

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 2824  
OFFERED BY MR. BRADY OF TEXAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Increasing Opportunity  
3 and Success for Children and Parents through Evidence-  
4 Based Home Visiting Act”.

**5 SEC. 2. TABLE OF CONTENTS.**

6 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Continuing evidence-based home visiting program.
- Sec. 4. Continuing to demonstrate results to help families.
- Sec. 5. Reviewing statewide needs to target resources.
- Sec. 6. Improving the likelihood of success in high-risk communities.
- Sec. 7. Measuring improvements in family economic self-sufficiency.
- Sec. 8. Option to fund evidence-based home visiting on a pay for outcome basis.
- Sec. 9. Strengthening evidence-based home visiting through state, local, and private partnerships.
- Sec. 10. Data exchange standards for improved interoperability.

**7 SEC. 3. CONTINUING EVIDENCE-BASED HOME VISITING  
8 PROGRAM.**

9 Section 511(j)(1)(H) of the Social Security Act (42  
10 U.S.C. 711(j)(1)(H)) is amended by striking “fiscal year  
11 2017” and inserting “each of fiscal years 2017 through  
12 2022”.

1 **SEC. 4. CONTINUING TO DEMONSTRATE RESULTS TO HELP**  
2 **FAMILIES.**

3 (a) REQUIRE SERVICE DELIVERY MODELS TO DEM-  
4 ONSTRATE IMPROVEMENT IN APPLICABLE BENCHMARK  
5 AREAS.—Section 511 of the Social Security Act (42  
6 U.S.C. 711) is amended in each of subsections (d)(1)(A)  
7 and (h)(4)(A) by striking “each of”.

8 (b) DEMONSTRATION OF IMPROVEMENTS IN SUBSE-  
9 QUENT YEARS.—Section 511(d)(1) of such Act (42 U.S.C.  
10 711(d)(1)) is amended by adding at the end the following:

11 “(D) DEMONSTRATION OF IMPROVEMENTS  
12 IN SUBSEQUENT YEARS.—

13 “(i) CONTINUED MEASUREMENT OF  
14 IMPROVEMENT IN APPLICABLE BENCH-  
15 MARK AREAS.—The eligible entity, after  
16 demonstrating improvements for eligible  
17 families as specified in subparagraphs (A)  
18 and (B), shall continue to track and report  
19 not later than 30 days after the end of fis-  
20 cal year 2020 and every three years there-  
21 after, information demonstrating that the  
22 program results in improvements for the  
23 eligible families participating in the pro-  
24 gram in at least 4 of the areas specified in  
25 subparagraph (A) that the service delivery

1 model or models, selected by the entity, in-  
2 tend to improve.

3 “(ii) CORRECTIVE ACTION PLAN.—If  
4 the eligible entity fails to demonstrate im-  
5 provement in at least 4 of the areas speci-  
6 fied in subparagraph (A), the entity shall  
7 develop and implement a plan to improve  
8 outcomes in each of the areas specified in  
9 subparagraph (A) that the service delivery  
10 model or models, selected by the entity, in-  
11 tend to improve, subject to approval by the  
12 Secretary. The plan shall include provi-  
13 sions for the Secretary to monitor imple-  
14 mentation of the plan and conduct contin-  
15 ued oversight of the program, including  
16 through submission by the entity of reg-  
17 ular reports to the Secretary.

18 “(iii) TECHNICAL ASSISTANCE.—The  
19 Secretary shall provide an eligible entity  
20 required to develop and implement an im-  
21 provement plan under clause (ii) with tech-  
22 nical assistance to develop and implement  
23 the plan. The Secretary may provide the  
24 technical assistance directly or through

1 grants, contracts, or cooperative agree-  
2 ments.

