

114TH CONGRESS
2D SESSION

H. R. 5364

To provide States with flexibility to use Federal IV–E funding for State child welfare programs to improve safety, permanency, and well-being outcomes for all children who need child welfare services.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2016

Mr. LANGEVIN (for himself, Mr. MARINO, Ms. BASS, Mr. HASTINGS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CARTWRIGHT, and Mrs. DINGELL) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To provide States with flexibility to use Federal IV–E funding for State child welfare programs to improve safety, permanency, and well-being outcomes for all children who need child welfare services.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the “All
5 Kids Matter Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

TITLE I—FLEXIBILITY TO PROVIDE SERVICES TAILORED TO A
CHILD’S AND FAMILY’S NEEDS

Sec. 101. Prevention, intervention, and support services before, during, and
after placement in foster care.

Sec. 102. State option for simplified reimbursement of IV–E administrative
costs.

TITLE II—FLEXIBILITY TO SERVE ALL CHILDREN IN NEED

Sec. 201. Elimination of income barrier to serving all children in need of foster
care maintenance payments.

Sec. 202. Elimination of barriers to permanency for older youth in foster care.

TITLE III—MISCELLANEOUS

Sec. 301. Application to States with waivers and territories.

Sec. 302. Dissemination of best practices.

Sec. 303. Effective date.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Our Nation values the potential of all of our
4 children to thrive and ultimately contribute to the
5 success of the country.

6 (2) Scientific research makes it clear that chil-
7 dren do best when they are part of healthy families.

8 (3) The results of States operating child welfare
9 programs under waivers of requirements of title IV–
10 E of the Social Security Act provide further evidence
11 that vulnerable children and families can often safely
12 be kept together and out of foster care when they
13 are provided with appropriate early intervention
14 services, preventive services, and support services.

15 (4) A modern child welfare system would not
16 only allow, but would encourage, States and Indian

1 tribes to utilize evidence-based programs to keep
2 families safely together, only using foster care for
3 cases where children’s safety and well-being are com-
4 promised.

5 (5) The changes made by this Act will mod-
6 ernize the title IV–E foster care program to include
7 the coverage of State-based support activities that
8 focus on keeping a child safely in his or her home,
9 and if foster care is necessary, moving a child to
10 permanency as quickly as possible.

11 **TITLE I—FLEXIBILITY TO PRO-**
12 **VIDE SERVICES TAILORED TO**
13 **A CHILD’S AND FAMILY’S**
14 **NEEDS**

15 **SEC. 101. PREVENTION, INTERVENTION, AND SUPPORT**
16 **SERVICES BEFORE, DURING, AND AFTER**
17 **PLACEMENT IN FOSTER CARE.**

18 (a) STATE PLAN REQUIREMENTS.—Section 471 of
19 such Act (42 U.S.C. 671) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (15)(B), by inserting “,
22 which shall include the State identifying and
23 providing prevention, intervention, and support
24 services (as defined in section 475(13)) as ap-
25 propriate,” after “reasonable efforts”;

1 (B) in paragraph (34)(B), by striking
2 “and” after the semicolon;

3 (C) in paragraph (35)(B), by striking the
4 period at the end and inserting a semicolon;
5 and

6 (D) by adding at the end the following:

7 “(36) provides, not later than 2 years after the
8 date of enactment of this paragraph, that all at-risk
9 children (as defined in section 475(14)), children in
10 foster care, and children who have left foster care to
11 return home through reunification or reinstatement
12 of parental rights or for kinship guardianship or
13 adoption, shall be provided with a standard array of
14 child welfare services consistent with subsection
15 (e)(1); and

16 “(37) provides, not later than 2 years after the
17 date of enactment of this paragraph, and not less
18 than every 2 or 3 years thereafter (as required by
19 the Secretary with respect to a State on the basis
20 of the Secretary’s determination of the State’s suc-
21 cess in keeping children safe and at home or on a
22 path toward permanency), that the State shall sub-
23 mit, as part of the State plan required under sub-
24 section (a), and shall update and revise as nec-
25 essary—

1 “(A) a description of the State activities
2 and the delivery mechanisms for achieving—

