and for such  
3 fiscal years thereafter as are necessary to deter-  
4 mine whether the State is complying with the  
5 maintenance of effort requirement in subpara-  
6 graph (A). The Secretary shall specify the spe-  
7 cific services and activities under each program  
8 referred to in subparagraph (B) that are ‘pre-  
9 vention services and activities’ for purposes of  
10 the reports.

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

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

22 “(A) shall not be eligible for payment  
23 under subparagraph (A), (B), or (E) of section  
24 474(a)(3); and

1           “(B) shall be eligible for payment under  
2           section 474(a)(6)(B) without regard to whether  
3           the expenditures are incurred on behalf of a  
4           child who is, or is potentially, eligible for foster  
5           care maintenance payments under this part.

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

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

15           “(13) The term ‘child who is a candidate for  
16          foster care’ means, a child who is identified in a pre-  
17          vention plan under section 471(e)(4)(A) as being at  
18          imminent risk of entering foster care (without re-  
19          gard to whether the child would be eligible for foster  
20          care maintenance payments under section 472 or is  
21          or would be eligible for adoption assistance or kin-  
22          ship guardianship assistance payments under section  
23          473) but who can remain safely in the child’s home  
24          or in a kinship placement as long as services or pro-  
25          grams specified in section 471(e)(1) that are nec-

1       essary to prevent the entry of the child into foster  
2       care are provided. The term includes a child whose  
3       adoption or guardianship arrangement is at risk of  
4       a disruption or dissolution that would result in a  
5       foster care placement.”.

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

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

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

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

12                     “(A) for each quarter—

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

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

1                   “(II) beginning after September  
2                   30, 2025, an amount equal to the  
3                   Federal medical assistance percentage  
4                   (which shall be as defined in section  
5                   1905(b), in the case of a State other  
6                   than the District of Columbia, or 70  
7                   percent, in the case of the District of  
8                   Columbia) of the total amount ex-  
9                   pended during the quarter for the pro-  
10                  vision of services or programs speci-  
11                  fied in subparagraph (A) or (B) of  
12                  section 471(e)(1) that are provided in  
13                  accordance with promising, supported,  
14                  or well-supported practices that meet  
15                  the applicable criteria specified for the  
16                  practices in section 471(e)(4)(C) (or,  
17                  with respect to the payments made  
18                  during the quarter under a coopera-  
19                  tive agreement or contract entered  
20                  into by the State and an Indian tribe,  
21                  tribal organization, or tribal Consor-  
22                  tium for the administration or pay-  
23                  ment of funds under this part, an  
24                  amount equal to the Federal medical  
25                  assistance percentage that would

1 apply under section 479B(d) (in this  
2 paragraph referred to as the ‘tribal  
3 FMAP’) if the Indian tribe, tribal or-  
4 ganization, or tribal consortium made  
5 the payments under a program oper-  
6 ated under that section, unless the  
7 tribal FMAP is less than the Federal  
8 medical assistance percentage that ap-  
9 plies to the State); except that

10 “(ii) not less than 50 percent of the  
11 total amount payable to a State under  
12 clause (i) for a fiscal year shall be for the  
13 provision of services or programs specified  
14 in subparagraph (A) or (B) of section  
15 471(e)(1) that are provided in accordance  
16 with well-supported practices; plus

17 “(B) for each quarter specified in subpara-  
18 graph (A), an amount equal to the sum of the  
19 following proportions of the total amount ex-  
20 pended during the quarter:

21 “(i) 50 percent of so much of the ex-  
22 penditures as are found necessary by the  
23 Secretary for the proper and efficient ad-  
24 ministration of the State plan for the pro-  
25 vision of services or programs specified in

1 section 471(e)(1), including expenditures  
2 for activities approved by the Secretary  
3 that promote the development of necessary  
4 processes and procedures to establish and  
5 implement the provision of the services and  
6 programs for individuals who are eligible  
7 for the services and programs and expendi-  
8 tures attributable to data collection and re-  
9 porting; and

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

1                   the ongoing appropriateness of the services  
2                   and programs.”.

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

7           “(d) TECHNICAL ASSISTANCE AND BEST PRACTICES,  
8 CLEARINGHOUSE, DATA COLLECTION, AND EVALUATIONS  
9 RELATING TO PREVENTION SERVICES AND PROGRAMS.—

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

20           “(2) CLEARINGHOUSE OF PROMISING, SUP-  
21 PORTED, AND WELL-SUPPORTED PRACTICES.—The  
22 Secretary shall, directly or through grants, con-  
23 tracts, or interagency agreements, evaluate research  
24 on the practices specified in clauses (iii), (iv), and  
25 (v), respectively, of section 471(e)(4)(C), and pro-

1       grams that meet the requirements described in sec-  
2       tion 427(a)(1), including culturally specific, or  
3       location- or population-based adaptations of the  
4       practices, to identify and establish a public clearing-  
5       house of the practices that satisfy each category de-  
6       scribed by such clauses. In addition, the clearing-  
7       house shall include information on the specific out-  
8       comes associated with each practice, including  
9       whether the practice has been shown to prevent child  
10      abuse and neglect and reduce the likelihood of foster  
11      care placement by supporting birth families and kin-  
12      ship families and improving targeted supports for  
13      pregnant and parenting youth and their children.

14           “(3) DATA COLLECTION AND EVALUATIONS.—  
15      The Secretary, directly or through grants, contracts,  
16      or interagency agreements, may collect data and  
17      conduct evaluations with respect to the provision of  
18      services and programs described in section 471(e)(1)  
19      for purposes of assessing the extent to which the  
20      provision of the services and programs—

21           “(A) reduces the likelihood of foster care  
22      placement;

23           “(B) increases use of kinship care arrange-  
24      ments; or

25           “(C) improves child well-being.

1 “(4) REPORTS TO CONGRESS.—

2 “(A) IN GENERAL.—The Secretary shall  
3 submit to the Committee on Finance of the  
4 Senate and the Committee on Ways and Means  
5 of the House of Representatives periodic reports  
6 based on the provision of services and programs  
7 described in section 471(e)(1) and the activities  
8 carried out under this subsection.

