

1 accurate Federal data available for the eligible enti-
2 ty.”.

3 **Subtitle B—Extension of Health**
4 **Professions Workforce Dem-**
5 **onstration Projects**

6 **SEC. 50611. EXTENSION OF HEALTH WORKFORCE DEM-**
7 **ONSTRATION PROJECTS FOR LOW-INCOME**
8 **INDIVIDUALS.**

9 Section 2008(c)(1) of the Social Security Act (42
10 U.S.C. 1397g(c)(1)) is amended by striking “2017” and
11 inserting “2019”.

12 **TITLE VII—FAMILY FIRST**
13 **PREVENTION SERVICES ACT**
14 **Subtitle A—Investing in Preven-**
15 **tion and Supporting Families**

16 **SEC. 50701. SHORT TITLE.**

17 This subtitle may be cited as the “Bipartisan Budget
18 Act of 2018”.

19 **SEC. 50702. PURPOSE.**

20 The purpose of this subtitle is to enable States to
21 use Federal funds available under parts B and E of title
22 IV of the Social Security Act to provide enhanced support
23 to children and families and prevent foster care place-
24 ments through the provision of mental health and sub-
25 stance abuse prevention and treatment services, in-home

1 parent skill-based programs, and kinship navigator serv-
2 ices.

3 **PART I—PREVENTION ACTIVITIES UNDER TITLE**

4 **IV—E**

5 **SEC. 50711. FOSTER CARE PREVENTION SERVICES AND**
6 **PROGRAMS.**

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

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

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

19 “(e) PREVENTION AND FAMILY SERVICES AND PRO-
20 GRAMS.—

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

1 the child when the need of the child, such a parent,
2 or such a caregiver for the services or programs are
3 directly related to the safety, permanence, or well-
4 being of the child or to preventing the child from en-
5 tering foster care:

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

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

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

23 “(A) A child who is a candidate for foster
24 care (as defined in section 475(13)) but can re-
25 main safely at home or in a kinship placement

1 with receipt of services or programs specified in
2 paragraph (1).

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

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

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

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

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

24 “(A) PREVENTION PLAN.—The State
25 maintains a written prevention plan for the

1 child that meets the following requirements (as
2 applicable):

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

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

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

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

21 “(ii) PREGNANT OR PARENTING FOS-
22 TER YOUTH.—In the case of a child who is
23 a pregnant or parenting foster youth de-
24 scribed in paragraph (2)(B), the preven-
25 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 plans in effect
9 under subparts 1 and 2 of part 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 (or, at the option of a State
17 described in subparagraph (E), fiscal year 2015
18 or fiscal year 2016 (whichever the State
19 elects)).

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

23 “(i) TANF; IV-B; SSBG.—State ex-
24 penditures for foster care prevention serv-
25 ices and activities under the State program

1 funded under part A (including from
2 amounts made available by the Federal
3 Government), under the State plan devel-
4 oped under part B (including any such
5 amounts), or under the Social Services
6 Block Grant Programs under subtitle A of
7 title XX (including any such amounts).

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

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

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

15 “(E) STATE DESCRIBED.—For purposes of
16 subparagraph (A), a State is described in this
17 subparagraph if the population of children in
18 the State in 2014 was less than 200,000 (as de-
19 termined by the United States Census Bureau).

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

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

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

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

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

14 “(10) APPLICATION.—

15 “(A) IN GENERAL.—The provision of serv-
16 ices or programs under this subsection to or on
17 behalf of a child described in paragraph (2)
18 shall not be considered to be receipt of aid or
19 assistance under the State plan under this part
20 for purposes of eligibility for any other program
21 established under this Act.

22 “(B) CANDIDATES IN KINSHIP CARE.—A
23 child described in paragraph (2) for whom such
24 services or programs under this subsection are
25 provided for more than 6 months while in the

1 home of a kin caregiver, and who would satisfy
2 the AFDC eligibility requirement of section
3 472(a)(3)(A)(ii)(II) but for residing in the
4 home of the caregiver for more than 6 months,
5 is deemed to satisfy that requirement for pur-
6 poses of determining whether the child is eligi-
7 ble for foster care maintenance payments under
8 section 472.”.

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

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

1 a disruption or dissolution that would result in a
2 foster care placement.”.

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

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

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

8 “(6) subject to section 471(e)—

9 “(A) for each quarter—

10 “(i) subject to clause (ii)—

11 “(I) beginning after September
12 30, 2019, and before October 1, 2026,
13 an amount equal to 50 percent of the
14 total amount expended during the
15 quarter for the provision of services or
16 programs specified in subparagraph
17 (A) or (B) of section 471(e)(1) that
18 are provided in accordance with prom-
19 ising, supported, or well-supported
20 practices that meet the applicable cri-
21 teria specified for the practices in sec-
22 tion 471(e)(4)(C); and

23 “(II) beginning after September
24 30, 2026, an amount equal to the
25 Federal medical assistance percentage

1 (which shall be as defined in section
2 1905(b), in the case of a State other
3 than the District of Columbia, or 70
4 percent, in the case of the District of
5 Columbia) of the total amount ex-
6 pended during the quarter for the pro-
7 vision of services or programs speci-
8 fied in subparagraph (A) or (B) of
9 section 471(e)(1) that are provided in
10 accordance with promising, supported,
11 or well-supported practices that meet
12 the applicable criteria specified for the
13 practices in section 471(e)(4)(C) (or,
14 with respect to the payments made
15 during the quarter under a coopera-
16 tive agreement or contract entered
17 into by the State and an Indian tribe,
18 tribal organization, or tribal consor-
19 tium for the administration or pay-
20 ment of funds under this part, an
21 amount equal to the Federal medical
22 assistance percentage that would
23 apply under section 479B(d) (in this
24 paragraph referred to as the ‘tribal
25 FMAP’) if the Indian tribe, tribal or-