3 “(i) increased permanency for all in-
4 fants, children, and youth by reducing the
5 time in foster placements when possible
6 and promoting a successful transition to
7 adulthood for older youth;

8 “(ii) increased positive outcomes for
9 infants, children, youth, and families in
10 their homes and communities, including
11 tribal communities, and improving the
12 safety and well-being of infants, children,
13 and youth; and

14 “(iii) the prevention of child abuse
15 and neglect and the re-entry of infants,
16 children, and youth into foster care;

17 “(B) a description of the performance
18 benchmarks for assessing the State’s progress
19 in achieving the goals described in subpara-
20 graph (A);

21 “(C) a description of the standard array of
22 child welfare services for at-risk children, chil-
23 dren in foster care, and children who have left
24 foster care to return home through reunification
25 or reinstatement of parental rights or for kin-

1 ship guardianship or adoption, in accordance
2 with subsection (e)(1); and

3 “(D) a description of the State’s plan for
4 ensuring that congregate care is used appro-
5 priately and reduces the placement of children
6 and youth in such care.”; and

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

8 “(e) STANDARD ARRAY OF CHILD WELFARE SERV-
9 ICES.—

10 “(1) IN GENERAL.—For purposes of subsection
11 (a)(36), with respect to a State, the standard array
12 of child welfare services required under this sub-
13 section for at-risk children, children in foster care,
14 and children who have left foster care to return
15 home through reunification or reinstatement of pa-
16 rental rights or for kinship guardianship or adop-
17 tion, shall be established by the Secretary in con-
18 sultation with the director of the State child welfare
19 agency for the State. At a minimum, a standard
20 array of child welfare services established by a State
21 shall—

22 “(A) include prevention, intervention, and
23 support services (as defined in section 475(13));
24 and

1 “(B) be made available until a child at-
2 tains 18 years of age or such greater age as the
3 State may elect under section 475(8)(B)(iii) to
4 both the child and the child’s family, guardian,
5 or caretaker.

6 “(2) TYPES OF SERVICES.—The standard array
7 of child welfare services established with respect to
8 a State may include any or all of the following:

9 “(A) Family engagement.

10 “(B) Trauma-informed child assessment.

11 “(C) Trauma-focused behavioral health
12 treatment.

13 “(D) Permanency Round Tables.

14 “(E) Kinship Supports.

15 “(3) INTERACTION WITH PART B SERVICES.—If
16 a State determines that a child is an at-risk child,
17 a child in foster care, or a child who has left foster
18 care to return home through reunification or rein-
19 statement of parental rights or for kinship guardian-
20 ship or adoption, the child shall be eligible for serv-
21 ices provided under the State plans approved under
22 part B in addition to the standard array of child
23 welfare services required under paragraph (1).

24 “(4) PAYMENT REQUIREMENTS.—Payments to
25 States under section 474(a)(6) for expenditures at-

1 tributable to the provision of prevention, interven-
2 tion, and support services shall only be made if—

3 “(A) the State provides or conducts reg-
4 ular State-specific assessments of the outcomes
5 for children and families in relation to the pro-
6 vision of such services; and

7 “(B) the State provides an assurance that
8 such payments shall be used to supplement, and
9 not supplant, the level of State funds expended
10 to provide any service under part B or this part
11 for fiscal year 2015.”.

12 (b) DEFINITIONS.—Section 475 of such Act (42
13 U.S.C. 675) is amended by adding at the end the fol-
14 lowing:

15 “(13)(A) Subject to subparagraphs (B) and
16 (C), the term ‘prevention, intervention, and support
17 services’ has the meaning given such term as the
18 Secretary, by regulation, shall establish, and shall
19 include the following:

20 “(i) Initial family assessments for a child
21 identified as an at-risk child (as defined in
22 paragraph (14)) in accordance with standards
23 established by the Secretary that require a case
24 worker to identify what the child needs to stay
25 safely in his or her home or, if the child cannot

1 stay safely in their home, that specifies that the
2 child needs a safe placement outside the home
3 as soon as possible.