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

12 “(5) APPROPRIATION.—Out of any money in  
13 the Treasury of the United States not otherwise ap-  
14 propriated, there is appropriated to the Secretary  
15 \$1,000,000 for fiscal year 2016 and each fiscal year  
16 thereafter to carry out this subsection.”.

17 (e) APPLICATION TO PROGRAMS OPERATED BY IN-  
18 DIAN TRIBAL ORGANIZATIONS.—

19 (1) IN GENERAL.—Section 479B of such Act  
20 (42 U.S.C. 679e) is amended—

21 (A) in subsection (c)(1)—

22 (i) in subparagraph (C)(i)—

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

1 (II) in subclause (III), by strik-  
2 ing the period at the end and insert-  
3 ing “; and”; and

4 (III) by adding at the end the  
5 following:

6 “(IV) at the option of the tribe,  
7 organization, or consortium, services  
8 and programs specified in section  
9 471(e)(1) to children described in sec-  
10 tion 471(e)(2) and their parents or  
11 kin caregivers, in accordance with sec-  
12 tion 471(e) and subparagraph (E).”;  
13 and

14 (ii) by adding at the end the fol-  
15 lowing:

16 “(E) PREVENTION SERVICES AND PRO-  
17 GRAMS FOR CHILDREN AND THEIR PARENTS  
18 AND KIN CAREGIVERS.—

19 “(i) IN GENERAL.—In the case of a  
20 tribe, organization, or consortium that  
21 elects to provide services and programs  
22 specified in section 471(e)(1) to children  
23 described in section 471(e)(2) and their  
24 parents or kin caregivers under the plan,  
25 the Secretary shall specify the require-

1           ments applicable to the provision of the  
2           services and programs. The requirements  
3           shall, to the greatest extent practicable, be  
4           consistent with the requirements applicable  
5           to States under section 471(e) and shall  
6           permit the provision of the services and  
7           programs in the form of services and pro-  
8           grams that are adapted to the culture and  
9           context of the tribal communities served.

10           “(ii) PERFORMANCE MEASURES.—The  
11           Secretary shall establish specific perform-  
12           ance measures for each tribe, organization,  
13           or consortium that elects to provide serv-  
14           ices and programs specified in section  
15           471(e)(1). The performance measures  
16           shall, to the greatest extent practicable, be  
17           consistent with the prevention services  
18           measures required for States under section  
19           471(e)(6) but shall allow for consideration  
20           of factors unique to the provision of the  
21           services by tribes, organizations, or con-  
22           sortia.”; and

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

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

6 **SEC. 112. FOSTER CARE MAINTENANCE PAYMENTS FOR**  
 7                                   **CHILDREN WITH PARENTS IN A LICENSED**  
 8                                   **RESIDENTIAL FAMILY-BASED TREATMENT**  
 9                                   **FACILITY FOR SUBSTANCE ABUSE.**

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

12           (1) in subsection (a)(2)(C), by striking “or”  
 13           and inserting “, with a parent residing in a licensed  
 14           residential family-based treatment facility, but only  
 15           to the extent permitted under subsection (j), or in  
 16           a”; and

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

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

21           “(1) IN GENERAL.—Notwithstanding the pre-  
 22           ceding provisions of this section, a child who is eligi-  
 23           ble for foster care maintenance payments under this  
 24           section, or who would be eligible for the payments if  
 25           the eligibility were determined without regard to

1 paragraphs (1)(B) and (3) of subsection (a), shall be  
2 eligible for the payments for a period of not more  
3 than 12 months during which the child is placed  
4 with a parent who is in a licensed residential family-  
5 based treatment facility for substance abuse, but  
6 only if—

7 “(A) the recommendation for the place-  
8 ment is specified in the child’s case plan before  
9 the placement;

10 “(B) the treatment facility provides, as  
11 part of the treatment for substance abuse, par-  
12 enting skills training, parent education, and in-  
13 dividual and family counseling; and

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

24 “(2) APPLICATION.—With respect to children  
25 for whom foster care maintenance payments are

1       made under paragraph (1), only the children who  
2       satisfy the requirements of paragraphs (1)(B) and  
3       (3) of subsection (a) shall be considered to be chil-  
4       dren with respect to whom foster care maintenance  
5       payments are made under this section for purposes  
6       of subsection (h) or section 473(b)(3)(B).”.

7       (b) CONFORMING AMENDMENT.—Section 474(a)(1)  
8       of such Act (42 U.S.C. 674(a)(1)) is amended by inserting  
9       “subject to section 472(j),” before “an amount equal to  
10      the Federal” the first place it appears.

11      **SEC. 113. TITLE IV-E PAYMENTS FOR EVIDENCE-BASED**  
12                                      **KINSHIP NAVIGATOR PROGRAMS.**

13      Section 474(a) of the Social Security Act (42 U.S.C.  
14      674(a)), as amended by section 111(c), is amended—

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

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

18                      “(7) an amount equal to 50 percent of the  
19                      amounts expended by the State during the quarter  
20                      as the Secretary determines are for kinship navi-  
21                      gator programs that meet the requirements de-  
22                      scribed in section 427(a)(1) and that the Secretary  
23                      determines are operated in accordance with prom-  
24                      ising, supported, or well-supported practices that  
25                      meet the applicable criteria specified for the prac-

1 tices in section 471(e)(4)(C), without regard to  
 2 whether the expenditures are incurred on behalf of  
 3 children who are, or are potentially, eligible for fos-  
 4 ter care maintenance payments under this part.”.

5 **Subtitle B—Enhanced Support**  
 6 **Under Title IV-B**

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

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

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

17 (2) in subparagraph (A)—

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

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

23 (C) by striking “, but only during the 15-  
 24 month period that begins on the date that the  
 25 child, pursuant to section 475(5)(F), is consid-

1           ered to have entered foster care” and inserting  
2           “and to ensure the strength and stability of the  
3           reunification. In the case of a child who has  
4           been returned home, the services and activities  
5           shall only be provided during the 15-month pe-  
6           riod that begins on the date that the child re-  
7           turns home”.

