

118TH CONGRESS
2D SESSION

H. R. 8813

To amend subpart 2 of part B of title IV of the Social Security Act to address child welfare involvement caused by poverty, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2024

Mr. SMITH of Missouri (for himself and Ms. MOORE of Wisconsin) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend subpart 2 of part B of title IV of the Social Security Act to address child welfare involvement caused by poverty, 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 “Preventing Child Wel-
5 fare Entry Caused by Poverty Act”.

6 **SEC. 2. MARYLEE ALLEN PROMOTING SAFE AND STABLE**
7 **FAMILIES PROGRAM.**

8 (a) FAMILY PRESERVATION SERVICES.—Section
9 431(a)(1) of the Social Security Act (42 U.S.C.
10 629a(a)(1)) is amended—

1 (1) in subparagraph (E), by striking “and”
2 after the semicolon;

3 (2) in subparagraph (F), by striking the period
4 and inserting “; and”; and

5 (3) by adding at the end the following:

6 “(G)(i) services providing nonrecurring
7 short term benefits (including supports related
8 to housing instability, utilities, transportation,
9 and food assistance, among other basic needs)
10 that address immediate needs related to a spe-
11 cific crisis, situation, or event affecting the abil-
12 ity of a child to remain in a home established
13 for the child that is not intended to meet an on-
14 going need; and

15 “(ii) for purposes of this subpart, an ex-
16 penditure for a service described in clause (i)
17 may be treated as an expenditure for any 1 or
18 more of family support services, family preser-
19 vation services, family reunification services, or
20 adoption promotion and support services.”.

21 (b) STATE PLAN REQUIREMENTS.—Section 432(a)
22 of such Act (42 U.S.C. 629b(a)) is amended—

23 (1) in paragraph (9), by striking “and” after
24 the semicolon;

1 (2) in paragraph (10), by striking the period
2 and inserting “; and”; and

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

4 “(11) provides a description of policies in place,
5 including training for employees, to address child
6 welfare reports and investigations concerning the liv-
7 ing arrangements or subsistence needs of a child
8 with the goal to prevent the separation of a child
9 from a parent of the child solely due to poverty, to
10 ensure access to services described in section
11 431(a)(1)(G).”.

12 **SEC. 3. EFFECTIVE DATE.**

13 (a) IN GENERAL.—The amendments made by this
14 Act shall take effect on the 1st day of the 1st fiscal year
15 beginning on or after the date of the enactment of this
16 Act, and shall apply to payments made under subpart 2
17 of part B of title IV of the Social Security Act for calendar
18 quarters beginning on or after such date.

19 (b) DELAY PERMITTED IF STATE LEGISLATION IS
20 REQUIRED.—If the Secretary of Health and Human Serv-
21 ices determines that State legislation (other than legisla-
22 tion appropriating funds) is required in order for any
23 State plan approved under subpart 2 of part B of title
24 IV of the Social Security Act to meet the additional re-
25 quirements imposed by the amendments made by this Act,

1 the plan shall not be regarded as failing to meet any of
2 the additional requirements before the 1st day of the 1st
3 calendar quarter beginning after the 1st regular session
4 of the State legislature that begins after the date of the
5 enactment of this Act. For purposes of the preceding sen-
6 tence, if the State has a 2-year legislative session, each
7 year of the session is deemed to be a separate regular ses-
8 sion of the State legislature.

○