1 ganization, or tribal consortium made
2 the payments under a program oper-
3 ated under that section, unless the
4 tribal FMAP is less than the Federal
5 medical assistance percentage that ap-
6 plies to the State); except that

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

14 “(B) for each quarter specified in subpara-
15 graph (A), an amount equal to the sum of the
16 following proportions of the total amount ex-
17 pended during the quarter—

18 “(i) 50 percent of so much of the ex-
19 penditures as are found necessary by the
20 Secretary for the proper and efficient ad-
21 ministration of the State plan for the pro-
22 vision of services or programs specified in
23 section 471(e)(1), including expenditures
24 for activities approved by the Secretary
25 that promote the development of necessary

1 processes and procedures to establish and
2 implement the provision of the services and
3 programs for individuals who are eligible
4 for the services and programs and expendi-
5 tures attributable to data collection and re-
6 porting; and

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

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

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

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

18 “(2) CLEARINGHOUSE OF PROMISING, SUP-
19 PORTED, AND WELL-SUPPORTED PRACTICES.—The
20 Secretary shall, directly or through grants, con-
21 tracts, or interagency agreements, evaluate research
22 on the practices specified in clauses (iii), (iv), and
23 (v), respectively, of section 471(e)(4)(C), and pro-
24 grams that meet the requirements described in sec-
25 tion 427(a)(1), including culturally specific, or

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

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

19 “(A) reduces the likelihood of foster care
20 placement;

21 “(B) increases use of kinship care arrange-
22 ments; or

23 “(C) improves child well-being.

24 “(4) REPORTS TO CONGRESS.—

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

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

11 “(5) APPROPRIATION.—Out of any money in
12 the Treasury of the United States not otherwise ap-
13 propriated, there are appropriated to the Secretary
14 \$1,000,000 for fiscal year 2018 and each fiscal year
15 thereafter to carry out this subsection.”.

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

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

20 (A) in subsection (c)(1)—

21 (i) in subparagraph (C)(i)—

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

463

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. 679e) is amended by striking “FOR FOSTER
4 CARE MAINTENANCE AND ADOPTION ASSISTANCE
5 PAYMENTS”.

6 (f) APPLICATION TO PROGRAMS OPERATED BY TER-
7 RITORIES.—Section 1108(a)(2) of the Social Security Act
8 (42 U.S.C. 1308(a)(2)) is amended by striking “or
9 413(f)” and inserting “413(f), or 474(a)(6)”.

10 **SEC. 50712. FOSTER CARE MAINTENANCE PAYMENTS FOR**
11 **CHILDREN WITH PARENTS IN A LICENSED**
12 **RESIDENTIAL FAMILY-BASED TREATMENT**
13 **FACILITY FOR SUBSTANCE ABUSE.**

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

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

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

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

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

12 “(A) the recommendation for the place-
13 ment is specified in the child’s case plan before
14 the placement;

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

19 “(C) the substance abuse treatment, par-
20 enting skills training, parent education, and in-
21 dividual and family counseling is provided
22 under an organizational structure and treat-
23 ment framework that involves understanding,
24 recognizing, and responding to the effects of all
25 types of trauma and in accordance with recog-

1 nized principles of a trauma-informed approach
2 and trauma-specific interventions to address the
3 consequences of trauma and facilitate healing.

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

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

16 **SEC. 50713. TITLE IV-E PAYMENTS FOR EVIDENCE-BASED**
17 **KINSHIP NAVIGATOR PROGRAMS.**

18 Section 474(a) of the Social Security Act (42 U.S.C.
19 674(a)), as amended by section 50711(c), is amended—

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

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

23 “(7) an amount equal to 50 percent of the
24 amounts expended by the State during the quarter
25 as the Secretary determines are for kinship navi-

1 gator programs that meet the requirements de-
2 scribed in section 427(a)(1) and that the Secretary
3 determines are operated in accordance with prom-
4 ising, supported, or well-supported practices that
5 meet the applicable criteria specified for the prac-
6 tices in section 471(e)(4)(C), without regard to
7 whether the expenditures are incurred on behalf of
8 children who are, or are potentially, eligible for fos-
9 ter care maintenance payments under this part.”.

10 **PART II—ENHANCED SUPPORT UNDER TITLE IV—**

11 **B**

12 **SEC. 50721. ELIMINATION OF TIME LIMIT FOR FAMILY RE-**

13 **UNIFICATION SERVICES WHILE IN FOSTER**

14 **CARE AND PERMITTING TIME-LIMITED FAM-**

15 **ILY REUNIFICATION SERVICES WHEN A**

16 **CHILD RETURNS HOME FROM FOSTER CARE.**

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

19 (1) in the paragraph heading, by striking
20 “TIME-LIMITED FAMILY” and inserting “FAMILY”;
21 and

22 (2) in subparagraph (A)—

23 (A) by striking “time-limited family” and
24 inserting “family”;

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

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

14 (b) CONFORMING AMENDMENTS.—

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

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

1 **SEC. 50722. REDUCING BUREAUCRACY AND UNNECESSARY**
2 **DELAYS WHEN PLACING CHILDREN IN**
3 **HOMES ACROSS STATE LINES.**

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

7 (1) by striking “provide” and inserting “pro-
8 vides”; and

9 (2) by inserting “, which, in the case of a State
10 other than the Commonwealth of Puerto Rico, the
11 United States Virgin Islands, Guam, or American
12 Samoa, not later than October 1, 2027, shall include
13 the use of an electronic interstate case-processing
14 system” before the first semicolon.