3 “(iv) NO IMPROVEMENT OR FAILURE  
4 TO SUBMIT REPORT.—If the Secretary de-  
5 termines after a period of time specified by  
6 the Secretary that an eligible entity imple-  
7 menting an improvement plan under clause  
8 (ii) has failed to demonstrate any improve-  
9 ment in at least 4 of the areas specified in  
10 subparagraph (A) that the service delivery  
11 model or models intend to improve, or if  
12 the Secretary determines that an eligible  
13 entity has failed to submit the report re-  
14 quired by clause (i), the Secretary shall  
15 terminate the grant made to the entity  
16 under this section and may include any un-  
17 expended grant funds in grants made to  
18 nonprofit organizations under subsection  
19 (h)(2)(B).”.

20 (c) INCLUDING INFORMATION ON APPLICABLE  
21 BENCHMARKS IN APPLICATION.—Section 511(e)(5) of  
22 such Act (42 U.S.C. 711(e)(5)) is amended by inserting  
23 “that the service delivery model or models, selected by the  
24 entity, intend to improve” before the period at the end.

1 **SEC. 5. REVIEWING STATEWIDE NEEDS TO TARGET RE-**  
2 **SOURCES.**

3 Section 511(b)(1) of the Social Security Act (42  
4 U.S.C. 711(b)(1)) is amended by striking “Not later  
5 than” and all that follows through “statewide” the 2nd  
6 place it appears and inserting “Each State shall, as a con-  
7 dition of receiving payments from an allotment for the  
8 State under section 502, review and update the statewide  
9 needs assessment not later than October 1, 2020 (which  
10 may be separate from but in coordination with the state-  
11 wide”.

12 **SEC. 6. IMPROVING THE LIKELIHOOD OF SUCCESS IN**  
13 **HIGH-RISK COMMUNITIES.**

14 Section 511(d)(4)(A) of the Social Security Act (42  
15 U.S.C. 711(d)(4)(A)) is amended by inserting “, taking  
16 into account the staffing, community resource, and other  
17 requirements of the service delivery model or models that  
18 the eligible entity may need to develop for the model to  
19 operate and demonstrate improvements for eligible fami-  
20 lies” before the period.

21 **SEC. 7. MEASURING IMPROVEMENTS IN FAMILY ECONOMIC**  
22 **SELF-SUFFICIENCY.**

23 Section 511(d)(1)(A)(v) of the Social Security Act  
24 (42 U.S.C. 711(d)(1)(A)(v)) is amended by inserting  
25 “(which shall include measures of employment and earn-  
26 ings)” before the period.

1 **SEC. 8. OPTION TO FUND EVIDENCE-BASED HOME VISITING**  
2 **ON A PAY FOR OUTCOME BASIS.**

3 (a) IN GENERAL.—Section 511(c) of the Social Secu-  
4 rity Act (42 U.S.C. 711(c)) is amended by redesignating  
5 paragraphs (3) and (4) as paragraphs (4) and (5), respec-  
6 tively, and by inserting after paragraph (2) the following:

7 “(3) AUTHORITY TO USE GRANT FOR A PAY  
8 FOR OUTCOMES INITIATIVE.—An eligible entity to  
9 which a grant is made under paragraph (1) may use  
10 the grant to pay for the results of a pay for out-  
11 comes initiative that satisfies the requirements of  
12 subsection (d) and that will not result in a reduction  
13 of funding for services delivered under this section  
14 while an eligible entity develops or operates such an  
15 initiative.”.

16 (b) DEFINITION OF PAY FOR OUTCOMES INITIA-  
17 TIVE.—Section 511(k) of such Act (42 U.S.C. 711(k)) is  
18 amended by adding at the end the following:

19 “(4) PAY FOR OUTCOMES INITIATIVE.—The  
20 term ‘pay for outcomes initiative’ means a perform-  
21 ance-based grant, contract, cooperative agreement,  
22 or other agreement awarded by a public entity in  
23 which a commitment is made to pay for improved  
24 outcomes that result in social benefit and direct cost  
25 savings or cost avoidance to the public sector. Such  
26 an initiative shall include—

1           “(A) a feasibility study that describes how  
2           the proposed intervention is based on evidence  
3           of effectiveness;

4           “(B) a rigorous, third-party evaluation  
5           that uses experimental or quasi-experimental  
6           design or other research methodologies that  
7           allow for the strongest possible causal infer-  
8           ences to determine whether the initiative has  
9           met its proposed outcomes;

10          “(C) an annual, publicly available report  
11          on the progress of the initiative; and

12          “(D) a requirement that payments are  
13          made to the recipient of a grant, contract, or  
14          cooperative agreement only when agreed upon  
15          outcomes are achieved, except that this require-  
16          ment shall not apply with respect to payments  
17          to a third party conducting the evaluation de-  
18          scribed in subparagraph (B).”.