8           (b) CONFORMING AMENDMENTS.—

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

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

16 **SEC. 122. REDUCING BUREAUCRACY AND UNNECESSARY**  
17                                   **DELAYS WHEN PLACING CHILDREN IN**  
18                                   **HOMES ACROSS STATE LINES.**

19          (a) STATE PLAN REQUIREMENT.—Section  
20          471(a)(25) of the Social Security Act (42 U.S.C.  
21          671(a)(25)) is amended—

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

24                  (2) by inserting “, which, not later than Octo-  
25          ber 1, 2026, shall include the use of an electronic

1 interstate case-processing system” before the first  
2 semicolon.

3 (b) GRANTS FOR THE DEVELOPMENT OF AN ELEC-  
4 TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EX-  
5 PEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN  
6 FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—  
7 Section 437 of such Act (42 U.S.C. 629g) is amended by  
8 adding at the end the following:

9 “(g) GRANTS FOR THE DEVELOPMENT OF AN ELEC-  
10 TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EX-  
11 PEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN  
12 FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—

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

19 “(2) APPLICATION REQUIREMENTS.—A State  
20 that desires a grant under this subsection shall sub-  
21 mit to the Secretary an application containing the  
22 following:

23 “(A) A description of the goals and out-  
24 comes to be achieved during the period for

1           which grant funds are sought, which goals and  
2           outcomes must result in—

3                   “(i) reducing the time it takes for a  
4                   child to be provided with a safe and appro-  
5                   priate permanent living arrangement  
6                   across State lines;

7                   “(ii) improving administrative proc-  
8                   esses and reducing costs in the foster care  
9                   system; and

10                   “(iii) the secure exchange of relevant  
11                   case files and other necessary materials in  
12                   real time, and timely communications and  
13                   placement decisions regarding interstate  
14                   placements of children.

15                   “(B) A description of the activities to be  
16                   funded in whole or in part with the grant  
17                   funds, including the sequencing of the activities.

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

21                   “(D) Such other information as the Sec-  
22                   retary may require.

23                   “(3) GRANT AUTHORITY.—The Secretary may  
24                   make a grant to a State that complies with para-  
25                   graph (2).

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

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

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

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

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

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

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

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

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

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

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

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

13 (c) RESERVATION OF FUNDS TO IMPROVE THE  
14 INTERSTATE PLACEMENT OF CHILDREN.—Section 437(b)  
15 of such Act (42 U.S.C. 629g(b)) is amended by adding  
16 at the end the following:

17 “(4) IMPROVING THE INTERSTATE PLACEMENT  
18 OF CHILDREN.—The Secretary shall reserve  
19 \$5,000,000 of the amount made available for fiscal  
20 year 2017 for grants under subsection (g), and the  
21 amount so reserved shall remain available through  
22 fiscal year 2021.”.

1 **SEC. 123. ENHANCEMENTS TO GRANTS TO IMPROVE WELL-**  
2 **BEING OF FAMILIES AFFECTED BY SUB-**  
3 **STANCE ABUSE.**

4 Section 437(f) of the Social Security Act (42 U.S.C.  
5 629g(f)) is amended—

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

14 (2) by striking paragraph (2) and inserting the  
15 following:

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

21 “(A) MANDATORY PARTNERS FOR ALL  
22 PARTNERSHIP GRANTS.—

23 “(i) The State child welfare agency  
24 that is responsible for the administration  
25 of the State plan under this part and part  
26 E.

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

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

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

18                 “(i) An Indian tribe or tribal Consor-  
19                 tium.

20                 “(ii) Nonprofit child welfare service  
21                 providers.

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

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

4           “(v) Community mental health pro-  
5           viders.

6           “(vi) Local law enforcement agencies.

7           “(vii) School personnel.

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

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

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

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

24                 “(ii) may not enter into a collabo-  
25                 rative agreement only with tribal child wel-

1 fare agencies (or a consortium of the agen-  
2 cies); and

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

7 (3) in paragraph (3)—

8 (A) in subparagraph (A)—

9 (i) by striking “2012 through 2016”  
10 and inserting “2017 through 2021”; and

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

15 (B) in subparagraph (B)—

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

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

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

23 “(iii) SUFFICIENT PLANNING.—A  
24 grant awarded under this subsection shall  
25 be disbursed in two phases: a planning

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

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

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

17 (4) in paragraph (4)—

18 (A) in subparagraph (B)—

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

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

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 (42 U.S.C. 671(a)) 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  
24 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 **“PART E—FEDERAL PAYMENTS FOR FOSTER**  
7 **CARE, PREVENTION, AND PERMANENCY”.**

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

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

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

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

17 **SEC. 134. EFFECTIVE DATES.**

18 (a) EFFECTIVE DATES.—

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

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

26 (b) TRANSITION RULE.—

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

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

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

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

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

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

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

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

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

2 “(k) LIMITATION ON FEDERAL FINANCIAL PARTICI-  
3 PATION.—

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

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

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

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

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

3           “(B) A setting specializing in providing  
4 prenatal, post-partum, or parenting supports  
5 for youth.

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

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

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

21           “(B) DEADLINE FOR TRANSITION OUT OF  
22 PLACEMENT.—If the assessment required under  
23 section 475A(c)(1) determines that the place-  
24 ment of a child in a qualified residential treat-  
25 ment program is not appropriate, a court dis-

1 approves such a placement under section  
2 475A(c)(2), or a child who has been in an ap-  
3 proved placement in a qualified residential  
4 treatment program is going to return home or  
5 be placed with a fit and willing relative, a legal  
6 guardian, or an adoptive parent, or in a foster  
7 family home, Federal payments shall be made  
8 to the State under section 474(a)(1) for  
9 amounts expended for foster care maintenance  
10 payments on behalf of the child while the child  
11 remains in the qualified residential treatment  
12 program only during the period necessary for  
13 the child to transition home or to such a place-  
14 ment. In no event shall a State receive Federal  
15 payments under section 474(a)(1) for amounts  
16 expended for foster care maintenance payments  
17 on behalf of a child who remains placed in a  
18 qualified residential treatment program after  
19 the end of the 30-day period that begins on the  
20 date a determination is made that the place-  
21 ment is no longer the recommended or approved  
22 placement for the child.