15 (b) EXEMPTION OF INDIAN TRIBES.—Section
16 479B(c) of such Act (42 U.S.C. 679c(c)) is amended by
17 adding at the end the following:

18 “(4) INAPPLICABILITY OF STATE PLAN RE-
19 QUIREMENT TO HAVE IN EFFECT PROCEDURES PRO-
20 VIDING FOR THE USE OF AN ELECTRONIC INTER-
21 STATE CASE-PROCESSING SYSTEM.—The require-
22 ment in section 471(a)(25) that a State plan provide
23 that the State shall have in effect procedures pro-
24 viding for the use of an electronic interstate case-
25 processing system shall not apply to an Indian tribe,

1 tribal organization, or tribal consortium that elects
2 to operate a program under this part.”.

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

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

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

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

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

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

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

13 “(B) A description of the activities to be
14 funded in whole or in part with the funds, in-
15 cluding the sequencing of the activities.

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

19 “(D) Such other information as the Sec-
20 retary may require.

21 “(3) FUNDING AUTHORITY.—The Secretary
22 may provide funds to a State that complies with
23 paragraph (2). In providing funds under this sub-
24 section, the Secretary shall prioritize States that are

1 not yet connected with the electronic interstate case-
2 processing system referred to in paragraph (1).

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

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

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

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

1 case-processing system, by each State in each
2 year.

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

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

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

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

23 “(A) connecting the system with other
24 data systems (such as systems operated by
25 State law enforcement and judicial agencies,

1 systems operated by the Federal Bureau of In-
2 vestigation for the purposes of the Innocence
3 Lost National Initiative, and other systems);

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

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

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

18 “(4) IMPROVING THE INTERSTATE PLACEMENT
19 OF CHILDREN.—The Secretary shall reserve
20 \$5,000,000 of the amount made available for fiscal
21 year 2018 for grants under subsection (g), and the
22 amount so reserved shall remain available through
23 fiscal year 2022.”.

1 **SEC. 50723. ENHANCEMENTS TO GRANTS TO IMPROVE**
2 **WELL-BEING OF FAMILIES AFFECTED BY**
3 **SUBSTANCE 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-
4 of-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 **PART III—MISCELLANEOUS**
2 **SEC. 50731. REVIEWING AND IMPROVING LICENSING**
3 **STANDARDS FOR PLACEMENT IN A RELATIVE**
4 **FOSTER FAMILY HOME.**

5 (a) IDENTIFICATION OF REPUTABLE MODEL LI-
6 CENSING STANDARDS.—Not later than October 1, 2018,
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 2019, 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. 50732. 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 a comprehen-
20 sive, statewide plan to prevent the fatalities
21 that involves and engages relevant public and
22 private agency partners, including those in pub-
23 lic health, law enforcement, and the courts.”.

1 **SEC. 50733. 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. 50734. 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 parts I through III of this subtitle
22 shall take effect on October 1, 2018.

23 (2) EXCEPTIONS.—The amendments made by
24 sections 50711(d), 50731, and 50733 shall take ef-
25 fect on the date 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 parts I through III of this
8 subtitle, the State plan shall not be regarded as fail-
9 ing to comply with the requirements of such part
10 solely on the basis of the failure of the plan to meet
11 such additional requirements before the first day of
12 the first calendar quarter beginning after the close
13 of the first regular session of the State legislature
14 that begins after the date of enactment of this Act.
15 For purposes of the previous sentence, in the case
16 of a State that has a 2-year legislative session, each
17 year of the session shall be deemed to be a separate
18 regular session of 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 parts I through III of this

1 subtitle (whether the tribe, organization, or tribal
2 consortium has a plan under section 479B of the So-
3 cial Security Act or a cooperative agreement or con-
4 tract entered into with a State), the Secretary shall
5 provide the tribe, organization, or tribal consortium
6 with such additional time as the Secretary deter-
7 mines is necessary for the tribe, organization, or
8 tribal consortium to take the action to comply with
9 the additional requirements before being regarded as
10 failing to comply with the requirements.

11 **PART IV—ENSURING THE NECESSITY OF A**
12 **PLACEMENT THAT IS NOT IN A FOSTER FAM-**
13 **ILY HOME**

14 **SEC. 50741. LIMITATION ON FEDERAL FINANCIAL PARTICI-**
15 **PATION FOR PLACEMENTS THAT ARE NOT IN**
16 **FOSTER FAMILY HOMES.**

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

19 (1) **IN GENERAL.—**Section 472 of the Social
20 Security Act (42 U.S.C. 672), as amended by sec-
21 tion 50712(a), is amended—

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

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

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

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

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

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

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

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

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

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

7 “(D) A setting providing high-quality resi-
8 dential care and supportive services to children
9 and youth who have been found to be, or are
10 at risk of becoming, sex trafficking victims, in
11 accordance with section 471(a)(9)(C).

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

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

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

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

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

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

13 “(B) subject to paragraphs (5) and (6),
14 has registered or licensed nursing staff and
15 other licensed clinical staff who—

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

18 “(ii) are on-site according to the
19 treatment model referred to in subpara-
20 graph (A); and

21 “(iii) are available 24 hours a day and
22 7 days a week;

23 “(C) to extent appropriate, and in accord-
24 ance with the child’s best interests, facilitates

1 participation of family members in the child's
2 treatment program;

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

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

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

16 “(G) is licensed in accordance with section
17 471(a)(10) and is accredited by any of the fol-
18 lowing independent, not-for-profit organizations:

19 “(i) The Commission on Accreditation
20 of Rehabilitation Facilities (CARF).

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

24 “(iii) The Council on Accreditation
25 (COA).

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

4 “(5) ADMINISTRATIVE COSTS.—The prohibition
5 in paragraph (1) on Federal payments under section
6 474(a)(1) shall not be construed as prohibiting Fed-
7 eral payments for administrative expenditures in-
8 curred on behalf of a child placed in a child-care in-
9 stitution and for which payment is available under
10 section 474(a)(3).

