

Union Calendar No.

114TH CONGRESS
2^D SESSION**H. R. 4472****[Report No. 114-]**

To amend title IV of the Social Security Act to require States to adopt a centralized electronic system to help expedite the placement of children in foster care or guardianship, or for adoption, across State lines, and to provide grants to aid States in developing such a system, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2016

Mr. YOUNG of Indiana (for himself and Mr. DANNY K. DAVIS of Illinois) introduced the following bill; which was referred to the Committee on Ways and Means

MARCH --, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 4, 2016]

A BILL

To amend title IV of the Social Security Act to require States to adopt a centralized electronic system to help expedite the placement of children in foster care or guardianship, or for adoption, across State lines, and to provide grants to aid States in developing such a system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Modernizing the Inter-*
5 *state Placement of Children in Foster Care Act”.*

6 **SEC. 2. FINDINGS.**

7 *The Congress finds that—*

8 *(1) when a child in foster care cannot return*
9 *safely home, the child deserves to be placed in a set-*
10 *ting that is best for that child, regardless of whether*
11 *it is in the child’s State or another State;*

12 *(2) the Interstate Compact on the Placement of*
13 *Children (ICPC) was established in 1960 to provide*
14 *a uniform legal framework for the placement of chil-*
15 *dren across State lines in foster and adoptive homes;*

16 *(3) frequently, children waiting to be placed with*
17 *an adoptive family, relative, or foster parent in an-*
18 *other State spend more time waiting for this to occur*
19 *than children who are placed with an adoptive, fam-*
20 *ily, relative, or foster parent in the same State, be-*
21 *cause of the outdated, administratively burdensome*
22 *ICPC process;*

23 *(4) no child should have to wait longer to be*
24 *placed in a loving home simply because the child*
25 *must cross a State line;*

1 (5) *the National Electronic Interstate Compact*
2 *Enterprise (NEICE) was launched in August 2014 in*
3 *Indiana, Nevada, Florida, South Carolina, Wis-*
4 *consin, and the District of Columbia, and is expected*
5 *to be expanded into additional States to improve the*
6 *administrative process by which children are placed*
7 *with families across State lines;*

8 (6) *States using this electronic interstate case-*
9 *processing system have reduced administrative costs*
10 *and the amount of staff time required to process these*
11 *cases, and caseworkers can spend more time helping*
12 *children instead of copying and mailing paperwork*
13 *between States;*

14 (7) *since NEICE was launched, placement time*
15 *has decreased by 30 percent for interstate foster care*
16 *placements; and*

17 (8) *on average, States using this electronic inter-*
18 *state case-processing system have been able to reduce*
19 *from 24 business days to 13 business days the time*
20 *it takes to identify a family for a child and prepare*
21 *the paperwork required to start the ICPC process.*

22 **SEC. 3. STATE PLAN REQUIREMENT.**

23 (a) *IN GENERAL.*—Section 471(a)(25) of the Social Se-
24 *curity Act (42 U.S.C. 671(a)(25)) is amended—*

1 (1) *by striking “provide” and insert “provides”;*
2 *and*

3 (2) *by inserting “, which, not later than October*
4 *1, 2026, shall include the use of an electronic inter-*
5 *state case-processing system” before the 1st semicolon.*

6 ***(b) EFFECTIVE DATE.—***

7 (1) ***IN GENERAL.—****The amendments made by*
8 *subsection (a) shall take effect on the 1st day of the*
9 *1st calendar quarter beginning on or after the date of*
10 *the enactment of this Act, and shall apply to pay-*
11 *ments under part E of title IV of the Social Security*
12 *Act for calendar quarters beginning on or after such*
13 *date.*

14 (2) ***DELAY PERMITTED IF STATE LEGISLATION***
15 ***REQUIRED.—****If the Secretary of Health and Human*
16 *Services determines that State legislation (other than*
17 *legislation appropriating funds) is required in order*
18 *for a State plan developed pursuant to part E of title*
19 *IV of the Social Security Act to meet the additional*
20 *requirement imposed by the amendments made by*
21 *subsection (a), the plan shall not be regarded as fail-*
22 *ing to meet any of the additional requirements before*
23 *the 1st day of the 1st calendar quarter beginning after*
24 *the first regular session of the State legislature that*
25 *begins after the date of the enactment of this Act. For*

1 *purposes of the preceding sentence, if the State has a*
2 *2-year legislative session, each year of the session is*
3 *deemed to be a separate regular session of the State*
4 *legislature.*

5 **SEC. 4. GRANTS FOR THE DEVELOPMENT OF AN ELEC-**
6 **TRONIC INTERSTATE CASE-PROCESSING SYS-**
7 **TEM TO EXPEDITE THE INTERSTATE PLACE-**
8 **MENT OF CHILDREN IN FOSTER CARE OR**
9 **GUARDIANSHIP, OR FOR ADOPTION.**

10 *Section 437 of the Social Security Act (42 U.S.C. 637)*
11 *is amended by adding at the end the following:*

12 *“(g) GRANTS FOR THE DEVELOPMENT OF AN ELEC-*
13 *TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EXPE-*
14 *DITE THE INTERSTATE PLACEMENT OF CHILDREN IN FOS-*
15 *TER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—*

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

22 *“(2) APPLICATION REQUIREMENTS.—A State*
23 *that desires a grant under this subsection shall submit*
24 *to the Secretary an application containing the fol-*
25 *lowing:*

1 “(A) A description of the goals and out-
2 comes to be achieved during the period for which
3 grant funds are sought, which goals and out-
4 comes must result in—

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

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

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

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

20 “(C) A description of the strategies for inte-
21 grating programs and services for children who
22 are placed across State lines.

23 “(D) Such other information as the Sec-
24 retary may require.

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

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

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

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 Children*
21 *that were processed through the electronic inter-*
22 *state case-processing system, and the number of*
23 *interstate child placement cases that were proc-*
24 *essed outside the electronic interstate case-proc-*
25 *essing system, by each State in each year.*

1 “(C) *The progress made by States in imple-*
2 *menting the electronic interstate case-processing*
3 *system.*

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

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

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

20 “(A) *connecting the system with other data*
21 *systems (such as systems operated by State law*
22 *enforcement and judicial agencies, systems oper-*
23 *ated by the Federal Bureau of Investigation for*
24 *the purposes of the Innocence Lost National Ini-*
25 *tiative, and other systems);*

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

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

11 **SEC. 5. CONTINUATION OF DISCRETIONARY FUNDING TO**
12 **PROMOTE SAFE AND STABLE FAMILIES.**

13 Section 437(a) of the Social Security Act (42 U.S.C.
14 637(a)) is amended by striking “2016” and inserting
15 “2017”.

16 **SEC. 6. RESERVATION OF FUNDS TO IMPROVE THE INTER-**
17 **STATE PLACEMENT OF CHILDREN.**

18 Section 437(b) of the Social Security Act (42 U.S.C.
19 637(b)) is amended by adding at the end the following:

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