23 “(4) QUALIFIED RESIDENTIAL TREATMENT  
24 PROGRAM.—For purposes of this part, the term

1 ‘qualified residential treatment program’ means a  
2 program that—

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

11 “(B) has registered or licensed nursing  
12 staff and other licensed clinical staff who—

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

15 “(ii) are on-site during business  
16 hours; and

17 “(iii) are available 24 hours a day and  
18 7 days a week;

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

23 “(D) facilitates outreach to the family  
24 members of the child, including siblings, docu-  
25 ments how the outreach is made (including con-

1 tact information), and maintains contact infor-  
2 mation for any known biological family and fic-  
3 tive kin of the child;

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

8 “(F) provides discharge planning and fam-  
9 ily-based aftercare support for at least 6  
10 months post-discharge; and

11 “(G) is licensed in accordance with section  
12 471(a)(10) and is accredited by any of the fol-  
13 lowing independent, not-for-profit organizations:

14 “(i) The Commission on Accreditation  
15 of Rehabilitation Facilities (CARF).

16 “(ii) The Joint Commission on Ac-  
17 creditation of Healthcare Organizations  
18 (JCAHO).

19 “(iii) The Council on Accreditation  
20 (COA).

21 “(iv) Any other independent, not-for-  
22 profit accrediting organization approved by  
23 the Secretary.”.

24 (2) CONFORMING AMENDMENT.—Section  
25 474(a)(1) of the Social Security Act (42 U.S.C.

1       674(a)(1)), as amended by section 112(b), is amend-  
2       ed by striking “section 472(j)” and inserting “sub-  
3       sections (j) and (k) of section 472”.

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

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

8               “(1) FOSTER FAMILY HOME.—

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

12                               “(i) that is licensed or approved by  
13                               the State in which it is situated as a foster  
14                               family home that meets the standards es-  
15                               tablished for the licensing or approval; and

16                               “(ii) in which a child in foster care  
17                               has been placed in the care of an indi-  
18                               vidual, who resides with the child and who  
19                               has been licensed or approved by the State  
20                               to be a foster parent—

21                                       “(I) that the State deems capable  
22                                       of adhering to the reasonable and pru-  
23                                       dent parent standard;

24                                       “(II) that provides 24-hour sub-  
25                                       stitute care for children placed away

1 from their parents or other care-  
2 takers; and

3 “(III) that provides the care for  
4 not more than six children in foster  
5 care.

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

12 “(i) To allow a parenting youth in fos-  
13 ter care to remain with the child of the  
14 parenting youth.

15 “(ii) To allow siblings to remain to-  
16 gether.

17 “(iii) To allow a child with an estab-  
18 lished meaningful relationship with the  
19 family to remain with the family.

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

23 “(C) RULE OF CONSTRUCTION.—Subpara-  
24 graph (A) shall not be construed as prohibiting  
25 a foster parent from renting the home in which

1 the parent cares for a foster child placed in the  
2 parent's care.

3 “(2) CHILD-CARE INSTITUTION.—

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

13 “(B) SUPERVISED SETTINGS.—In the case  
14 of a child who has attained 18 years of age, the  
15 term shall include a supervised setting in which  
16 the individual is living independently, in accord-  
17 ance with such conditions as the Secretary shall  
18 establish in regulations.

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

24 (c) TRAINING FOR STATE JUDGES, ATTORNEYS, AND  
25 OTHER LEGAL PERSONNEL IN CHILD WELFARE

1 CASES.—Section 438(b)(1) of such Act (42 U.S.C.  
2 629h(b)(1)) is amended in the matter preceding subpara-  
3 graph (A) by inserting “shall provide for the training of  
4 judges, attorneys, and other legal personnel in child wel-  
5 fare cases on Federal child welfare policies and payment  
6 limitations with respect to children in foster care who are  
7 placed in settings that are not a foster family home,” after  
8 “with respect to the child,”.

9 (d) ASSURANCE OF NONIMPACT ON JUVENILE JUS-  
10 TICE SYSTEM.—

11 (1) STATE PLAN REQUIREMENT.—Section  
12 471(a) of such Act (42 U.S.C. 671(a)), as amended  
13 by section 131, is further amended by adding at the  
14 end the following:

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

23 (2) GAO STUDY AND REPORT.—The Comp-  
24 troller General of the United States shall evaluate  
25 the impact, if any, on State juvenile justice systems

1 of the limitation imposed under section 472(k) of  
2 the Social Security Act (as added by section  
3 201(a)(1)) on foster care maintenance payments  
4 made on behalf of any child who is placed in a set-  
5 ting that is not a foster family home, in accordance  
6 with the amendments made by subsections (a) and  
7 (b) of this section. In particular, the Comptroller  
8 General shall evaluate the extent to which children  
9 in foster care who also are subject to the juvenile  
10 justice system of the State are placed in a facility  
11 under the jurisdiction of the juvenile justice system  
12 and whether the lack of available congregate care  
13 placements under the jurisdiction of the child wel-  
14 fare systems is a contributing factor to that result.  
15 Not later than December 31, 2023, the Comptroller  
16 General shall submit to Congress a report on the re-  
17 sults of the evaluation.

18 **SEC. 202. ASSESSMENT AND DOCUMENTATION OF THE**  
19 **NEED FOR PLACEMENT IN A QUALIFIED RES-**  
20 **IDENTIAL TREATMENT PROGRAM.**

21 Section 475A of the Social Security Act (42 U.S.C.  
22 675a) is amended by adding at the end the following:

23 “(c) ASSESSMENT, DOCUMENTATION, AND JUDICIAL  
24 DETERMINATION REQUIREMENTS FOR PLACEMENT IN A  
25 QUALIFIED RESIDENTIAL TREATMENT PROGRAM.—In

1 the case of any child who is placed in a qualified residen-  
2 tial treatment program (as defined in section 472(k)(4)),  
3 the following requirements shall apply for purposes of ap-  
4 proving the case plan for the child and the case system  
5 review procedure for the child:

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

9                   “(i) assess the strengths and needs of the  
10 child using an age-appropriate, evidence-based,  
11 validated, functional assessment tool approved  
12 by the Secretary;

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

23                   “(iii) develop a list of child-specific short-  
24 and long-term mental and behavioral health  
25 goals.

1           “(B)(i) The State shall assemble a family and  
2 permanency team for the child in accordance with  
3 the requirements of clauses (ii) and (iii). The quali-  
4 fied individual conducting the assessment required  
5 under subparagraph (A) shall work in conjunction  
6 with the family of, and permanency team for, the  
7 child while conducting and making the assessment.