11 “(6) RULE OF CONSTRUCTION.—The require-
12 ments in paragraph (4)(B) shall not be construed as
13 requiring a qualified residential treatment program
14 to acquire nursing and behavioral health staff solely
15 through means of a direct employer to employee re-
16 lationship.”.

17 (2) CONFORMING AMENDMENT.—Section
18 474(a)(1) of the Social Security Act (42 U.S.C.
19 674(a)(1)), as amended by section 50712(b), is
20 amended by striking “section 472(j)” and inserting
21 “subsections (j) and (k) of section 472”.

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

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

1 “(1) FOSTER FAMILY HOME.—

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

5 “(i) that is licensed or approved by
6 the State in which it is situated as a foster
7 family home that meets the standards es-
8 tablished for the licensing or approval; and

9 “(ii) in which a child in foster care
10 has been placed in the care of an indi-
11 vidual, who resides with the child and who
12 has been licensed or approved by the State
13 to be a foster parent—

14 “(I) that the State deems capable
15 of adhering to the reasonable and pru-
16 dent parent standard;

17 “(II) that provides 24-hour sub-
18 stitute care for children placed away
19 from their parents or other care-
20 takers; and

21 “(III) that provides the care for
22 not more than six children in foster
23 care.

24 “(B) STATE FLEXIBILITY.—The number of
25 foster children that may be cared for in a home

1 under subparagraph (A) may exceed the numer-
2 ical limitation in subparagraph (A)(ii)(III), at
3 the option of the State, for any of the following
4 reasons:

5 “(i) To allow a parenting youth in fos-
6 ter care to remain with the child of the
7 parenting youth.

8 “(ii) To allow siblings to remain to-
9 gether.

10 “(iii) To allow a child with an estab-
11 lished meaningful relationship with the
12 family to remain with the family.

13 “(iv) To allow a family with special
14 training or skills to provide care to a child
15 who has a severe disability.

16 “(C) RULE OF CONSTRUCTION.—Subpara-
17 graph (A) shall not be construed as prohibiting
18 a foster parent from renting the home in which
19 the parent cares for a foster child placed in the
20 parent’s care.

21 “(2) CHILD-CARE INSTITUTION.—

22 “(A) IN GENERAL.—The term ‘child-care
23 institution’ means a private child-care institu-
24 tion, or a public child-care institution which ac-
25 commodates no more than 25 children, which is

1 licensed by the State in which it is situated or
2 has been approved by the agency of the State
3 responsible for licensing or approval of institu-
4 tions of this type as meeting the standards es-
5 tablished for the licensing.

6 “(B) SUPERVISED SETTINGS.—In the case
7 of a child who has attained 18 years of age, the
8 term shall include a supervised setting in which
9 the individual is living independently, in accord-
10 ance with such conditions as the Secretary shall
11 establish in regulations.

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

17 (c) TRAINING FOR STATE JUDGES, ATTORNEYS, AND
18 OTHER LEGAL PERSONNEL IN CHILD WELFARE
19 CASES.—Section 438(b)(1) of such Act (42 U.S.C.
20 629h(b)(1)) is amended in the matter preceding subpara-
21 graph (A) by inserting “shall provide for the training of
22 judges, attorneys, and other legal personnel in child wel-
23 fare cases on Federal child welfare policies and payment
24 limitations with respect to children in foster care who are

1 placed in settings that are not a foster family home,” after
2 “with respect to the child.”

3 (d) ASSURANCE OF NONIMPACT ON JUVENILE JUS-
4 TICE SYSTEM.—

5 (1) STATE PLAN REQUIREMENT.—Section
6 471(a) of such Act (42 U.S.C. 671(a)), as amended
7 by section 50731, is further amended by adding at
8 the end the following:

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

17 (2) GAO STUDY AND REPORT.—The Comp-
18 troller General of the United States shall evaluate
19 the impact, if any, on State juvenile justice systems
20 of the limitation imposed under section 472(k) of
21 the Social Security Act (as added by section
22 50741(a)(1)) on foster care maintenance payments
23 made on behalf of any child who is placed in a set-
24 ting that is not a foster family home, in accordance
25 with the amendments made by subsections (a) and

1 (b) of this section. In particular, the Comptroller
2 General shall evaluate the extent to which children
3 in foster care who also are subject to the juvenile
4 justice system of the State are placed in a facility
5 under the jurisdiction of the juvenile justice system
6 and whether the lack of available congregate care
7 placements under the jurisdiction of the child wel-
8 fare systems is a contributing factor to that result.
9 Not later than December 31, 2025, the Comptroller
10 General shall submit to Congress a report on the re-
11 sults of the evaluation.

12 **SEC. 50742. ASSESSMENT AND DOCUMENTATION OF THE**
13 **NEED FOR PLACEMENT IN A QUALIFIED RES-**
14 **IDENTIAL TREATMENT PROGRAM.**

15 Section 475A of the Social Security Act (42 U.S.C.
16 675a) is amended by adding at the end the following:

17 “(c) ASSESSMENT, DOCUMENTATION, AND JUDICIAL
18 DETERMINATION REQUIREMENTS FOR PLACEMENT IN A
19 QUALIFIED RESIDENTIAL TREATMENT PROGRAM.—In
20 the case of any child who is placed in a qualified residen-
21 tial treatment program (as defined in section 472(k)(4)),
22 the following requirements shall apply for purposes of ap-
23 proving the case plan for the child and the case system
24 review procedure for the child:

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

4 “(i) assess the strengths and needs of the
5 child using an age-appropriate, evidence-based,
6 validated, functional assessment tool approved
7 by the Secretary;

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

18 “(iii) develop a list of child-specific short-
19 and long-term mental and behavioral health
20 goals.

