

115TH CONGRESS  
2D SESSION

# S. 2926

To amend part B of title IV of the Social Security Act to require the Secretary of Health and Human Services to conduct a family recovery and reunification program replication project to help reunify families and protect children with parents or guardians with a substance use disorder who have temporarily lost custody of their children.

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IN THE SENATE OF THE UNITED STATES

MAY 22, 2018

Mr. MENENDEZ (for himself and Mr. SCOTT) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To amend part B of title IV of the Social Security Act to require the Secretary of Health and Human Services to conduct a family recovery and reunification program replication project to help reunify families and protect children with parents or guardians with a substance use disorder who have temporarily lost custody of their children.

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 “Improving Recovery  
5 and Reunifying Families Act”.

1 **SEC. 2. FAMILY RECOVERY AND REUNIFICATION PROGRAM**  
2 **REPLICATION PROJECT.**

3 Section 435 of the Social Security Act (42 U.S.C.  
4 629e) is amended by adding at the end the following:

5 “(e) FAMILY RECOVERY AND REUNIFICATION PRO-  
6 GRAM REPLICATION PROJECT.—

7 “(1) PURPOSE.—The purpose of this subsection  
8 is to provide resources to the Secretary to support  
9 the conduct and evaluation of a family recovery and  
10 reunification program replication project (referred to  
11 in this subsection as the ‘project’) and to determine  
12 the extent to which such programs may be appro-  
13 priate for use at different intervention points (such  
14 as when a child is at risk of entering foster care or  
15 when a child is living with a guardian while a parent  
16 is in treatment). The family recovery and reunifica-  
17 tion program conducted under the project shall use  
18 a recovery coach model that is designed to help re-  
19 unify families and protect children by working with  
20 parents or guardians with a substance use disorder  
21 who have temporarily lost custody of their children.

22 “(2) PROGRAM COMPONENTS.—The family re-  
23 covery and reunification program conducted under  
24 the project shall adhere closely to the elements and  
25 protocol determined to be most effective in other re-  
26 covery coaching programs that have been rigorously

1 evaluated and shown to increase family reunification  
2 and protect children and, consistent with such ele-  
3 ments and protocol, shall provide such items and  
4 services as—

5 “(A) assessments to evaluate the needs of  
6 the parent or guardian;

7 “(B) assistance in receiving the appro-  
8 priate benefits to aid the parent or guardian in  
9 recovery;

10 “(C) services to assist the parent or guard-  
11 ian in prioritizing issues identified in assess-  
12 ments, establishing goals for resolving such  
13 issues that are consistent with the goals of the  
14 treatment provider, child welfare agency,  
15 courts, and other agencies involved with the  
16 parent or guardian or their children, and mak-  
17 ing a coordinated plan for achieving such goals;

18 “(D) home visiting services coordinated  
19 with the child welfare agency and treatment  
20 provider involved with the parent or guardian  
21 or their children;

22 “(E) case management services to remove  
23 barriers for the parent or guardian to partici-  
24 pate and continue in treatment, as well as to

1 re-engage a parent or guardian who is not par-  
2 ticipating or progressing in treatment;

3 “(F) access to services needed to monitor  
4 the parent’s or guardian’s compliance with pro-  
5 gram requirements;

6 “(G) frequent reporting between the treat-  
7 ment provider, child welfare agency, courts, and  
8 other agencies involved with the parent or  
9 guardian or their children to ensure appropriate  
10 information on the parent’s or guardian’s sta-  
11 tus is available to inform decision-making; and

12 “(H) assessments and recommendations  
13 provided by a recovery coach to the child wel-  
14 fare caseworker responsible for documenting the  
15 parent’s or guardian’s progress in treatment  
16 and recovery as well as the status of other  
17 areas identified in the treatment plan for the  
18 parent or guardian, including a recommenda-  
19 tion regarding the expected safety of the child  
20 if the child is returned to the custody of the  
21 parent or guardian that can be used by the  
22 caseworker and a court to make permanency  
23 decisions regarding the child.

24 “(3) RESPONSIBILITIES OF THE SECRETARY.—

1           “(A) IN GENERAL.—The Secretary shall,  
2 through a grant or contract with 1 or more en-  
3 tities, conduct an evaluation of the family recov-  
4 ery and reunification program under the  
5 project.

6           “(B) REQUIREMENTS.—In identifying 1 or  
7 more entities to conduct the evaluation of the  
8 family recovery and reunification program, the  
9 Secretary shall—

10           “(i) determine that the area or areas  
11 in which the program will be conducted  
12 have sufficient substance use disorder  
13 treatment providers and other resources  
14 (other than those provided with funds  
15 made available to carry out the project) to  
16 successfully conduct the program;

17           “(ii) determine that the area or areas  
18 in which the program will be conducted  
19 have enough potential program partici-  
20 pants, and will serve a sufficient number of  
21 parents or guardians and their children, so  
22 as to allow for the formation of a control  
23 group, evaluation results to be adequately  
24 powered, and preliminary results of the

1 evaluation to be available within 4 years of  
2 the program's implementation;

3 “(iii) provide the entity or entities  
4 with technical assistance for the program  
5 design, including by working with 1 or  
6 more entities that are or have been in-  
7 volved in recovery coaching programs that  
8 have been rigorously evaluated and shown  
9 to increase family reunification and protect  
10 children so as to make sure the program  
11 conducted under the project adheres closely  
12 to the elements and protocol determined to  
13 be most effective in such other recovery  
14 coaching programs;

15 “(iv) assist the entity or entities in se-  
16 curing adequate coaching, treatment, child  
17 welfare, court, and other resources needed  
18 to successfully conduct the family recovery  
19 and reunification program under the  
20 project; and

21 “(v) ensure the entity or entities will  
22 be able to monitor the impacts of the pro-  
23 gram in the area or areas in which it is  
24 conducted for at least 5 years after parents  
25 or guardians and their children are ran-

1           domly assigned to participate in the pro-  
2           gram or to be part of the program’s con-  
3           trol group.

