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114TH CONGRESS
2^D SESSION

H. R. 4843

[Report No. 114-]

To amend the Child Abuse Prevention and Treatment Act to require certain monitoring and oversight, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2016

Mr. BARLETTA (for himself, Mr. WALBERG, Mr. KLINE, Ms. CLARK of Massachusetts, Mr. POLIS, and Mr. SCOTT of Virginia) introduced the following bill; which was referred to the Committee on Education and the Workforce

MAY --, 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 *italie*]

[For text of introduced bill, see copy of bill as introduced on March 23, 2016]

A BILL

To amend the Child Abuse Prevention and Treatment Act to require certain monitoring and oversight, 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 “Infant Plan of Safe Care*
5 *Improvement Act”.*

6 **SEC. 2. BEST PRACTICES FOR DEVELOPMENT OF PLANS OF**
7 **SAFE CARE.**

8 *Section 103(b) of the Child Abuse Prevention and*
9 *Treatment Act (42 U.S.C. 5104(b)) is amended—*

10 *(1) by redesignating paragraphs (5) through (8)*
11 *as paragraphs (6) through (9), respectively; and*

12 *(2) by inserting after paragraph (4), the fol-*
13 *lowing:*

14 *“(5) maintain and disseminate information*
15 *about the requirements of section 106(b)(2)(B)(iii)*
16 *and best practices relating to the development of*
17 *plans of safe care as described in such section for in-*
18 *fants born and identified as being affected by illegal*
19 *substance abuse or withdrawal symptoms, or a Fetal*
20 *Alcohol Spectrum Disorder;”.*

21 **SEC. 3. STATE PLANS.**

22 *Section 106(b)(2)(B)(iii) of the Child Abuse Preven-*
23 *tion and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(iii)) is*
24 *amended by inserting before the semicolon at the end the*
25 *following: “to ensure the safety and well-being of such in-*

1 *fant following release from the care of healthcare providers,*
2 *including through—”*

3 *“(I) addressing the health and*
4 *substance use disorder treatment needs*
5 *of the infant and affected family or*
6 *caregiver; and*

7 *“(II) the development and imple-*
8 *mentation by the State of monitoring*
9 *systems regarding the implementation*
10 *of such plans to determine whether and*
11 *in what manner local entities are pro-*
12 *viding, in accordance with State re-*
13 *quirements, referrals to and delivery of*
14 *appropriate services for the infant and*
15 *affected family or caregiver”.*

16 **SEC. 4. DATA REPORTS.**

17 *(a) IN GENERAL.—Section 106(d) of the Child Abuse*
18 *Prevention and Treatment Act (42 U.S.C. 5106a(d)) is*
19 *amended by adding at the end of the following:*

20 *“(17)(A) The number of infants identified under*
21 *subsection (b)(2)(B)(ii).*

22 *“(B) The number of infants for whom a plan of*
23 *safe care was developed under subsection*
24 *(b)(2)(B)(iii).*

1 “(C) *The number of infants for whom a referral*
2 *was made for appropriate services, including services*
3 *for the affected family or caregiver, under subsection*
4 *(b)(2)(B)(iii).”.*

5 **(b) REDESIGNATION.**—*Effective on May 29, 2017, sec-*
6 *tion 106(d) of the Child Abuse Prevention and Treatment*
7 *Act (42 U.S.C. 5106a(d)) is amended by redesignating*
8 *paragraph (17) (as added by subsection (a)) as paragraph*
9 *(18).*

10 **SEC. 5. MONITORING AND OVERSIGHT.**

11 **(a) AMENDMENT.**—*Title I of the Child Abuse Preven-*
12 *tion and Treatment Act (42 U.S.C. 5101 et seq.) is further*
13 *amended by adding at the end the following:*

14 **“SEC. 114. MONITORING AND OVERSIGHT.**

15 *“The Secretary shall conduct monitoring to ensure*
16 *that each State that receives a grant under section 106 is*
17 *in compliance with the requirements of section 106(b),*
18 *which—*

19 *“(1) shall—*

20 *“(A) be in addition to the review of the*
21 *State plan upon its submission under section*
22 *106(b)(1)(A); and*

23 *“(B) include monitoring of State policies*
24 *and procedures required under clauses (ii) and*
25 *(iii) of section 106(b)(2)(B); and*

1 “(2) may include—

2 “(A) a comparison of activities carried out
3 by the State to comply with the requirements of
4 section 106(b) with the State plan most recently
5 approved under section 432 of the Social Secu-
6 rity Act;

7 “(B) a review of information available on
8 the Website of the State relating to its compli-
9 ance with the requirements of section 106(b);

10 “(C) site visits, as may be necessary to
11 carry out such monitoring; and

12 “(D) a review of information available in
13 the State’s Annual Progress and Services Report
14 most recently submitted under section 1357.16 of
15 title 45, Code of Federal Regulations (or suc-
16 cessor regulations).”.

17 (b) *TABLE OF CONTENTS.*—The table of contents in
18 section 1(b) of the Child Abuse Prevention and Treatment
19 Act (42 U.S.C. 5101 note) is amended by inserting after
20 the item relating to section 113, the following:

“Sec. 114. Monitoring and oversight.”.

21 **SEC. 6. RULE OF CONSTRUCTION.**

22 Nothing in this Act, or the amendments made by this
23 Act, shall be construed to authorize the Secretary of Health
24 and Human Services or any other officer of the Federal
25 Government to add new requirements to section 106(b) of

- 1 *the Child Abuse Prevention and Treatment Act (42 U.S.C.*
- 2 *5106a(b)), as amended by this Act.*