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

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

21           “(I) the reasonable and good faith effort of  
22 the State to identify and include all such indi-  
23 viduals on the family of, and permanency team  
24 for, the child;

1           “(II) all contact information for members  
2 of the family and permanency team, as well as  
3 contact information for other family members  
4 and fictive kin who are not part of the family  
5 and permanency team;

6           “(III) evidence that meetings of the family  
7 and permanency team, including meetings relat-  
8 ing to the assessment required under subpara-  
9 graph (A), are held at a time and place conven-  
10 ient for family;

11           “(IV) if reunification is the goal, evidence  
12 demonstrating that the parent from whom the  
13 child was removed provided input on the mem-  
14 bers of the family and permanency team;

15           “(V) evidence that the assessment required  
16 under subparagraph (A) is determined in con-  
17 junction with the family and permanency team;  
18 and

19           “(VI) the placement preferences of the  
20 family and permanency team relative to the as-  
21 sessment and, if the placement preferences of  
22 the family and permanency team and child are  
23 not the placement setting recommended by the  
24 qualified individual conducting the assessment  
25 under subparagraph (A), the reasons why the

1 preferences of the team and of the child were  
2 not recommended.

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

21 “(D)(i) Subject to clause (ii), in this subsection,  
22 the term ‘qualified individual’ means a trained pro-  
23 fessional or licensed clinician who is not an employee  
24 of the State agency and who is not connected to, or

1 affiliated with, any placement setting in which chil-  
2 dren are placed by the State.

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

12 “(2) Within 60 days of the start of each place-  
13 ment in a qualified residential treatment program, a  
14 family or juvenile court or another court (including  
15 a tribal court) of competent jurisdiction, or an ad-  
16 ministrative body appointed or approved by the  
17 court, independently, shall—

18 “(A) consider the assessment, determina-  
19 tion, and documentation made by the qualified  
20 individual conducting the assessment under  
21 paragraph (1);

22 “(B) determine whether the needs of the  
23 child can be met through placement in a foster  
24 family home or, if not, whether placement of  
25 the child in a qualified residential treatment

1 program provides the most effective and appro-  
2 priate level of care for the child in the least re-  
3 strictive environment and whether that place-  
4 ment is consistent with the short- and long-  
5 term goals for the child, as specified in the per-  
6 manency plan for the child; and

7 “(C) approve or disapprove the placement.

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

15 “(4) As long as a child remains placed in a  
16 qualified residential treatment program, the State  
17 agency shall submit evidence at each status review  
18 and each permanency hearing held with respect to  
19 the child—

20 “(A) demonstrating that ongoing assess-  
21 ment of the strengths and needs of the child  
22 continues to support the determination that the  
23 needs of the child cannot be met through place-  
24 ment in a foster family home, that the place-  
25 ment in a qualified residential treatment pro-

1           gram provides the most effective and appro-  
2           priate level of care for the child in the least re-  
3           strictive environment, and that the placement is  
4           consistent with the short- and long-term goals  
5           for the child, as specified in the permanency  
6           plan for the child;

7                   “(B) documenting the specific treatment or  
8           service needs that will be met for the child in  
9           the placement and the length of time the child  
10          is expected to need the treatment or services;  
11          and

12                   “(C) documenting the efforts made by the  
13          State agency to prepare the child to return  
14          home or to be placed with a fit and willing rel-  
15          ative, a legal guardian, or an adoptive parent,  
16          or in a foster family home.

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

1           “(A) the most recent versions of the evi-  
2           dence and documentation specified in paragraph  
3           (4); and

4           “(B) the signed approval of the head of  
5           the State agency for the continued placement of  
6           the child in that setting.”.

7   **SEC. 203. PROTOCOLS TO PREVENT INAPPROPRIATE DIAG-**  
8           **NOSES.**

9           (a)    STATE    PLAN    REQUIREMENT.—Section  
10 422(b)(15)(A) of the Social Security Act (42 U.S.C.  
11 622(b)(15)(A)) is amended—

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

14           (2) by redesignating clause (vii) as clause (viii);  
15           and

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

17                   “(vii) the procedures and protocols  
18                   the State has established to ensure that  
19                   children in foster care placements are not  
20                   inappropriately diagnosed with mental ill-  
21                   ness, other emotional or behavioral dis-  
22                   orders, medically fragile conditions, or de-  
23                   velopmental disabilities, and placed in set-  
24                   tings that are not foster family homes as

1 a result of the inappropriate diagnoses;  
2 and”.

3 (b) EVALUATION.—Section 476 of such Act (42  
4 U.S.C. 676), as amended by section 111(d), is further  
5 amended by adding at the end the following:

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

18 **SEC. 204. ADDITIONAL DATA AND REPORTS REGARDING**  
19 **CHILDREN PLACED IN A SETTING THAT IS**  
20 **NOT A FOSTER FAMILY HOME.**

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

24 “(i) with respect to each such place-  
25 ment—

1           “(I) the type of the placement  
2           setting, including whether the place-  
3           ment is shelter care, a group home  
4           and if so, the range of the child popu-  
5           lation in the home, a residential treat-  
6           ment facility, a hospital or institution  
7           providing medical, rehabilitative, or  
8           psychiatric care, a setting specializing  
9           in providing prenatal, post-partum or  
10          parenting supports, or some other  
11          kind of child-care institution and if so,  
12          what kind;

13           “(II) the number of children in  
14          the placement setting and the age,  
15          race, ethnicity, and gender of each of  
16          the children;

17           “(III) for each child in the place-  
18          ment setting, the length of the place-  
19          ment of the child in the setting,  
20          whether the placement of the child in  
21          the setting is the first placement of  
22          the child and if not, the number and  
23          type of previous placements of the  
24          child, and whether the child has spe-  
25          cial needs or another diagnosed men-

1                   tal or physical illness or condition;  
2                   and

3                   “(IV) the extent of any special-  
4                   ized education, treatment, counseling,  
5                   or other services provided in the set-  
6                   ting; and

7                   “(ii) separately, the number and ages  
8                   of children in the placements who have a  
9                   permanency plan of another planned per-  
10                  manent living arrangement; and”.