4 “(ii) Follow-up assessments after a child
5 has been identified as an at-risk child, placed in
6 foster care, or has left foster care to return
7 home through reunification or reinstatement of
8 parental rights or for kinship guardianship or
9 adoption, in accordance with standards estab-
10 lished by the Secretary.

11 “(iii) In-home services for at-risk children,
12 children in foster care, and children who have
13 left foster care to return home through reunifi-
14 cation or reinstatement of parental rights or for
15 kinship guardianship or adoption, and for the
16 families, guardians, or caretakers of such chil-
17 dren.

18 “(iv) Case management services for at-risk
19 children, children in foster care, and children
20 who have left foster care to return home
21 through reunification or reinstatement of paren-
22 tal rights or for kinship guardianship or adop-
23 tion, and for the families, guardians, or care-
24 takers of such children.

1 “(v) Post-permanency supports for at-risk
2 children and children who have left foster care
3 to return home through reunification or rein-
4 statement of parental rights or for kinship
5 guardianship or adoption, and for the families,
6 guardians, or caretakers of such children.

7 “(B) The regulation required under subpara-
8 graph (A) shall provide that such term means any
9 services provided to a child, parent, legal or relative
10 guardian, family, or caregiver that are intended to
11 meet the needs of the child, parent, legal or relative
12 guardian, family, or caregiver—

13 “(i) prior to the placement of a child in
14 foster care, enable the child to safely remain
15 with the child’s family;

16 “(ii) after the placement of a child in fos-
17 ter care, enable the child to be safely reunited
18 with the child’s family; and

19 “(iii) after a child in foster care is reunited
20 with the child’s family, adopted, or permanently
21 placed with a guardian, ensure the stability,
22 health, and safety of the child.

23 “(C) The regulations required under subpara-
24 graph (A) shall provide that such term shall only in-
25 clude services that are evidence-based or evidence-in-

1 formed and address specific outcomes related to
2 safety, permanency, or well-being for at-risk chil-
3 dren, children in foster care, and children who have
4 left foster care to return home through reunification
5 or reinstatement of parental rights or for kinship
6 guardianship or adoption.

7 “(14)(A) The term ‘at-risk child’ means a child at
8 risk of entering or re-entering the child welfare system
9 based on criteria established by the Secretary in consulta-
10 tion with the States.

11 “(B) Such term shall include a child who is deter-
12 mined to be at risk of entering or re-entering the child
13 welfare system on the basis of an appeal by a State under
14 such procedures as the Secretary shall establish.”.

15 (c) PAYMENT FOR SERVICES AND PERFORMANCE
16 ACHIEVEMENT UNDER TITLE IV–E.—Section 474(a) of
17 the Social Security Act (42 U.S.C. 674(a)) is amended—

18 (1) in paragraph (5), by striking the period at
19 the end and inserting “; plus”; and

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

21 “(6) subject to section 471(e)(4), for each quar-
22 ter beginning after September 30, 2017, an amount
23 equal to the Federal medical assistance percentage
24 (which shall be as defined in subsection (b) of sec-
25 tion 1905 without regard to any increase applicable

1 under another subsection of that section, in the case
2 of a State other than the District of Columbia, or
3 70 percent, in the case of the District of Columbia)
4 of the total amount expended during such quarter as
5 found necessary by the Secretary for the provision of
6 prevention, intervention, and support services (as de-
7 fined in section 475(13)) for at-risk children (as de-
8 fined in section 475(14)), children in foster care,
9 and children who have left foster care to return
10 home through reunification or reinstatement of pa-
11 rental rights or for kinship guardianship or adop-
12 tion, and for the families, guardians, or caretakers
13 of such children (or, with respect to such payments
14 made during such quarter under a cooperative
15 agreement or contract entered into by the State and
16 an Indian tribe, tribal organization, or tribal consor-
17 tium for the administration or payment of funds
18 under this part, an amount equal to the Federal
19 medical assistance percentage that would apply
20 under section 479B(d) (in this paragraph referred to
21 as the ‘tribal FMAP’) if such Indian tribe, tribal or-
22 ganization, or tribal consortium made such pay-
23 ments under a program operated under that section,
24 unless the tribal FMAP is less than the Federal

1 medical assistance percentage that applies to the
2 State); plus

3 “(7) for each quarter beginning after Sep-
4 tember 30, 2018, if the State is eligible for a per-
5 formance achievement payment for a fiscal year
6 under section 471(f), an amount equal to $\frac{1}{4}$ of the
7 performance achievement payment determined for
8 the State for the fiscal year under section 471(f).”.

