

Suspend the Rules and Pass the Bill, H.R. 2834, with an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

115TH CONGRESS
1ST SESSION

H. R. 2834

To improve the well-being of, and improve permanency outcomes for, children and families affected by heroin, opioids, and other substance abuse.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2017

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

A BILL

To improve the well-being of, and improve permanency outcomes for, children and families affected by heroin, opioids, and other substance abuse.

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 “Partnership Grants
5 to Strengthen Families Affected by Parental Substance
6 Abuse Act”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 “(vi) Local law enforcement agencies.

7 “(vii) School personnel.

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

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

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

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

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

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

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

7 (3) in paragraph (3)—

8 (A) in subparagraph (A), by striking
9 “\$500,000 and not more than \$1,000,000” and
10 inserting “\$250,000 and not more than
11 \$1,000,000”;

12 (B) in subparagraph (B)—

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

15 (ii) in clause (i), by striking “clause
16 (ii)” and inserting “clauses (ii) and (iii)”;

17 and

18 (iii) by adding at the end the fol-
19 lowing:

20 “(iii) SUFFICIENT PLANNING.—A
21 grant awarded under this subsection shall
22 be disbursed in two phases: a planning
23 phase (not to exceed 2 years) and an im-
24 plementation phase. The total disburse-
25 ment to a grantee for the planning phase

1 may not exceed \$250,000, and may not ex-
2 ceed the total anticipated funding for the
3 implementation phase.”; and

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

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

14 (4) in paragraph (4)—

15 (A) in subparagraph (B)—

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

18 (ii) in clause (ii), by striking “safety
19 and permanence for such children; and”
20 and inserting “safe, permanent caregiving
21 relationships for the children;”;

22 (iii) in clause (iii), by striking “or”
23 and inserting “increase reunification rates
24 for children who have been placed in out-
25 of-home care, or decrease”; and

1 (iv) by redesignating clause (iii) as
2 clause (v) and inserting after clause (ii)
3 the following:

4 “(iii) improve the substance abuse
5 treatment outcomes for parents including
6 retention in treatment and successful com-
7 pletion of treatment;

8 “(iv) facilitate the implementation, de-
9 livery, and effectiveness of prevention serv-
10 ices and programs under section 471(e);
11 and”;

12 (B) in subparagraph (D), by striking
13 “where appropriate,”; and

14 (C) by striking subparagraphs (E) and (F)
15 and inserting the following:

16 “(E) A description of a plan for sustaining
17 the services provided by or activities funded
18 under the grant after the conclusion of the
19 grant period, including through the use of pre-
20 vention services and programs under section
21 471(e) and other funds provided to the State
22 for child welfare and substance abuse preven-
23 tion and treatment services.

24 “(F) Additional information needed by the
25 Secretary to determine that the proposed activi-

1 ties and implementation will be consistent with
2 research or evaluations showing which practices
3 and approaches are most effective.”;

4 (5) in paragraph (5)(A), by striking “abuse
5 treatment” and inserting “use disorder treatment in-
6 cluding medication assisted treatment and in-home
7 substance abuse disorder treatment and recovery”;

8 (6) in paragraph (7)—

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

11 (B) by redesignating subparagraph (D) as
12 subparagraph (E) and inserting after subpara-
13 graph (C) the following:

14 “(D) demonstrate a track record of suc-
15 cessful collaboration among child welfare, sub-
16 stance abuse disorder treatment and mental
17 health agencies; and”;

18 (7) in paragraph (8)—

19 (A) in subparagraph (A)—

20 (i) by striking “establish indicators
21 that will be” and inserting “review indica-
22 tors that are”; and

23 (ii) by striking “in using funds made
24 available under such grants to achieve the
25 purpose of this subsection” and inserting

1 “and establish a set of core indicators re-
2 lated to child safety, parental recovery,
3 parenting capacity, and family well-being.
4 In developing the core indicators, to the
5 extent possible, indicators shall be made
6 consistent with the outcome measures de-
7 scribed in section 471(e)(6)”;

8 (B) in subparagraph (B)—

9 (i) in the matter preceding clause (i),
10 by inserting “base the performance meas-
11 ures on lessons learned from prior rounds
12 of regional partnership grants under this
13 subsection, and” before “consult”; and

14 (ii) by striking clauses (iii) and (iv)
15 and inserting the following:

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

18 and

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

21 “(i) SEMIANNUAL REPORTS.—Not
22 later than September 30 of each fiscal year
23 in which a recipient of a grant under this
24 subsection is paid funds under the grant,
25 and every 6 months thereafter, the grant

1 recipient shall submit to the Secretary a
2 report on the services provided and activi-
3 ties carried out during the reporting pe-
4 riod, progress made in achieving the goals
5 of the program, the number of children,
6 adults, and families receiving services, and
7 such additional information as the Sec-
8 retary determines is necessary. The report
9 due not later than September 30 of the
10 last such fiscal year shall include, at a
11 minimum, data on each of the performance
12 indicators included in the evaluation of the
13 regional partnership.”.

14 **SEC. 3. EFFECTIVE DATE.**

15 (a) IN GENERAL.—Subject to subsection (b), the
16 amendments made by this Act shall take effect on October
17 1, 2017.

18 (b) TRANSITION RULE.—

19 (1) IN GENERAL.—In the case of a State plan
20 under part B of title IV of the Social Security Act
21 which the Secretary of Health and Human Services
22 determines requires State legislation (other than leg-
23 islation appropriating funds) in order for the plan to
24 meet the additional requirements imposed by the
25 amendments made by this Act, the State plan shall

1 not be regarded as failing to comply with the re-
2 quirements of such part solely on the basis of the
3 failure of the plan to meet such additional require-
4 ments before the first day of the first calendar quar-
5 ter beginning after the close of the first regular ses-
6 sion of the State legislature that begins after the
7 date of enactment of this Act. For purposes of the
8 previous sentence, in the case of a State that has a
9 2-year legislative session, each year of the session
10 shall be deemed to be a separate regular session of
11 the State legislature.

12 (2) APPLICATION TO PROGRAMS OPERATED BY
13 INDIAN TRIBAL ORGANIZATIONS.—In the case of an
14 Indian tribe, tribal organization, or tribal consortium
15 which the Secretary of Health and Human Services
16 determines requires time to take action necessary to
17 comply with the additional requirements imposed by
18 the amendments made by this Act (whether the
19 tribe, organization, or tribal consortium has a plan
20 under section 479B of the Social Security Act or a
21 cooperative agreement or contract entered into with
22 a State), the Secretary shall provide the tribe, orga-
23 nization, or tribal consortium with such additional
24 time as the Secretary determines is necessary for the
25 tribe, organization, or tribal consortium to take the

- 1 action to comply with the additional requirements
- 2 before being regarded as failing to comply with the
- 3 requirements.