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

12           (a) EFFECTIVE DATES.—

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

16               (2) TRANSITION RULE.—In the case of a State  
17               plan under part B or E of title IV of the Social Se-  
18               curity Act which the Secretary of Health and  
19               Human Services determines requires State legisla-  
20               tion (other than legislation appropriating funds) in  
21               order for the plan to meet the additional require-  
22               ments imposed by the amendments made by this  
23               title, the State plan shall not be regarded as failing  
24               to comply with the requirements of such part solely  
25               on the basis of the failure of the plan to meet the

1 additional requirements before the first day of the  
2 first calendar quarter beginning after the close of  
3 the first regular session of the State legislature that  
4 begins after the date of enactment of this Act. For  
5 purposes of the previous sentence, in the case of a  
6 State that has a 2-year legislative session, each year  
7 of the session shall be deemed to be a separate reg-  
8 ular session of the State legislature.

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

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

1 **TITLE III—CONTINUING SUP-**  
2 **PORT FOR CHILD AND FAM-**  
3 **ILY SERVICES**

4 **SEC. 301. SUPPORTING AND RETAINING FOSTER FAMILIES**  
5 **FOR CHILDREN.**

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

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

15 (b) SUPPORT FOR FOSTER FAMILY HOMES.—Section  
16 436 of such Act (42 U.S.C. 629f) is amended by adding  
17 at the end the following:

18 “(c) SUPPORT FOR FOSTER FAMILY HOMES.—Out  
19 of any money in the Treasury of the United States not  
20 otherwise appropriated, there are appropriated to the Sec-  
21 retary for fiscal year 2018, \$8,000,000 for the Secretary  
22 to make competitive grants to States, Indian tribes, or  
23 tribal consortia to support the recruitment and retention  
24 of high-quality foster families to increase their capacity  
25 to place more children in family settings, focused on

1 States, Indian tribes, or tribal consortia with the highest  
2 percentage of children in non-family settings. The amount  
3 appropriated under this subparagraph shall remain avail-  
4 able through fiscal year 2022.”.

5 **SEC. 302. EXTENSION OF CHILD AND FAMILY SERVICES**  
6 **PROGRAMS.**

7 (a) **EXTENSION OF STEPHANIE TUBBS JONES CHILD**  
8 **WELFARE SERVICES PROGRAM.**—Section 425 of the So-  
9 cial Security Act (42 U.S.C. 625) is amended by striking  
10 “2012 through 2016” and inserting “2017 through  
11 2021”.

12 (b) **EXTENSION OF PROMOTING SAFE AND STABLE**  
13 **FAMILIES PROGRAM AUTHORIZATIONS.**—

14 (1) **IN GENERAL.**—Section 436(a) of such Act  
15 (42 U.S.C. 629f(a)) is amended by striking all that  
16 follows “\$345,000,000” and inserting “for each of  
17 fiscal years 2017 through 2021.”.

18 (2) **DISCRETIONARY GRANTS.**—Section 437(a)  
19 of such Act (42 U.S.C. 629g(a)) is amended by  
20 striking “2012 through 2016” and inserting “2017  
21 through 2021”.

22 (c) **EXTENSION OF FUNDING RESERVATIONS FOR**  
23 **MONTHLY CASEWORKER VISITS AND REGIONAL PART-**  
24 **nership Grants.**—Section 436(b) of such Act (42  
25 U.S.C. 629f(b)) is amended—

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

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

6 (d) REAUTHORIZATION OF FUNDING FOR STATE  
7 COURTS.—

8 (1) EXTENSION OF PROGRAM.—Section  
9 438(c)(1) of such Act (42 U.S.C. 629h(c)(1)) is  
10 amended by striking “2012 through 2016” and in-  
11 serting “2017 through 2021”.

12 (2) EXTENSION OF FEDERAL SHARE.—Section  
13 438(d) of such Act (42 U.S.C. 629h(d)) is amended  
14 by striking “2012 through 2016” and inserting  
15 “2017 through 2021”.

16 (e) REPEAL OF EXPIRED PROVISIONS.—Section  
17 438(e) of such Act (42 U.S.C. 629h(e)) is repealed.

18 **SEC. 303. IMPROVEMENTS TO THE JOHN H. CHAFEE FOS-**  
19 **TER CARE INDEPENDENCE PROGRAM AND**  
20 **RELATED PROVISIONS.**

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

24 (1) in subsection (a)(5), by inserting “(or 23  
25 years of age, in the case of a State with a certifi-

1 cation under subsection (b)(3)(A)(ii) to provide as-  
2 sistance and services to youths who have aged out  
3 of foster care and have not attained such age, in ac-  
4 cordance with such subsection)” after “21 years of  
5 age”;

6 (2) in subsection (b)(3)(A)—

7 (A) by inserting “(i)” before “A certifi-  
8 cation”;

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

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

15 “(ii) If the State has elected under section  
16 475(8)(B) to extend eligibility for foster care to  
17 all children who have not attained 21 years of  
18 age, or if the Secretary determines that the  
19 State agency responsible for administering the  
20 State plans under this part and part B uses  
21 State funds or any other funds not provided  
22 under this part to provide services and assist-  
23 ance for youths who have aged out of foster  
24 care that are comparable to the services and as-  
25 sistance the youths would receive if the State

1 had made such an election, the certification re-  
2 quired under clause (i) may provide that the  
3 State will provide assistance and services to  
4 youths who have aged out of foster care and  
5 have not attained 23 years of age.”; and

6 (3) in subsection (b)(3)(B), by striking “chil-  
7 dren who have left foster care” and all that follows  
8 through the period and inserting “youths who have  
9 aged out of foster care and have not attained 21  
10 years of age (or 23 years of age, in the case of a  
11 State with a certification under subparagraph (A)(i)  
12 to provide assistance and services to youths who  
13 have aged out of foster care and have not attained  
14 such age, in accordance with subparagraph  
15 (A)(ii).”.