9 (d) PERFORMANCE ASSESSMENT; EVALUATIONS AND
10 REPORTS.—Section 471 of such Act (42 U.S.C. 671) (as
11 amended by subsection (c)) is amended by adding at the
12 end the following:

13 “(f) PERFORMANCE ACHIEVEMENT.—The Secretary
14 shall establish criteria for assessing State performance
15 with respect to achieving the goals described in subsection
16 (a)(37)(A) and furthering the purposes of this part and
17 for awarding performance achievement payments to States
18 under section 474(a)(7).

19 “(g) EVALUATIONS AND REPORTS.—

20 “(1) EVALUATIONS.—

21 “(A) IN GENERAL.—The Secretary, di-
22 rectly or through grants, contracts, or inter-
23 agency agreements, shall conduct research and
24 evaluations with respect to the payments made
25 under paragraphs (6) and (7) of section 474(a)

1 for purposes of assessing the extent to which
2 the provision of payments under such para-
3 graphs are related to State progress towards
4 achieving the goals described in subsection
5 (a)(37)(A) and the purposes of this part.

6 “(B) STATE COOPERATION.—In order to
7 be entitled to a payment under paragraphs (6)
8 or (7) of section 474(a), a State shall agree to
9 cooperate with the conduct of any such research
10 or evaluations.

11 “(2) REPORTS.—

12 “(A) STATE REPORTS.—Each State that
13 receives a payment under paragraph (6) or (7)
14 of section 474(a) shall submit such reports to
15 the Secretary as the Secretary may require with
16 respect to State expenditures for which pay-
17 ments are made under that section.

18 “(B) REPORTS TO CONGRESS.—The Sec-
19 retary shall submit to the Committee on Ways
20 and Means of the House of Representatives and
21 the Committee on Finance of the Senate peri-
22 odic reports based on the State reports sub-
23 mitted under subparagraph (A) and the re-
24 search and evaluations conducted under para-
25 graph (1), together with such recommendations

1 for administrative or legislative changes as the
2 Secretary determines appropriate.

3 “(C) PUBLIC AVAILABILITY.—The Sec-
4 retary shall make the State reports and the re-
5 ports to Congress submitted under this para-
6 graph publicly available.”.

7 (e) CONFORMING AMENDMENTS.—

8 (1) PURPOSE.—The first sentence of section
9 470 of such Act (42 U.S.C. 670) is amended by
10 striking “foster care” and all that follows through
11 “needs” and inserting “prevention, intervention, and
12 support services, foster care, transitional inde-
13 pendent living programs for children, support for
14 children who have left foster care to return home
15 through reunification or reinstatement of parental
16 rights, kinship guardianship assistance, adoption as-
17 sistance for children with special needs, and per-
18 formance achievement payments”.

19 (2) STATE PLAN.—Section 471(a)(1) of such
20 Act (42 U.S.C. 671(a)(1)) is amended by striking
21 “and” and all that follows through the semicolon
22 and inserting “, adoption assistance in accordance
23 with section 473, and prevention, intervention, and
24 support services for at-risk children, children in fos-
25 ter care, and children who have left foster care to re-

1 turn home through reunification or reinstatement of
 2 parental rights or for kinship guardianship or adop-
 3 tion in accordance with subsection (e);”.

4 (3) TRAINING.—Section 474(a)(3)(B) of such
 5 Act (42 U.S.C. 674(a)(3)(B)) is amended by insert-
 6 ing “and in ways that include training on how to
 7 provide such support and assistance, as well as
 8 training on prevention, intervention, and support
 9 services and how to provide such services,” after
 10 “living with relative guardians,”.