21 “(B)(i) The State shall assemble a family and
22 permanency team for the child in accordance with
23 the requirements of clauses (ii) and (iii). The quali-
24 fied individual conducting the assessment required
25 under subparagraph (A) shall work in conjunction

1 with the family of, and permanency team for, the
2 child while conducting and making the assessment.

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

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

16 “(I) the reasonable and good faith effort of
17 the State to identify and include all the individ-
18 uals described in clause (ii) on the child’s fam-
19 ily and permanency team;

20 “(II) all contact information for members
21 of the family and permanency team, as well as
22 contact information for other family members
23 and fictive kin who are not part of the family
24 and permanency team;

1 “(III) evidence that meetings of the family
2 and permanency team, including meetings relat-
3 ing to the assessment required under subpara-
4 graph (A), are held at a time and place conven-
5 ient for family;

6 “(IV) if reunification is the goal, evidence
7 demonstrating that the parent from whom the
8 child was removed provided input on the mem-
9 bers of the family and permanency team;

10 “(V) evidence that the assessment required
11 under subparagraph (A) is determined in con-
12 junction with the family and permanency team;

13 “(VI) the placement preferences of the
14 family and permanency team relative to the as-
15 sessment that recognizes children should be
16 placed with their siblings unless there is a find-
17 ing by the court that such placement is con-
18 trary to their best interest; and

19 “(VII) if the placement preferences of the
20 family and permanency team and child are not
21 the placement setting recommended by the
22 qualified individual conducting the assessment
23 under subparagraph (A), the reasons why the
24 preferences of the team and of the child were
25 not recommended.

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

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

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

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

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

20 “(B) determine whether the needs of the
21 child can be met through placement in a foster
22 family home or, if not, whether placement of
23 the child in a qualified residential treatment
24 program provides the most effective and appro-
25 priate level of care for the child in the least re-

1 strictive environment and whether that place-
2 ment is consistent with the short- and long-
3 term goals for the child, as specified in the per-
4 manency plan for the child; and

5 “(C) approve or disapprove the placement.

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

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

18 “(A) demonstrating that ongoing assess-
19 ment of the strengths and needs of the child
20 continues to support the determination that the
21 needs of the child cannot be met through place-
22 ment in a foster family home, that the place-
23 ment in a qualified residential treatment pro-
24 gram provides the most effective and appro-
25 priate level of care for the child in the least re-

1 strictive environment, and that the placement is
2 consistent with the short- and long-term goals
3 for the child, as specified in the permanency
4 plan for the child;

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

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

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

22 “(A) the most recent versions of the evi-
23 dence and documentation specified in paragraph
24 (4); and

1 “(B) the signed approval of the head of
2 the State agency for the continued placement of
3 the child in that setting.”.

4 **SEC. 50743. PROTOCOLS TO PREVENT INAPPROPRIATE DI-**
5 **AGNOSES.**

6 (a) STATE PLAN REQUIREMENT.—Section
7 422(b)(15)(A) of the Social Security Act (42 U.S.C.
8 622(b)(15)(A)) is amended—

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

11 (2) by redesignating clause (vii) as clause (viii);
12 and

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

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

1 (b) EVALUATION.—Section 476 of such Act (42
2 U.S.C. 676), as amended by section 50711(d), is further
3 amended by adding at the end the following:

4 “(e) EVALUATION OF STATE PROCEDURES AND PRO-
5 TOCOLS TO PREVENT INAPPROPRIATE DIAGNOSES OF
6 MENTAL ILLNESS OR OTHER CONDITIONS.—The Sec-
7 retary shall conduct an evaluation of the procedures and
8 protocols established by States in accordance with the re-
9 quirements of section 422(b)(15)(A)(vii). The evaluation
10 shall analyze the extent to which States comply with and
11 enforce the procedures and protocols and the effectiveness
12 of various State procedures and protocols and shall iden-
13 tify best practices. Not later than January 1, 2020, the
14 Secretary shall submit a report on the results of the eval-
15 uation to Congress.”.

16 **SEC. 50744. ADDITIONAL DATA AND REPORTS REGARDING**
17 **CHILDREN PLACED IN A SETTING THAT IS**
18 **NOT A FOSTER FAMILY HOME.**

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

22 “(i) with respect to each such place-
23 ment—

24 “(I) the type of the placement
25 setting, including whether the place-

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

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

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

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

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

9 **SEC. 50745. CRIMINAL RECORDS CHECKS AND CHECKS OF**
10 **CHILD ABUSE AND NEGLECT REGISTRIES**
11 **FOR ADULTS WORKING IN CHILD-CARE INSTI-**
12 **TUTIONS AND OTHER GROUP CARE SET-**
13 **TINGS.**

14 (a) STATE PLAN REQUIREMENT.—Section
15 471(a)(20) of the Social Security Act (42 U.S.C.
16 671(a)(20)) is amended—

17 (1) in subparagraph (A)(ii), by striking “and”
18 after the semicolon;

19 (2) in subparagraph (B)(iii), by striking
20 “and” after the semicolon;

21 (3) in subparagraph (C), by adding “and” after
22 the semicolon; and

23 (4) by inserting after subparagraph (C), the fol-
24 lowing new subparagraph:

1 “(D) provides procedures for any child-
2 care institution, including a group home, resi-
3 dential treatment center, shelter, or other con-
4 gregate care setting, to conduct criminal
5 records checks, including fingerprint-based
6 checks of national crime information databases
7 (as defined in section 534(f)(3)(A) of title 28,
8 United States Code), and checks described in
9 subparagraph (B) of this paragraph, on any
10 adult working in a child-care institution, includ-
11 ing a group home, residential treatment center,
12 shelter, or other congregate care setting, unless
13 the State reports to the Secretary the alter-
14 native criminal records checks and child abuse
15 registry checks the State conducts on any adult
16 working in a child-care institution, including a
17 group home, residential treatment center, shel-
18 ter, or other congregate care setting, and why
19 the checks specified in this subparagraph are
20 not appropriate for the State;”.