16 (b) AUTHORITY TO REDISTRIBUTE UNSPENT  
17 FUNDS.—Section 477(d) of such Act (42 U.S.C. 677(d))  
18 is amended—

19 (1) in paragraph (4), by inserting “or does not  
20 expend allocated funds within the time period speci-  
21 fied under section 477(d)(3)” after “provided by the  
22 Secretary”; and

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

24 “(5) REDISTRIBUTION OF UNEXPENDED  
25 AMOUNTS.—

1           “(A) AVAILABILITY OF AMOUNTS.—To the  
2 extent that amounts paid to States under this  
3 section in a fiscal year remain unexpended by  
4 the States at the end of the succeeding fiscal  
5 year, the Secretary may make the amounts  
6 available for redistribution in the second suc-  
7 ceeding fiscal year among the States that apply  
8 for additional funds under this section for that  
9 second succeeding fiscal year.

10           “(B) REDISTRIBUTION.—

11           “(i) IN GENERAL.—The Secretary  
12 shall redistribute the amounts made avail-  
13 able under subparagraph (A) for a fiscal  
14 year among eligible applicant States. In  
15 this subparagraph, the term ‘eligible appli-  
16 cant State’ means a State that has applied  
17 for additional funds for the fiscal year  
18 under subparagraph (A) if the Secretary  
19 determines that the State will use the  
20 funds for the purpose for which originally  
21 allotted under this section.

22           “(ii) AMOUNT TO BE REDISTRIB-  
23 UTED.—The amount to be redistributed to  
24 each eligible applicant State shall be the  
25 amount so made available multiplied by the

1 State foster care ratio, (as defined in sub-  
2 section (c)(4), except that, in such sub-  
3 section, ‘all eligible applicant States (as de-  
4 fined in subsection (d)(5)(B)(i))’ shall be  
5 substituted for ‘all States’).

6 “(iii) TREATMENT OF REDISTRIBUTED  
7 AMOUNT.—Any amount made available to  
8 a State under this paragraph shall be re-  
9 garded as part of the allotment of the  
10 State under this section for the fiscal year  
11 in which the redistribution is made.

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

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

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

20 (A) by striking “on the date” and all that  
21 follows through “23” and inserting “to remain  
22 eligible until they attain 26”; and

23 (B) by inserting “, but in no event may a  
24 youth participate in the program for more than

1           5 years (whether or not consecutive)” before  
2           the period.

3           (2)     CONFORMING     AMENDMENT.—Section  
4           477(i)(1) of such Act (42 U.S.C. 677(i)(1)) is  
5           amended by inserting “who have attained 14 years  
6           of age” before the period.

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

10           (1) in the section heading, by striking “**INDE-**  
11           **PENDENCE PROGRAM**” and inserting “**PROGRAM**  
12           **FOR SUCCESSFUL TRANSITION TO ADULT-**  
13           **HOOD**”;

14           (2) in subsection (a)—

15           (A) in paragraph (1)—

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

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

4 (iii) by striking “training in daily liv-  
5 ing skills, training in budgeting and finan-  
6 cial management skills” and inserting  
7 “training and opportunities to practice  
8 daily living skills (such as financial literacy  
9 training and driving instruction)”;

10 (B) in paragraph (2), by striking “who are  
11 likely to remain in foster care until 18 years of  
12 age receive the education, training, and services  
13 necessary to obtain employment” and inserting  
14 “who have experienced foster care at age 14 or  
15 older achieve meaningful, permanent connec-  
16 tions with a caring adult”;

17 (C) in paragraph (3), by striking “who are  
18 likely to remain in foster care until 18 years of  
19 age prepare for and enter postsecondary train-  
20 ing and education institutions” and inserting  
21 “who have experienced foster care at age 14 or  
22 older engage in age or developmentally appro-  
23 priate activities, positive youth development,  
24 and experiential learning that reflects what  
25 their peers in intact families experience”; and

1 (D) by striking paragraph (4) and redesignig-  
2 nating paragraphs (5) through (8) as para-  
3 graphs (4) through (7);

4 (3) in subsection (b)—

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

7 (B) in paragraph (3)—

8 (i) in subparagraph (D)—

9 (I) by inserting “including train-  
10 ing on youth development” after “to  
11 provide training”; and

12 (II) by striking “adolescents pre-  
13 paring for independent living” and all  
14 that follows through the period and  
15 inserting “youth preparing for a suc-  
16 cessful transition to adulthood and  
17 making a permanent connection with  
18 a caring adult.”;

19 (ii) in subparagraph (H), by striking  
20 “adolescents” each place it appears and in-  
21 serting “youth”; and

22 (iii) in subparagraph (K)—

23 (I) by striking “an adolescent”  
24 and inserting “a youth”; and

1 (II) by striking “the adolescent”  
2 each place it appears and inserting  
3 “the youth”; and

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

6 “(2) REPORT TO CONGRESS.—Not later than  
7 October 1, 2017, the Secretary shall submit to the  
8 Committee on Ways and Means of the House of  
9 Representatives and the Committee on Finance of  
10 the Senate a report on the National Youth in Tran-  
11 sition Database and any other databases in which  
12 States report outcome measures relating to children  
13 in foster care and children who have aged out of fos-  
14 ter care or left foster care for kinship guardianship  
15 or adoption. The report shall include the following:

16 “(A) A description of the reasons for entry  
17 into foster care and of the foster care experi-  
18 ences, such as length of stay, number of place-  
19 ment settings, case goal, and discharge reason  
20 of 17-year-olds who are surveyed by the Na-  
21 tional Youth in Transition Database and an  
22 analysis of the comparison of that description  
23 with the reasons for entry and foster care expe-  
24 riences of children of other ages who exit from  
25 foster care before attaining age 17.

1           “(B) A description of the characteristics of  
2 the individuals who report poor outcomes at  
3 ages 19 and 21 to the National Youth in Tran-  
4 sition Database.

5           “(C) Benchmarks for determining what  
6 constitutes a poor outcome for youth who re-  
7 main in or have exited from foster care and  
8 plans the Executive branch will take to incor-  
9 porate these benchmarks in efforts to evaluate  
10 child welfare agency performance in providing  
11 services to children transitioning from foster  
12 care.

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

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

20           (e) CLARIFYING DOCUMENTATION PROVIDED TO  
21 FOSTER YOUTH LEAVING FOSTER CARE.—Section  
22 475(5)(I) of such Act (42 U.S.C. 675(5)(I)) is amended  
23 by inserting after “REAL ID Act of 2005” the following:  
24 “, and any official documentation necessary to prove that  
25 the child was previously in foster care”.