11 **SEC. 102. STATE OPTION FOR SIMPLIFIED REIMBURSE-**
 12 **MENT OF IV-E ADMINISTRATIVE COSTS.**

13 Section 474 of such Act (42 U.S.C. 674) is amend-
 14 ed—

15 (1) in subsection (a)(3), in the matter pre-
 16 ceding subparagraph (A), by inserting “subsection
 17 (h) and” before “section 472(i)”; and

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

19 “(h) STATE OPTION TO ELECT ALLOTMENT FOR
 20 SPECIFIED ADMINISTRATIVE COSTS.—

21 “(1) PROCESS FOR DETERMINATION OF ADMIN-
 22 ISTRAIVE COSTS ALLOTMENT.—For fiscal years be-
 23 ginning after September 30, 2017, a State may elect
 24 to be paid an administrative costs allotment for a
 25 fiscal year under this subsection in lieu of receiving

1 payments under subsection (a)(3) for each quarter
2 of the fiscal year for the costs that are specified to
3 be paid out of the allotment. The Secretary shall de-
4 termine the alternative administrative costs allot-
5 ment for a State for a fiscal year by—

6 “(A) consulting with the State;

7 “(B) identifying the specific categories of
8 administrative costs that will be paid out of the
9 allotment;

10 “(C) taking into account the State’s histor-
11 ical and projected expenditures for such cat-
12 egories of administrative costs; and

13 “(D) taking into account such other data
14 or information as the Secretary and the State
15 determine appropriate.

16 “(2) SIMPLIFIED REPORTING.—The Secretary
17 shall establish a simplified, streamlined process for
18 a State with an administrative costs allotment for a
19 fiscal year to report expenditures from the allotment
20 with respect to the fiscal year that shall apply in lieu
21 of any other reporting requirements under this part
22 that would otherwise apply to such expenditures.”.

1 **TITLE II—FLEXIBILITY TO**
2 **SERVE ALL CHILDREN IN NEED**

3 **SEC. 201. ELIMINATION OF INCOME BARRIER TO SERVING**
4 **ALL CHILDREN IN NEED OF FOSTER CARE**
5 **MAINTENANCE PAYMENTS.**

6 (a) DELINKAGE OF AFDC ELIGIBILITY CRITERIA.—

7 Section 472(a) of the Social Security Act (42 U.S.C.
8 672(a)) is amended—

9 (1) in paragraph (1), in the matter preceding
10 subparagraph (A), by striking “specified” and all
11 that follows through the period and inserting “or
12 caretaker into foster care if the removal and foster
13 care placement met, and continue to meet, the re-
14 quirements of paragraph (2).”;

15 (2) in paragraph (2)(A)(i), by inserting “or
16 caretaker” after “relative”; and

17 (3) by striking paragraphs (3) and (4).

18 (b) CONFORMING AMENDMENT.—Section
19 479B(c)(1)(C)(ii) of such Act (42 U.S.C.
20 679c(c)(1)(C)(ii)) is amended to read as follows:

21 “(ii) SATISFACTION OF FOSTER CARE
22 ELIGIBILITY REQUIREMENTS.—For pur-
23 poses of determining whether the removal
24 and foster care placement of a child whose
25 placement and care are the responsibility

1 of an Indian tribe, tribal organization, or
2 tribal consortium with a plan approved
3 under section 471 in accordance with this
4 section satisfies the requirements of section
5 472(a), with respect to the first 12 months
6 for which such plan is in effect, paragraph
7 (1) of section 472(a) shall not be inter-
8 preted so as to prohibit the use of affida-
9 vits or nunc pro tunc orders as verification
10 documents in support of the reasonable ef-
11 forts and contrary to the welfare of the
12 child judicial determinations required
13 under that paragraph.”.

14 (c) BUDGET NEUTRAL IMPLEMENTATION.—Not
15 later than 180 days after the date of enactment of this
16 Act, the Secretary of Health and Human Services and the
17 Director of the Office of Management and Budget jointly
18 shall submit to Congress a plan that specifies such legisla-
19 tive and administrative actions as the Secretary of Health
20 and Human Services and the Director of the Office of
21 Management and Budget determine are necessary to en-
22 sure that the amendments made by subsections (a) and
23 (b) are implemented in a manner that is budget neutral.

