

Union Calendar No.

118TH CONGRESS
1ST SESSION

H. R. 3058

[Report No. 118-]

To amend parts B and E of title IV of the Social Security Act to improve foster and adoptive parent recruitment and retention, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 2023

Mr. KILDEE (for himself, Mr. FEENSTRA, Mrs. CHERFILUS-McCORMICK, and Mr. BACON) introduced the following bill; which was referred to the Committee on Ways and Means

DECEMBER --, 2023

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 italics]

[For text of introduced bill, see copy of bill as introduced on May 2, 2023]

A BILL

To amend parts B and E of title IV of the Social Security Act to improve foster and adoptive parent recruitment and retention, 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 “Recruiting Families*
5 *Using Data Act of 2023”.*

6 **SEC. 2. STATE PLAN AMENDMENT.**

7 *(a) IN GENERAL.—Section 422 of the Social Security*
8 *Act (42 U.S.C. 622) is amended—*

9 *(1) in subsection (b)(7), by inserting “through*
10 *the development and implementation of a family*
11 *partnership plan which meets the requirements of*
12 *subsection (d) for identification, recruitment, screen-*
13 *ing, licensing, support, and retention of foster and*
14 *adoptive families” after “are needed”; and*

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

16 *“(d) FAMILY PARTNERSHIP PLAN REQUIREMENTS.—*
17 *For purposes of subsection (b)(7), the requirements for a*
18 *family partnership plan (in this subsection referred to as*
19 *the ‘plan’) are the following:*

20 *“(1) The plan is developed in consultation with*
21 *birth, kinship, foster and adoptive families, commu-*
22 *nity-based service providers, technical assistance pro-*
23 *viders, and youth with lived experience with foster*
24 *care and adoption.*

25 *“(2) The plan describes—*

1 “(A) how the State plans to identify, notify,
2 engage, and support relatives (and others con-
3 nected to the child) as potential placement re-
4 sources for children;

5 “(B) how the State plans to develop and
6 implement child-specific recruitment plans for
7 every child in or entering foster care who needs
8 a foster or adoptive family;

9 “(C) how the State plans to authentically
10 engage children and youth in recruitment efforts
11 on their behalf;

12 “(D) how the State plans to use data to es-
13 tablish goals, assess needs, measure progress, re-
14 duce unnecessary placements in congregate care,
15 increase permanency, improve placement sta-
16 bility, increase the rate of kinship placements,
17 improve recruitment and retention of families
18 for teens, sibling groups, and other special popu-
19 lations, and align the composition of foster and
20 adoptive families with the needs of children in or
21 entering foster care; and

22 “(E) how the State will stand up or support
23 foster family advisory boards for the purpose of
24 improving recruitment and retention of foster
25 and adoptive families.

1 “(3) *The plan provides that, not less than annu-*
2 *ally, the State shall collect and report on the State’s*
3 *actual foster family capacity and congregate care uti-*
4 *lization, including the number, demographics, and*
5 *characteristics of licensed foster families, including*
6 *prospective adoptive families, the number of such*
7 *families that haven’t received a placement or are not*
8 *being fully utilized and the reasons therefor, and the*
9 *number, demographics, and characteristics of children*
10 *placed in congregate care in-State and out-of-State.*

11 “(4) *The plan includes, and shall update not less*
12 *than annually, a summary of the most recent feed-*
13 *back from foster and adoptive parents and youth re-*
14 *garding licensure, training, support, and reasons why*
15 *parents stop fostering or why adoptive or legal guard-*
16 *ianship placements out of foster care fail or foster and*
17 *such adoptive or legal guardianship families struggle*
18 *to meet children’s needs.*

19 “(5) *The plan includes, and shall update annu-*
20 *ally, a report on the State’s analysis of specific chal-*
21 *lenges or barriers to recruiting, licensing, and uti-*
22 *lizing families who reflect the racial and ethnic back-*
23 *ground of children in foster care in the State, and the*
24 *State’s efforts to overcome those challenges and bar-*
25 *riers.*

1 “(6) *The plan includes such other information*
2 *relating to foster and adoptive parent recruitment*
3 *and retention as the Secretary may require.*”.

4 ***(b) EFFECTIVE DATE.—***

5 ***(1) IN GENERAL.—****Except as provided in para-*
6 *graph (2), the amendment made by this subsection*
7 *shall take effect on October 1, 2024.*

8 ***(2) DELAY PERMITTED IF STATE LEGISLATION***
9 ***REQUIRED.—****In the case of a State plan approved*
10 *under subpart 1 of part B of title IV of the Social*
11 *Security Act which the Secretary of Health and*
12 *Human Services determines requires State legislation*
13 *(other than legislation appropriating funds) in order*
14 *for the plan to meet the additional requirements im-*
15 *posed by this subsection, the State plan shall not be*
16 *regarded as failing to comply with the requirements*
17 *of such part solely on the basis of the failure of the*
18 *plan to meet such additional requirements before the*
19 *first day of the first calendar quarter beginning after*
20 *the close of the first regular session of the State legis-*
21 *lature that begins after the date of enactment of this*
22 *subsection. For purposes of the previous sentence, in*
23 *the case of a State that has a 2-year legislative ses-*
24 *sion, each year of such session shall be deemed to be*
25 *a separate regular session of the State legislature.*

1 **SEC. 3. INCLUSION OF INFORMATION ON FOSTER AND**
2 **ADOPTIVE FAMILIES IN ANNUAL CHILD WEL-**
3 **FARE OUTCOMES REPORT TO CONGRESS.**

4 *Section 479A(a) of the Social Security Act (42 U.S.C.*
5 *679b(a)) is amended—*

6 *(1) in paragraph (6)(C), by striking “and” after*
7 *the semicolon;*

8 *(2) in paragraph (7)(B), by striking the period*
9 *and inserting “; and”; and*

10 *(3) by adding at the end the following:*

11 *“(8) include in the report submitted pursuant to*
12 *paragraph (5) for fiscal year 2025 or any succeeding*
13 *fiscal year—*

14 *“(A) State-by-State data on the number, de-*
15 *mographics, and characteristics of foster and*
16 *adoptive families in the State, and the number*
17 *of potential foster and adoptive families not*
18 *being utilized in the State and the reasons why;*

19 *“(B) a summary of the challenges of, and*
20 *barriers to, being a foster or adoptive parent, in-*
21 *cluding with respect to recruitment, licensure,*
22 *engagement, retention, and why parents stop fos-*
23 *tering, adoptions disrupt or dissolve, or foster or*
24 *adoptive families struggle, as reported by States*
25 *based on surveys of foster and adoptive parents;*
26 *and*

1 “(C) a summary of the challenges and bar-
2 riers States reported on efforts to recruit a pool
3 of families that reflect the racial and ethnic
4 background of children in foster care in the
5 State, and efforts to overcome those barriers.”.