19          (c) EXTENDED AVAILABILITY OF FUNDS.—Section  
20          511(j)(3) of such Act (42 U.S.C. 711(j)(3)) is amended—

21                 (1) by striking “(3) AVAILABILITY.—Funds”  
22                 and inserting the following:

23                         “(3) AVAILABILITY.—

24                                 “(A) IN GENERAL.—Except as provided in  
25                                 subparagraph (B), funds”; and

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

2 “(B) FUNDS FOR PAY FOR OUTCOMES INI-  
3 TIATIVES.—Funds made available to an eligible  
4 entity under this section for a fiscal year (or  
5 portion of a fiscal year) for a pay for outcomes  
6 initiative shall remain available for expenditure  
7 by the eligible entity for not more than 10 years  
8 after the funds are so made available.”.

9 **SEC. 9. STRENGTHENING EVIDENCE-BASED HOME VISITING**  
10 **THROUGH STATE, LOCAL, AND PRIVATE**  
11 **PARTNERSHIPS.**

12 (a) IN GENERAL.—Section 511 of the Social Security  
13 Act (42 U.S.C. 711) is amended by adding at the end the  
14 following:

15 “(1) MATCHING REQUIREMENT.—

16 “(1) PROGRAM HOME VISITING SHARE.—

17 “(A) IN GENERAL.—An eligible entity to  
18 which a grant is made under this section for  
19 fiscal year 2020 or any succeeding fiscal year  
20 shall not use the grant to cover more than the  
21 applicable percentage of the costs of providing  
22 services or conducting activities under this sec-  
23 tion during the fiscal year.



1                   “(B) APPLICABLE PERCENTAGE.—In sub-  
2                   paragraph (A), the term ‘applicable percentage’  
3                   means, with respect to a fiscal year—

4                   “(i) in the case of an eligible entity  
5                   that is a State or nonprofit organization—

6                   “(I) 70 percent, in the case of  
7                   fiscal year 2020;

8                   “(II) 60 percent, in the case of  
9                   fiscal year 2021; or

10                  “(III) 50 percent, in the case of  
11                  fiscal year 2022 or any succeeding fis-  
12                  cal year; or

13                  “(ii) in the case of an eligible entity  
14                  that is an Indian Tribe (or a consortium of  
15                  Indian Tribes), a Tribal Organization, or  
16                  an Urban Indian Organization—

17                  “(I) 100 percent, in the case of  
18                  fiscal year 2020 or 2021; or

19                  “(II) 70 percent, in the case of  
20                  fiscal year 2022 or any succeeding fis-  
21                  cal year.

22                  “(2) NON-PROGRAM HOME VISITING SHARE.—  
23                  The share of the costs of providing services or con-  
24                  ducting activities under this section not covered by  
25                  grant funds may include—

1           “(A) State expenditures of Federal funds  
2           made available other than under this section ex-  
3           pended for activities under this section;

4           “(B) State expenditures of State funds ex-  
5           pended for activities under this section as a  
6           condition of receiving Federal funds other than  
7           under this section; and

8           “(C) contributions made for activities  
9           under this section from any other source, paid  
10          in cash or in kind, valued at the fair market  
11          value of such contribution.”.

12          (b)       CONFORMING        AMENDMENT.—Section  
13 511(h)(2)(A) of such Act (42 U.S.C. 711(h)(2)(A)) is  
14 amended in the 2nd sentence by striking “Such” and in-  
15 serting “Except as provided in subsection (l)(1), such”.