1 **TITLE IV—CONTINUING INCEN-**  
 2 **TIVES TO STATES TO PRO-**  
 3 **MOTE ADOPTION AND LEGAL**  
 4 **GUARDIANSHIP**

5 **SEC. 401. REAUTHORIZING ADOPTION AND LEGAL GUARD-**  
 6 **IANSHIP INCENTIVE PROGRAMS.**

7 Section 473A of the Social Security Act (42 U.S.C.  
 8 673b) is amended—

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

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

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

15 **TITLE V—TECHNICAL**  
 16 **CORRECTIONS**

17 **SEC. 501. TECHNICAL CORRECTIONS TO DATA EXCHANGE**  
 18 **STANDARDS TO IMPROVE PROGRAM COORDI-**  
 19 **NATION.**

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

22 **“SEC. 440. DATA EXCHANGE STANDARDS FOR IMPROVED**  
 23 **INTEROPERABILITY.**

24 “(a) DESIGNATION.—The Secretary shall, in con-  
 25 sultation with an interagency work group established by

1 the Office of Management and Budget and considering  
2 State government perspectives, by rule, designate data ex-  
3 change standards to govern, under this part—

4           “(1) necessary categories of information that  
5 State agencies operating programs under State  
6 plans approved under this part are required under  
7 applicable Federal law to electronically exchange  
8 with another State agency; and

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

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

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

17           “(2) contain interoperable standards developed  
18 and maintained by intergovernmental partnerships,  
19 such as the National Information Exchange Model;

20           “(3) incorporate interoperable standards devel-  
21 oped and maintained by Federal entities with au-  
22 thority over contracting and financial assistance;

23           “(4) be consistent with and implement applica-  
24 ble accounting principles;

1           “(5) be implemented in a manner that is cost-  
2           effective and improves program efficiency and effec-  
3           tiveness; and

4           “(6) be capable of being continually upgraded  
5           as necessary.

6           “(c) **RULE OF CONSTRUCTION.**—Nothing in this sub-  
7           section shall be construed to require a change to existing  
8           data exchange standards found to be effective and effi-  
9           cient.”.

10          (b) **EFFECTIVE DATE.**—Not later than the date that  
11          is 24 months after the date of the enactment of this sec-  
12          tion, the Secretary of Health and Human Services shall  
13          issue a proposed rule that—

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

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

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

24          Section 422(b)(18) of the Social Security Act (42  
25          U.S.C. 622(b)(18)) is amended by striking “such chil-

1 dren” and inserting “all vulnerable children under 5 years  
2 of age”.

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

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

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

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

13 (2) in subparagraph (B)—

14 (A) in the matter preceding the table, by  
15 striking “fiscal year” and inserting “period”;  
16 and

17 (B) in the table—

18 (i) by striking “of fiscal year:” and in-  
19 sserting “of:”;

20 (ii) by striking “2010” and inserting  
21 “Fiscal year 2010”;

22 (iii) by striking “2011” and inserting  
23 “Fiscal year 2011”;

24 (iv) by striking “2012” and inserting  
25 “Fiscal year 2012”;

1 (v) by striking “2013” and inserting  
2 “Fiscal year 2013”;

3 (vi) by striking “2014” and inserting  
4 “Fiscal year 2014”;

5 (vii) by striking “2015” and inserting  
6 “Fiscal year 2015”;

7 (viii) by striking “2016” and inserting  
8 “October 1, 2015, through March 31,  
9 2019”;

10 (ix) by striking “2017” and inserting  
11 “April 1, 2019, through March 31, 2020”;

12 and

13 (x) by striking “2018” and inserting  
14 “April 1, 2020.”

15 **SEC. 602. GAO STUDY AND REPORT ON STATE REINVEST-**  
16 **MENT OF SAVINGS RESULTING FROM IN-**  
17 **CREASE IN ADOPTION ASSISTANCE.**

18 (a) STUDY.—The Comptroller General of the United  
19 States shall study the extent to which States are com-  
20 plying with the requirements of section 473(a)(8) of the  
21 Social Security Act relating to the effects of phasing out  
22 the AFDC income eligibility requirements for adoption as-  
23 sistance payments under section 473 of the Social Security  
24 Act, as enacted by section 402 of the Fostering Connec-  
25 tions to Success and Increasing Adoptions Act of 2008

1 (Public Law 110–351; 122 Stat. 3975) and amended by  
2 section 206 of the Preventing Sex Trafficking and  
3 Strengthening Families Act (Public Law 113–183; 128  
4 Stat. 1919). In particular, the Comptroller General shall  
5 analyze the extent to which States are complying with the  
6 following requirements under section 473(a)(8)(D) of the  
7 Social Security Act:

8           (1) The requirement to spend an amount equal  
9           to the amount of the savings (if any) in State ex-  
10          penditures under part E of title IV of the Social Se-  
11          curity resulting from phasing out the AFDC income  
12          eligibility requirements for adoption assistance pay-  
13          ments under section 473 of such Act to provide to  
14          children of families any service that may be provided  
15          under part B or E of title IV of such Act.

16          (2) The requirement that a State shall spend  
17          not less than 30 percent of the amount of any sav-  
18          ings described in subparagraph (A) on post-adoption  
19          services, post-guardianship services, and services to  
20          support and sustain positive permanent outcomes for  
21          children who otherwise might enter into foster care  
22          under the responsibility of the State, with at least  $\frac{2}{3}$   
23          of the spending by the State to comply with the 30  
24          percent requirement being spent on post-adoption  
25          and post-guardianship services.

1       (b) REPORT.—The Comptroller General of the  
2 United States shall submit to the Committee on Finance  
3 of the Senate, the Committee on Ways and Means of the  
4 House of Representatives, and the Secretary of Health  
5 and Human Services a report that contains the results of  
6 the study required by subsection (a), including rec-  
7 ommendations to ensure compliance with laws referred to  
8 in subsection (a).

Passed the House of Representatives June 21, 2016.

Attest:

*Clerk.*

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

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# H. R. 5456

## AN ACT

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.