

118TH CONGRESS
2D SESSION

S. 4399

To amend the Child Abuse Prevention and Treatment Act to provide for better protections for children raised in kinship families outside of the foster care system.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2024

Ms. HASSAN (for herself and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Child Abuse Prevention and Treatment Act to provide for better protections for children raised in kinship families outside of the foster care system.

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 “Help Grandfamilies
5 Prevent Child Abuse Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

8 (1) More than 2,400,000 children are being
9 raised in kinship families, or “grandfamilies”, by rel-

1 atives or close family friends without their parents
2 in the home, and the vast majority of such children
3 are raised outside of the foster care system.

4 (2) The majority of kinship caregivers are
5 grandparents.

6 (3) For every child in foster care living with rel-
7 atives, there are 18 being raised by relatives outside
8 of the foster care system.

9 (4) More than one-third of all children placed
10 in foster care because of parental drug or alcohol
11 use are placed with relatives.

12 (5) Children who have been exposed to sub-
13 stance misuse in the home may also experience
14 abuse and neglect, and research indicates that chil-
15 dren in family foster care because of substance use
16 are more likely to be placed with relatives than with
17 nonrelatives.

18 **SEC. 3. AMENDMENTS TO CAPTA.**

19 (a) ADVISORY BOARD ON CHILD ABUSE AND NE-
20 GLECT.—Section 102(c) of the Child Abuse Prevention
21 and Treatment Act (42 U.S.C. 5102(c)) is amended—

22 (1) in paragraph (13), by striking “; and” and
23 inserting a semicolon;

24 (2) in paragraph (14), by striking the period
25 and inserting a semicolon; and

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

2 “(15) organizations providing services to kin-
3 ship families; and

4 “(16) birth parents, kinship caregivers, and fos-
5 ter care alumni.”.

6 (b) NATIONAL CLEARINGHOUSE FOR INFORMATION
7 RELATING TO CHILD ABUSE.—Section 103(b) of the
8 Child Abuse Prevention and Treatment Act (42 U.S.C.
9 5104(b)) is amended—

10 (1) in paragraph (8)(B), by striking “; and”
11 and inserting a semicolon;

12 (2) in paragraph (9), by striking the period and
13 inserting “; and”; and

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

15 “(10) coordinate with the Grandfamilies & Kin-
16 ship Support Network: A National Technical Assist-
17 ance Center to disseminate information about evi-
18 dence-based, evidence-informed, and exemplary prac-
19 tices used to support children being raised in kinship
20 families within, or outside of, the child welfare sys-
21 tem.”.

22 (c) GRANTS TO STATES, INDIAN TRIBES OR TRIBAL
23 ORGANIZATIONS, AND PUBLIC OR PRIVATE AGENCIES
24 AND ORGANIZATIONS.—Section 105(a)(4) of the Child
25 Abuse Prevention and Treatment Act (42 U.S.C.

1 5106(a)(4)) is amended by adding at the end the fol-
 2 lowing: “Such procedures used by recipients of a grant
 3 pursuant to this paragraph shall reflect equity for children
 4 placed with kin, recognize their unique circumstances, and
 5 include plans for prioritizing placement with kin as the
 6 first placement, identifying and engaging kin as supports
 7 for children throughout the child’s involvement with the
 8 child welfare system, making it a priority to license kin
 9 as foster parents, supporting permanent families for chil-
 10 dren placed with kin, and creating a strong community
 11 network to support kin families.”.

12 (d) GRANTS TO STATES FOR CHILD ABUSE OR NE-
 13 GLECT PREVENTION AND TREATMENT PROGRAMS.—Sec-
 14 tion 106 of the Child Abuse Prevention and Treatment
 15 Act (42 U.S.C. 5106a)—

16 (1) in subsection (b)(2)—

17 (A) in subparagraph (B)(iv), by inserting
 18 “, and for how kinship placements will be
 19 prioritized” before the semicolon; and

20 (B) in subparagraph (D)(v), by inserting
 21 “kinship navigators,” after “substance abuse
 22 treatment agencies,”; and

23 (2) in subsection (d)(3)—

1 (A) by redesignating subparagraphs (B)
2 and (C) as subparagraphs (C) and (D), respec-
3 tively;

4 (B) by inserting after subparagraph (A)
5 the following:

6 “(B) the number that did not receive serv-
7 ices during the year under the State program
8 funded under this section or an equivalent State
9 program because the child was diverted from
10 the child welfare system to live with kin outside
11 of the foster care system;”; and

12 (C) in subparagraph (D), as so redesign-
13 ated, by striking “families” and inserting
14 “parents”.

15 (e) COMMUNITY-BASED GRANTS FOR THE PREVEN-
16 TION OF CHILD ABUSE AND NEGLECT.—

17 (1) PURPOSE.—Section 201(b)(1) of the Child
18 Abuse Prevention and Treatment Act (42 U.S.C.
19 5116(b)(1)) is amended—

20 (A) in subparagraph (G), by striking “;
21 and” and inserting a semicolon;

22 (B) in subparagraph (H), by adding “and”
23 after the semicolon; and

24 (C) by adding at the end the following:

1 “(I) support the unique needs of kinship
2 families raising children inside or outside the
3 foster care system;”.

4 (2) LOCAL PROGRAM REQUIREMENTS.—Section
5 205(a) of the Child Abuse Prevention and Treat-
6 ment Act (42 U.S.C. 5116e(a)) is amended—

7 (A) in paragraph (2), by striking “and to
8 parents who are adult former victims of domes-
9 tic violence or child abuse or neglect” and in-
10 sserting “to parents who are adult former vic-
11 tims of domestic violence or child abuse or ne-
12 glect, and to families where children are being
13 raised by kin because their parents cannot raise
14 them”;

15 (B) in paragraph (3)(B)—

16 (i) in clause (viii), by striking “and”;

17 (ii) in clause (ix), by striking the pe-
18 riod and inserting a semicolon; and

19 (iii) by adding at the end the fol-
20 lowing:

21 “(x) training to meet the specific needs of
22 kinship caregivers, including training on caring
23 for children with behavioral or mental health
24 challenges and how to access services for which
25 such caregivers may be eligible; and

1 “(xi) training on understanding substance
2 use disorders and the impact of trauma on chil-
3 dren;”; and

4 (C) in paragraph (4), by inserting “, kin-
5 ship caregivers, and foster care alumni” after
6 “parents”.

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