16 **SEC. 10. DATA EXCHANGE STANDARDS FOR IMPROVED**  
17 **INTEROPERABILITY.**

18          (a) IN GENERAL.—Section 511(h) of the Social Secu-  
19 rity Act (42 U.S.C. 711(h)) is amended by adding at the  
20 end the following:

21                 “(5) DATA EXCHANGE STANDARDS FOR IM-  
22                 PROVED INTEROPERABILITY.—

23                         “(A) DESIGNATION AND USE OF DATA EX-  
24                         CHANGE STANDARDS.—

1                   “(i) DESIGNATION.—The head of the  
2                   department or agency responsible for ad-  
3                   ministering a program funded under this  
4                   section shall, in consultation with an inter-  
5                   agency work group established by the Of-  
6                   fice of Management and Budget and con-  
7                   sidering State government perspectives,  
8                   designate data exchange standards for nec-  
9                   essary categories of information that a  
10                  State agency operating the program is re-  
11                  quired to electronically exchange with an-  
12                  other State agency under applicable Fed-  
13                  eral law.

14                  “(ii) DATA EXCHANGE STANDARDS  
15                  MUST BE NONPROPRIETARY AND INTER-  
16                  OPERABLE.—The data exchange standards  
17                  designated under clause (i) shall, to the ex-  
18                  tent practicable, be nonproprietary and  
19                  interoperable.

20                  “(iii) OTHER REQUIREMENTS.—In  
21                  designating data exchange standards under  
22                  this paragraph, the Secretary shall, to the  
23                  extent practicable, incorporate—

24                                  “(I) interoperable standards de-  
25                                  veloped and maintained by an inter-

1 national voluntary consensus stand-  
2 ards body, as defined by the Office of  
3 Management and Budget;

4 “(II) interoperable standards de-  
5 veloped and maintained by intergov-  
6 ernmental partnerships, such as the  
7 National Information Exchange  
8 Model; and

9 “(III) interoperable standards  
10 developed and maintained by Federal  
11 entities with authority over con-  
12 tracting and financial assistance.

13 “(B) DATA EXCHANGE STANDARDS FOR  
14 FEDERAL REPORTING.—

15 “(i) DESIGNATION.—The head of the  
16 department or agency responsible for ad-  
17 ministering a program referred to in this  
18 section shall, in consultation with an inter-  
19 agency work group established by the Of-  
20 fice of Management and Budget, and con-  
21 sidering State government perspectives,  
22 designate data exchange standards to gov-  
23 ern Federal reporting and exchange re-  
24 quirements under applicable Federal law.

1           “(ii) REQUIREMENTS.—The data ex-  
2           change reporting standards required by  
3           clause (i) shall, to the extent practicable—

4                   “(I) incorporate a widely accept-  
5                   ed, nonproprietary, searchable, com-  
6                   puter-readable format;

7                   “(II) be consistent with and im-  
8                   plement applicable accounting prin-  
9                   ciples;

10                   “(III) be implemented in a man-  
11                   ner that is cost-effective and improves  
12                   program efficiency and effectiveness;  
13                   and

14                   “(IV) be capable of being contin-  
15                   ually upgraded as necessary.

16           “(iii) INCORPORATION OF NONPROPRI-  
17           ETARY STANDARDS.—In designating data  
18           exchange standards under this paragraph,  
19           the Secretary shall, to the extent prac-  
20           ticable, incorporate existing nonproprietary  
21           standards, such as the eXtensible Mark up  
22           Language.

23           “(iv) RULE OF CONSTRUCTION.—  
24           Nothing in this paragraph shall be con-  
25           strued to require a change to existing data

1 exchange standards for Federal reporting  
2 about a program referred to in this sec-  
3 tion, if the head of the department or  
4 agency responsible for administering the  
5 program finds the standards to be effective  
6 and efficient.”.

7 (b) EFFECTIVE DATE.—The amendments made by  
8 this section shall take effect 2 years after the date of the  
9 enactment of this Act.