21 (b) **TECHNICAL AMENDMENTS.**—Subparagraphs (A)
22 and (C) of section 471(a)(20) of the Social Security Act
23 (42 U.S.C. 671(a)(20)) are each amended by striking
24 “section 534(e)(3)(A)” and inserting “section
25 534(f)(3)(A)”.

1 **SEC. 50746. EFFECTIVE DATES; APPLICATION TO WAIVERS.**

2 (a) EFFECTIVE DATES.—

3 (1) IN GENERAL.—Subject to paragraph (2)
4 and subsections (b), (c), and (d), the amendments
5 made by this part shall take effect as if enacted on
6 January 1, 2018.

7 (2) TRANSITION RULE.—In the case of a State
8 plan under part B or E of title IV of the Social Se-
9 curity Act which the Secretary of Health and
10 Human Services determines requires State legisla-
11 tion (other than legislation appropriating funds) in
12 order for the plan to meet the additional require-
13 ments imposed by the amendments made by this
14 part, the State plan shall not be regarded as failing
15 to comply with the requirements of part B or E of
16 title IV of such Act solely on the basis of the failure
17 of the plan to meet the additional requirements be-
18 fore the first day of the first calendar quarter begin-
19 ning after the close of the first regular session of the
20 State legislature that begins after the date of enact-
21 ment of this Act. For purposes of the previous sen-
22 tence, in the case of a State that has a 2-year legis-
23 lative session, each year of the session shall be
24 deemed to be a separate regular session of the State
25 legislature.

1 (b) LIMITATION ON FEDERAL FINANCIAL PARTICI-
2 PATION FOR PLACEMENTS THAT ARE NOT IN FOSTER
3 FAMILY HOMES AND RELATED PROVISIONS.—

4 (1) IN GENERAL.—The amendments made by
5 sections 50741(a), 50741(b), 50741(d), and 50742
6 shall take effect on October 1, 2019.

7 (2) STATE OPTION TO DELAY EFFECTIVE DATE
8 FOR NOT MORE THAN 2 YEARS.—If a State requests
9 a delay in the effective date, the Secretary of Health
10 and Human Services shall delay the effective date
11 provided for in paragraph (1) with respect to the
12 State for the amount of time requested by the State,
13 not to exceed 2 years. If the effective date is so de-
14 layed for a period with respect to a State under the
15 preceding sentence, then—

16 (A) notwithstanding section 50734, the
17 date that the amendments made by section
18 50711(c) take effect with respect to the State
19 shall be delayed for the period; and

20 (B) in applying section 474(a)(6) of the
21 Social Security Act with respect to the State,
22 “on or after the date this paragraph takes ef-
23 fect with respect to the State” is deemed to be
24 substituted for “after September 30, 2019” in
25 subparagraph (A)(i)(I) of such section.

1 (c) CRIMINAL RECORDS CHECKS AND CHECKS OF
2 CHILD ABUSE AND NEGLECT REGISTRIES FOR ADULTS
3 WORKING IN CHILD-CARE INSTITUTIONS AND OTHER
4 GROUP CARE SETTINGS.—Subject to subsection (a)(2),
5 the amendments made by section 50745 shall take effect
6 on October 1, 2018.

7 (d) APPLICATION TO STATES WITH WAIVERS.—In
8 the case of a State that, on the date of enactment of this
9 Act, has in effect a waiver approved under section 1130
10 of the Social Security Act (42 U.S.C. 1320a–9), the
11 amendments made by this part shall not apply with re-
12 spect to the State before the expiration (determined with-
13 out regard to any extensions) of the waiver to the extent
14 the amendments are inconsistent with the terms of the
15 waiver.

16 **PART V—CONTINUING SUPPORT FOR CHILD AND**
17 **FAMILY SERVICES**

18 **SEC. 50751. SUPPORTING AND RETAINING FOSTER FAMI-**
19 **LIES FOR CHILDREN.**

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

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

4 (b) **SUPPORT FOR FOSTER FAMILY HOMES.**—Section
5 436 of such Act (42 U.S.C. 629f) is amended by adding
6 at the end the following:

7 “(c) **SUPPORT FOR FOSTER FAMILY HOMES.**—Out
8 of any money in the Treasury of the United States not
9 otherwise appropriated, there are appropriated to the Sec-
10 retary for fiscal year 2018, \$8,000,000 for the Secretary
11 to make competitive grants to States, Indian tribes, or
12 tribal consortia to support the recruitment and retention
13 of high-quality foster families to increase their capacity
14 to place more children in family settings, focused on
15 States, Indian tribes, or tribal consortia with the highest
16 percentage of children in non-family settings. The amount
17 appropriated under this subparagraph shall remain avail-
18 able through fiscal year 2022.”.

19 **SEC. 50752. EXTENSION OF CHILD AND FAMILY SERVICES**
20 **PROGRAMS.**

21 (a) **EXTENSION OF STEPHANIE TUBBS JONES CHILD**
22 **WELFARE SERVICES PROGRAM.**—Section 425 of the So-
23 cial Security Act (42 U.S.C. 625) is amended by striking
24 “2012 through 2016” and inserting “2017 through
25 2021”.

