

[DISCUSSION DRAFT]

113TH CONGRESS
2D SESSION

H. R. _____

To provide States with assistance in finding a permanent home for every child.

IN THE HOUSE OF REPRESENTATIVES

Mr. LANGEVIN introduced the following bill; which was referred to the Committee on _____

A BILL

To provide States with assistance in finding a permanent home for every child.

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 “Permanent Families
5 for All Children Act”.

1 **SEC. 2. 3-YEAR LIMIT ON FEDERAL REIMBURSEMENT OF**
2 **FOSTER CARE MAINTENANCE PAYMENTS FOR**
3 **CHILD NOT IN A LEGAL GUARDIANSHIP OR**
4 **KINSHIP GUARDIANSHIP ARRANGEMENT.**

5 Section 474 of the Social Security Act (42 U.S.C.
6 674) is amended by adding at the end the following:

7 “(h) LIMITATION ON NUMBER OF MONTHS FOR
8 WHICH FOSTER CARE MAINTENANCE PAYMENTS MADE
9 ON BEHALF OF A CHILD NOT IN A LEGAL GUARDIANSHIP
10 OR KINSHIP GUARDIANSHIP ARRANGEMENT MAY BE RE-
11 IMBURSED.—Notwithstanding any other provision of this
12 part, a foster care maintenance payment made on behalf
13 of a child shall not be taken into account for purposes
14 of this section after such a payment has been made on
15 behalf of the child for 36 months (whether or not consecu-
16 tive) ending after the effective date of this subsection, un-
17 less the child is in a legal guardianship or kinship guard-
18 ianship arrangement.”.

19 **SEC. 3. 1-YEAR LIMIT ON FEDERAL REIMBURSEMENT OF**
20 **FOSTER CARE MAINTENANCE PAYMENTS FOR**
21 **CHILD IN CHILD-CARE INSTITUTION.**

22 Section 474 of the Social Security Act (42 U.S.C.
23 674), as amended by section 2 of this Act, is amended
24 by adding at the end the following:

25 “(i) LIMITATION ON NUMBER OF MONTHS FOR
26 WHICH FOSTER CARE MAINTENANCE PAYMENTS MADE

1 TO CHILD-CARE INSTITUTIONS ON BEHALF OF A CHILD
2 MAY BE REIMBURSED.—Notwithstanding any other pro-
3 vision of this part, a foster care maintenance payment
4 made to a child-care institution on behalf of a child resid-
5 ing in the institution shall not be taken into account for
6 purposes of this section after such a payment has been
7 made to 1 or more such institutions on behalf of the child
8 for 12 months (whether or not consecutive) ending after
9 the effective date of this subsection.”.

10 **SEC. 4. ELIMINATION OF AFDC ELIGIBILITY REQUIREMENT**

11 **FOR FOSTER CARE MAINTENANCE PAY-**
12 **MENTS.**

13 (a) ELIMINATION OF INCOME ELIGIBILITY REQUIRE-
14 MENT.—

15 (1) IN GENERAL.—Section 472(a) of the Social
16 Security Act (42 U.S.C. 672(a)) is amended—

17 (A) in paragraph (1), by striking “if” and
18 all that follows and inserting “if the removal
19 and foster care placement met, and the place-
20 ment continues to meet, the requirements of
21 paragraph (2).”; and

22 (B) by striking paragraphs (3) and (4).

23 (2) CONFORMING AMENDMENTS.—

24 (A) Section 470 of such Act (42 U.S.C.
25 670) is amended by striking “who otherwise

1 would have been eligible for assistance under
2 the States plan approved under part A (as such
3 plan was in effect on June 1, 1995)”.

4 (B) Section 479B(c)(1)(C)(ii) of such Act
5 (42 U.S.C. 679c(c)(1)(C)(ii)) is amended—

6 (i) by striking “the following shall
7 apply:” and all that follows through
8 “Only” and inserting “only”; and

9 (ii) by striking subclause (II).

10 (b) REPLACEMENT OF FEDERAL MATCHING RATE
11 APPLICABLE TO FOSTER CARE MAINTENANCE PAYMENTS
12 AND RELATED COSTS.—

13 (1) IN GENERAL.—Section 474(a)(1) of such
14 Act (42 U.S.C. 674(a)(1)) is amended to read as fol-
15 lows:

16 “(1) an amount equal to the foster care part-
17 nership rate applicable to the State for the quarter,
18 as determined under subsection (k), of the total
19 amount expended during the quarter as foster care
20 maintenance payments under section 472 for chil-
21 dren in foster family homes or child-care institu-
22 tions(or, with respect to such payments made during
23 the quarter under a cooperative agreement or con-
24 tract entered into by the State and an Indian tribe,
25 tribal organization, or tribal consortium for the ad-

1 ministration or payment of funds under this part, an
2 amount equal to the Federal medical assistance per-
3 centage (as defined in section 1905(b)) that would
4 apply under section 479B(d) (in this paragraph re-
5 ferred to as the ‘tribal FMAP’) if the Indian tribe,
6 tribal organization, or tribal consortium made such
7 payments under a program operated under that sec-
8 tion, unless the tribal FMAP is less than the Fed-
9 eral medical assistance percentage that applies to
10 the State); plus”.