24 (d) EFFECTIVE DATE.—The amendments made by
25 subsections (a) and (b) shall take effect on the later of—

1 (1) October 1, 2018; or

2 (2) the date that is 180 days after the date the
3 plan required under subsection (c) is submitted to
4 Congress.

5 **SEC. 202. ELIMINATION OF BARRIERS TO PERMANENCY**
6 **FOR OLDER YOUTH IN FOSTER CARE.**

7 (a) **EXPANSION OF STATE OPTION TO PROVIDE**
8 **SERVICES TO YOUTH WHO HAVE ATTAINED AGE 18.—**
9 Section 475(8)(B)(iv) of the Social Security Act (42
10 U.S.C. 675(8)(B)(iv)) is amended—

11 (1) in subclause (IV), by striking “or” after the
12 semicolon;

13 (2) in subclause (V), by striking the period at
14 the end and inserting “; or”; and

15 (3) by adding at the end the following new sub-
16 clause:

17 “(VI) pursuing legal permanency
18 through family reunification, perma-
19 nent placement with a relative, adop-
20 tion, legal guardianship, other planned
21 permanent living arrangement, or
22 such other pathways to permanency
23 as the State, in consultation with the
24 Secretary, may specify.”.

1 (b) EXTENDING ELIGIBILITY FOR CHAFEE PROGRAM
2 SERVICES AND EDUCATION AND TRAINING VOUCHERS TO
3 YOUTH WHO RETURN HOME AFTER ATTAINING AGE
4 16.—Section 477 of the Social Security Act (42 U.S.C.
5 677) is amended—

6 (1) in subsection (a)(7), by inserting “, or who
7 return home through reunification or reinstatement
8 of parental rights” before the semicolon; and

9 (2) in subsection (i)(2), by inserting “, or who
10 return home through reunification or reinstatement
11 of parental rights,” after “foster care”.

12 (c) DEVELOPMENT AND DISSEMINATION OF PERMA-
13 NENCY-SUPPORTIVE HOUSING OPTIONS.—Not later than
14 September 30, 2017, the Secretary of Health and Human
15 Services, the Secretary of Housing and Urban Develop-
16 ment, and the Secretary of Education, jointly shall do the
17 following:

18 (1) DEVELOP AND DISSEMINATE TO STATES.—
19 Develop and disseminate to States flexible sup-
20 portive housing options, developed in consultation
21 with States, foster youth, providers, and other im-
22 portant stakeholders, that provide opportunities for
23 youth who age out of foster care to achieve legal and
24 lifelong permanency while living independently, and
25 which allow for developmentally appropriate housing

1 situations, including dorm living, room leases, and
2 roommate situations.

3 (2) RECOMMENDATIONS TO CONGRESS.—Sub-
4 mit recommendations, developed in consultation with
5 States, foster youth, providers, and other important
6 stakeholders, to Congress for such legislative action
7 as the Secretaries determine are necessary to in-
8 crease the availability of flexible supportive housing
9 options that would allow youth who age out of foster
10 care to achieve legal and lifelong permanency.

11 **TITLE III—MISCELLANEOUS**

12 **SEC. 301. APPLICATION TO STATES WITH WAIVERS AND** 13 **TERRITORIES.**

14 (a) APPLICATION TO STATES WITH WAIVERS.—

15 (1) GENERAL NONAPPLICATION.—If any waiver
16 granted to a State, Indian tribe, tribal organization,
17 or tribal consortium under section 1130 of this Act
18 or otherwise which relates to the provision of assist-
19 ance under a State plan under this part (as in effect
20 on September 30, 2015) is in effect as of the date
21 of enactment of this Act, the amendments made by
22 this Act shall not apply with respect to the State,
23 Indian tribe, tribal organization, or tribal consortium
24 before the expiration of the waiver to the extent such
25 amendments are inconsistent with the waiver.