1 (b) EXTENSION OF PROMOTING SAFE AND STABLE
2 FAMILIES PROGRAM AUTHORIZATIONS.—

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

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

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

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

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

20 (d) REAUTHORIZATION OF FUNDING FOR STATE
21 COURTS.—

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

1 (2) EXTENSION OF FEDERAL SHARE.—Section
2 438(d) of such Act (42 U.S.C. 629h(d)) is amended
3 by striking “2012 through 2016” and inserting
4 “2017 through 2021”.

5 (e) REPEAL OF EXPIRED PROVISIONS.—Section
6 438(e) of such Act (42 U.S.C. 629h(e)) is repealed.

7 **SEC. 50753. IMPROVEMENTS TO THE JOHN H. CHAFEE FOS-**
8 **TER CARE INDEPENDENCE PROGRAM AND**
9 **RELATED PROVISIONS.**

10 (a) AUTHORITY TO SERVE FORMER FOSTER YOUTH
11 UP TO AGE 23.—Section 477 of the Social Security Act
12 (42 U.S.C. 677) is amended—

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

20 (2) in subsection (b)(3)(A)—

21 (A) by inserting “(i)” before “A certifi-
22 cation”;

23 (B) by striking “children who have left fos-
24 ter care” and all that follows through the pe-
25 riod and inserting “youths who have aged out

1 of foster care and have not attained 21 years of
2 age.”; and

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

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

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

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

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

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

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

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

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

24 “(B) REDISTRIBUTION.—

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

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

21 “(iii) TREATMENT OF REDISTRIBUTED
22 AMOUNT.—Any amount made available to
23 a State under this paragraph shall be re-
24 garded as part of the allotment of the

1 State under this section for the fiscal year
2 in which the redistribution is made.

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

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

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

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

14 (B) by inserting “, but in no event may a
15 youth participate in the program for more than
16 5 years (whether or not consecutive)” before
17 the period.

18 (2) CONFORMING AMENDMENT.—Section
19 477(i)(1) of such Act (42 U.S.C. 677(i)(1)) is
20 amended by inserting “who have attained 14 years
21 of age” before the period.

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

1 (1) in the section heading, by striking “**INDE-**
2 **PENDENCE PROGRAM**” and inserting “**PROGRAM**
3 **FOR SUCCESSFUL TRANSITION TO ADULT-**
4 **HOOD**”;

5 (2) in subsection (a)—

6 (A) in paragraph (1)—

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

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

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

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

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

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

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

18 (3) in subsection (b)—

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

21 (B) in paragraph (3)—

22 (i) in subparagraph (D)—

23 (I) by inserting “including train-
24 ing on youth development” after “to
25 provide training”; and

1 (II) by striking “adolescents pre-
2 paring for independent living” and all
3 that follows through the period and
4 inserting “youth preparing for a suc-
5 cessful transition to adulthood and
6 making a permanent connection with
7 a caring adult.”;

8 (ii) in subparagraph (H), by striking
9 “adolescents” each place it appears and in-
10 sserting “youth”; and

11 (iii) in subparagraph (K)—

12 (I) by striking “an adolescent”
13 and inserting “a youth”; and

14 (II) by striking “the adolescent”
15 each place it appears and inserting
16 “the youth”; and

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

19 “(2) REPORT TO CONGRESS.—Not later than
20 October 1, 2019, the Secretary shall submit to the
21 Committee on Ways and Means of the House of
22 Representatives and the Committee on Finance of
23 the Senate a report on the National Youth in Tran-
24 sition Database and any other databases in which
25 States report outcome measures relating to children

1 in foster care and children who have aged out of fos-
2 ter care or left foster care for kinship guardianship
3 or adoption. The report shall include the following:

4 “(A) A description of the reasons for entry
5 into foster care and of the foster care experi-
6 ences, such as length of stay, number of place-
7 ment settings, case goal, and discharge reason
8 of 17-year-olds who are surveyed by the Na-
9 tional Youth in Transition Database and an
10 analysis of the comparison of that description
11 with the reasons for entry and foster care expe-
12 riences of children of other ages who exit from
13 foster care before attaining age 17.

14 “(B) A description of the characteristics of
15 the individuals who report poor outcomes at
16 ages 19 and 21 to the National Youth in Tran-
17 sition Database.

18 “(C) Benchmarks for determining what
19 constitutes a poor outcome for youth who re-
20 main in or have exited from foster care and
21 plans the executive branch will take to incor-
22 porate these benchmarks in efforts to evaluate
23 child welfare agency performance in providing
24 services to children transitioning from foster
25 care.

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

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

8 (e) CLARIFYING DOCUMENTATION PROVIDED TO
9 FOSTER YOUTH LEAVING FOSTER CARE.—Section
10 475(5)(I) of such Act (42 U.S.C. 675(5)(I)) is amended
11 by inserting after “REAL ID Act of 2005” the following:
12 “, and any official documentation necessary to prove that
13 the child was previously in foster care”.

14 **PART VI—CONTINUING INCENTIVES TO STATES**
15 **TO PROMOTE ADOPTION AND LEGAL GUARD-**
16 **IANSHIP**

17 **SEC. 50761. REAUTHORIZING ADOPTION AND LEGAL**
18 **GUARDIANSHIP INCENTIVE PROGRAMS.**

19 (a) IN GENERAL.—Section 473A of the Social Secu-
20 rity Act (42 U.S.C. 673b) is amended—

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

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

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

3 (b) EFFECTIVE DATE.—The amendments made by
4 subsection (a) shall take effect as if enacted on October
5 1, 2017.