4           “(4) EVALUATION REQUIREMENTS.—

5           “(A) IN GENERAL.—The Secretary, in con-  
6           sultation with the entity or entities conducting  
7           the family recovery and reunification program  
8           under the project, shall conduct an evaluation  
9           to determine whether the program has been im-  
10          plemented effectively and resulted in improve-  
11          ments for children and families. The evaluation  
12          shall have 3 components: a pilot phase, an im-  
13          pact study, and an implementation study.

14          “(B) PILOT PHASE.—The pilot phase com-  
15          ponent of the evaluation shall consist of the  
16          Secretary providing technical assistance to the  
17          entity or entities conducting the family recovery  
18          and reunification program under the project to  
19          ensure—

20                  “(i) the program’s implementation ad-  
21                  heres closely to the elements and protocol  
22                  determined to be most effective in other re-  
23                  covery coaching programs that have been  
24                  rigorously evaluated and shown to increase

1 family reunification and protect children;  
2 and

3 “(ii) random assignment of parents or  
4 guardians and their children to be partici-  
5 pates in the program or to be part of the  
6 program’s control group is being carried  
7 out.

8 “(C) IMPACT STUDY.—The impact study  
9 component of the evaluation shall determine the  
10 impacts of the family recovery and reunification  
11 program conducted under the project on the  
12 parents and guardians and their children par-  
13 ticipating in the program. The impact study  
14 component shall—

15 “(i) be conducted using an experi-  
16 mental design that uses a random assign-  
17 ment research methodology;

18 “(ii) consistent with previous studies  
19 of other recovery coaching programs that  
20 have been rigorously evaluated and shown  
21 to increase family reunification and protect  
22 children, measure outcomes for parents  
23 and guardians and their children over mul-  
24 tiple time periods, but not for any period  
25 of less than 5 years; and



1           “(iii) include measurements of family  
2 stability and parent, guardian, and child  
3 safety for program participants and the  
4 program control group that are consistent  
5 with measurements of such factors for par-  
6 ticipants and control groups from previous  
7 studies of other recovery coaching pro-  
8 grams so as to allow results of the impact  
9 study to be compared with the results of  
10 such prior studies, including with respect  
11 to comparisons between program partici-  
12 pants and the program control group re-  
13 garding—

14                   “(I) safe family reunification;

15                   “(II) time to reunification;

16                   “(III) permanency (such as  
17 through measures of reunification,  
18 adoption, or placement with guard-  
19 ians);

20                   “(IV) safety (such as through  
21 measures of subsequent maltreat-  
22 ment);

23                   “(V) parental or guardian treat-  
24 ment persistence and engagement;

1                   “(VI) parental or guardian sub-  
2                   stance use;

3                   “(VII) juvenile delinquency;

4                   “(VIII) cost; and

5                   “(IX) other measurements  
6                   agreed upon by the Secretary and the  
7                   entity or entities operating the family  
8                   recovery and reunification program  
9                   under the project.

10                   “(D) IMPLEMENTATION STUDY.—The im-  
11                   plementation study component of the evaluation  
12                   shall be conducted concurrently with the con-  
13                   duct of the impact study component and shall  
14                   include, in addition to such other information  
15                   as the Secretary may determine, descriptions  
16                   and analyses of—

17                   “(i) the adherence of the family recov-  
18                   ery and reunification program conducted  
19                   under the project to other recovery coach-  
20                   ing programs that have been rigorously  
21                   evaluated and shown to increase family re-  
22                   unification and protect children; and

23                   “(ii) the difference in services received  
24                   or proposed to be received by the program

1 participants and the program control  
2 group.

3 “(E) REPORT.—The Secretary shall pub-  
4 lish on an internet website maintained by the  
5 Secretary the following information:

6 “(i) A report on the pilot phase com-  
7 ponent of the evaluation.

8 “(ii) A report on the impact study  
9 component of the evaluation.

10 “(iii) A report on the implementation  
11 study component of the evaluation.

12 “(iv) A report that includes—

13 “(I) analyses of the extent to  
14 which the program has resulted in in-  
15 creased reunifications, case closures,  
16 net savings to the State or States in-  
17 volved, or other outcomes;

18 “(II) if, based on such analyses,  
19 the Secretary determines the program  
20 should be replicated, a replication  
21 plan; and

22 “(III) such recommendations for  
23 legislation and administrative action  
24 as the Secretary determines appro-  
25 priate.

1           “(5) AUTHORIZATION OF APPROPRIATIONS.—In  
2           addition to any amount otherwise made available to  
3           carry out this subpart, there are authorized to be  
4           appropriated to the Secretary, \$15,000,000 for fiscal  
5           year 2019 to carry out the project, which shall re-  
6           main available through fiscal year 2026.”.

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