1 (2) EARLY TERMINATION.—

2 (A) REPORT.—If a State, Indian tribe,
3 tribal organization, or tribal consortium elects
4 to terminate a waiver described in paragraph
5 (1) before the expiration of the waiver, the
6 State, Indian tribe, tribal organization, or tribal
7 consortium shall submit a report to the Sec-
8 retary summarizing the waiver and any avail-
9 able information concerning the result or effect
10 of the waiver.

11 (B) HOLD HARMLESS PROVISION.—

12 (i) IN GENERAL.—Notwithstanding
13 any other provision of law, a State, Indian
14 tribe, tribal organization, or tribal consor-
15 tium that, not later than the date de-
16 scribed in clause (ii) of this subparagraph,
17 submits a written request to terminate a
18 waiver described in paragraph (1) shall be
19 held harmless for accrued cost neutrality
20 liabilities incurred under the waiver.

21 (ii) DATE DESCRIBED.—The date de-
22 scribed in this subparagraph is 90 days
23 following the adjournment of the first reg-
24 ular session of the State legislature that
25 begins after the date of the enactment of

1 this Act (or in the case of an Indian tribe,
2 tribal organization, or tribal consortium,
3 90 days following such date as the Sec-
4 retary shall establish in consultation with
5 the Indian tribe, tribal organization, or
6 tribal consortium).

7 (3) SECRETARIAL ENCOURAGEMENT OF CUR-
8 RENT WAIVERS.—The Secretary shall encourage any
9 State, Indian tribe, tribal organization, or tribal con-
10 sortium operating a waiver described in paragraph
11 (1) to continue the waiver and to evaluate the result
12 or effect of the waiver.

13 (4) CONTINUATION OF INDIVIDUAL WAIVERS.—
14 A State, Indian tribe, tribal organization, or tribal
15 consortium may elect to continue one or more indi-
16 vidual waivers described in paragraph (1).

17 (b) INDIAN TRIBES OPERATING IV–E PROGRAMS
18 CONSIDERED STATES.—Not later than 120 days after the
19 date of enactment of this Act, the Secretary shall issue
20 guidance regarding how an Indian tribe, tribal organiza-
21 tion, or tribal consortium that has elected to operate a
22 program under part E of title IV of the Social Security
23 Act in accordance with section 479B of such Act (42
24 U.S.C. 679c) may revise the tribal plan submitted in ac-

1 cordance with such section to take into account, as appro-
2 priate, the amendments made by this Act.

3 (c) DISREGARD FROM LIMITATION ON TOTAL PAY-
4 MENTS TO TERRITORIES.—Section 1108(a)(2) of the So-
5 cial Security Act (42 U.S.C. 1308(a)(2)) is amended by
6 striking “or 413(f)” and inserting “413(f), 474(a)(6),
7 474(a)(7), or 474(h)”.

8 **SEC. 302. DISSEMINATION OF BEST PRACTICES.**

9 The Secretary of Health and Human Services annu-
10 ally shall identify and disseminate to States best practices
11 for achieving safety, permanency, and well-being outcomes
12 for children in need of child welfare services.

13 **SEC. 303. EFFECTIVE DATE.**

14 (a) IN GENERAL.—Except as otherwise provided and
15 subject to subsection (b), this Act and the amendments
16 made by this Act take effect on October 1, 2015.

17 (b) DELAY PERMITTED IF STATE LEGISLATION RE-
18 QUIRED.—In the case of a State plan under part E of
19 title IV of the Social Security Act which the Secretary of
20 Health and Human Services determines requires State
21 legislation (other than legislation appropriating funds) in
22 order for the plan to meet the additional requirements im-
23 posed by the amendments made by this Act, the State plan
24 shall not be regarded as failing to comply with the require-
25 ments of such part solely on the basis of the failure of

1 the plan to meet such additional requirements before the
2 first day of the first calendar quarter beginning after the
3 close of the first regular session of the State legislature
4 that begins after the date of enactment of this Act. For
5 purposes of the previous sentence, in the case of a State
6 that has a 2-year legislative session, each year of such ses-
7 sion shall be deemed to be a separate regular session of
8 the State legislature.

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