6 **PART VII—TECHNICAL CORRECTIONS**

7 **SEC. 50771. TECHNICAL CORRECTIONS TO DATA EXCHANGE**
8 **STANDARDS TO IMPROVE PROGRAM COORDI-**
9 **NATION.**

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

12 **“SEC. 440. DATA EXCHANGE STANDARDS FOR IMPROVED**
13 **INTEROPERABILITY.**

14 “(a) DESIGNATION.—The Secretary shall, in con-
15 sultation with an interagency work group established by
16 the Office of Management and Budget and considering
17 State government perspectives, by rule, designate data ex-
18 change standards to govern, under this part and part E—

19 “(1) necessary categories of information that
20 State agencies operating programs under State
21 plans approved under this part are required under
22 applicable Federal law to electronically exchange
23 with another State agency; and

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

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

4 “(1) incorporate a widely accepted, non-propri-
5 etary, searchable, computer-readable format, such as
6 the Extensible Markup Language;

7 “(2) contain interoperable standards developed
8 and maintained by intergovernmental partnerships,
9 such as the National Information Exchange Model;

10 “(3) incorporate interoperable standards devel-
11 oped and maintained by Federal entities with au-
12 thority over contracting and financial assistance;

13 “(4) be consistent with and implement applica-
14 ble accounting principles;

15 “(5) be implemented in a manner that is cost-
16 effective and improves program efficiency and effec-
17 tiveness; and

18 “(6) be capable of being continually upgraded
19 as necessary.

20 “(c) RULE OF CONSTRUCTION.—Nothing in this sub-
21 section shall be construed to require a change to existing
22 data exchange standards found to be effective and effi-
23 cient.”.

24 (b) EFFECTIVE DATE.—Not later than the date that
25 is 24 months after the date of the enactment of this sec-

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

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

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

10 **SEC. 50772. TECHNICAL CORRECTIONS TO STATE REQUIRE-**
11 **MENT TO ADDRESS THE DEVELOPMENTAL**
12 **NEEDS OF YOUNG CHILDREN.**

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

17 **PART VIII—ENSURING STATES REINVEST SAV-**
18 **INGS RESULTING FROM INCREASE IN ADOP-**
19 **TION ASSISTANCE**

20 **SEC. 50781. DELAY OF ADOPTION ASSISTANCE PHASE-IN.**

21 (a) IN GENERAL.—The table in section 473(e)(1)(B)
22 of the Social Security Act (42 U.S.C. 673(e)(1)(B)) is
23 amended by striking the last 2 rows and inserting the fol-
24 lowing:

“2017 through 2023 2

2024	2 (or, in the case of a child for whom an adoption assistance agreement is entered into under this section on or after July 1, 2024, any age)
2025 or thereafter	any age.”.

1 (b) **EFFECTIVE DATE.**—The amendment made by
2 this section shall take effect as if enacted on January 1,
3 2018.

4 **SEC. 50782. GAO STUDY AND REPORT ON STATE REINVEST-**
5 **MENT OF SAVINGS RESULTING FROM IN-**
6 **CREASE IN ADOPTION ASSISTANCE.**

7 (a) **STUDY.**—The Comptroller General of the United
8 States shall study the extent to which States are com-
9 plying with the requirements of section 473(a)(8) of the
10 Social Security Act (42 U.S.C. 673(a)(8)) relating to the
11 effects of phasing out the AFDC income eligibility require-
12 ments for adoption assistance payments under section 473
13 of the Social Security Act, as enacted by section 402 of
14 the Fostering Connections to Success and Increasing
15 Adoptions Act of 2008 (Public Law 110–351; 122 Stat.
16 3975) and amended by section 206 of the Preventing Sex
17 Trafficking and Strengthening Families Act (Public Law
18 113–183; 128 Stat. 1919). In particular, the Comptroller
19 General shall analyze the extent to which States are com-
20 plying with the following requirements under section
21 473(a)(8)(D) of the Social Security Act:

1 (1) The requirement to spend an amount equal
2 to the amount of the savings (if any) in State ex-
3 penditures under part E of title IV of the Social Se-
4 curity Act resulting from phasing out the AFDC in-
5 come eligibility requirements for adoption assistance
6 payments under section 473 of such Act to provide
7 to children of families any service that may be pro-
8 vided under part B or E of title IV of such Act.

9 (2) The requirement that a State shall spend
10 not less than 30 percent of the amount of any sav-
11 ings described in paragraph (1) on post-adoption
12 services, post-guardianship services, and services to
13 support and sustain positive permanent outcomes for
14 children who otherwise might enter into foster care
15 under the responsibility of the State, with at least $\frac{2}{3}$
16 of the spending by the State to comply with the 30
17 percent requirement being spent on post-adoption
18 and post-guardianship services.

19 (b) REPORT.—The Comptroller General of the
20 United States shall submit to the Committee on Finance
21 of the Senate, the Committee on Ways and Means of the
22 House of Representatives, and the Secretary of Health
23 and Human Services a report that contains the results of
24 the study required by subsection (a), including rec-

1 ommendations to ensure compliance with laws referred to
2 in subsection (a).

3 **TITLE VIII—SUPPORTING SO-**
4 **CIAL IMPACT PARTNERSHIPS**
5 **TO PAY FOR RESULTS**

6 **SEC. 50801. SHORT TITLE.**

7 This subtitle may be cited as the “Social Impact
8 Partnerships to Pay for Results Act”.

9 **SEC. 50802. SOCIAL IMPACT PARTNERSHIPS TO PAY FOR**
10 **RESULTS.**

11 Title XX of the Social Security Act (42 U.S.C. 1397
12 et seq.) is amended—

13 (1) in the title heading, by striking “TO
14 STATES” and inserting “AND PROGRAMS”; and

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

16 “Subtitle C—Social Impact Demonstration Projects

17 “PURPOSES

18 “SEC. 2051. The purposes of this subtitle are the fol-
19 lowing:

20 “(1) To improve the lives of families and indi-
21 viduals in need in the United States by funding so-
22 cial programs that achieve real results.

23 “(2) To redirect funds away from programs
24 that, based on objective data, are ineffective, and