11 (2) FOSTER CARE PARTNERSHIP RATE.—Sec-
12 tion 474 of such Act (42 U.S.C. 674), as amended
13 by sections 2 and 3 of this Act, is amended by add-
14 ing at the end the following:

15 “(k) The Secretary, in consultation with a State,
16 shall determine the foster care partnership rate applicable
17 to the State for a quarter so that the total of the amounts
18 payable to the State under subsection (a)(1) for the fiscal
19 year in which the quarter occurs equals the total of the
20 amounts required to be paid to the State under subsection
21 (a)(1) (as in effect just before the 1st quarter for which
22 this subsection is in effect with respect to the State) for
23 the 4 quarters preceding such 1st quarter.”.

24 (c) EFFECTIVE DATE.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), the amendments made by this section
3 shall take effect on the 1st day of the 1st calendar
4 quarter that begins after the date of the enactment
5 of this Act.

6 (2) STATE OPTION TO DELAY EFFECTIVE
7 DATE.—A State may elect to delay the effectiveness
8 of the amendments made by this section with respect
9 to the State for not more than 3 years.

10 **SEC. 5. ELIGIBILITY OF CHILD IN RESIDENTIAL TREAT-**
11 **MENT PROGRAM FOR HALF OF REGULAR**
12 **FOSTER CARE MAINTENANCE PAYMENTS.**

13 Section 472(b) of the Social Security Act (42 U.S.C.
14 672(b)) is amended by inserting “, except that, while the
15 child is in a residential treatment program, the payments
16 may continue to be made on behalf of the child at 50 per-
17 cent of the level at which the payments that would other-
18 wise be made” before the period.

19 **SEC. 6. EFFECTIVE DATE.**

20 (a) IN GENERAL.—Except as otherwise provided in
21 this Act, the amendments made by this Act shall take ef-
22 fect on the 1st day of the 12th month beginning on or
23 after the date of the enactment of this Act, and shall apply
24 to payments under part E of title IV of the Social Security
25 Act for calendar quarters ending on or after such date.

1 (b) DELAY PERMITTED IF STATE LEGISLATION RE-
2 QUIRED.—If the Secretary of Health and Human Services
3 determines that State legislation (other than legislation
4 appropriating funds) is required in order for a State plan
5 developed pursuant to part E of title IV of the Social Se-
6 curity Act to meet the additional requirements imposed
7 by the amendments made by this Act, the plan shall not
8 be regarded as failing to meet any of the additional re-
9 quirements before the 1st day of the 1st calendar quarter
10 ending after the first regular session of the State legisla-
11 ture that begins after the date of the enactment of this
12 Act. For purposes of the preceding sentence, if the State
13 has a 2-year legislative session, each year of the session
14 is deemed to be a separate regular session of the State
15 legislature.

16 **SEC. 7. INCREASED FUNDING FOR CASEWORKER TRAINING**
17 **ON CHILD-FOCUSED RECRUITMENT AND RE-**
18 **TENTION.**

19 The Secretary of Health and Human Services shall
20 increase the proportion of the amounts expended by a
21 State for caseworker training on child-focused recruitment
22 and retention with respect to which the State is entitled
23 to a payment under section 474(a)(3)(B) of the Social Se-
24 curity Act for each of fiscal years 2015 through 2019, so
25 that the aggregate of the additional amounts required to

1 be paid by reason of this section for the fiscal year in-
2 volved equals the amount that the Director of the Office
3 of Management and Budget determines is the net amount
4 of reduced mandatory spending for the fiscal year as a
5 result of the enactment of the preceding provisions of this
6 Act.

7 **SEC. 8. UNUSED SAVINGS TO BE SPENT ON CHILD WEL-**
8 **FARE PROGRAMS.**

9 The amount specified in section 425 of the Social Se-
10 curity Act for each of fiscal years 2015 through 2019 shall
11 be increased by the savings from the preceding provisions
12 of this Act for the then preceding fiscal year, as computed
13 using the most recent baseline of the Congressional Budg-
14 et Office.

15 **SEC. 9. PUBLIC SERVICE LOAN FORGIVENESS FOR SOCIAL**
16 **WORKERS.**

17 Section 455(m) of the Higher Education Act of 1965
18 (20 U.S.C. 1087e(m)) is amended by adding at the end
19 the following:

20 “(5) LOAN CANCELLATION FOR CERTAIN SO-
21 CIAL WORKERS.—In the case of a borrower who
22 works in social work in a public child or family serv-
23 ice agency, paragraph (1) shall be applied—

24 “(A) by substituting ‘60’ for ‘120’ both
25 places it appears; and

1 “(B) by striking ‘after October 1, 2007’
2 and inserting ‘after the date of enactment of
3 the Permanent Families for All Children Act’.”.