

Calendar No. 411114TH CONGRESS
2^D SESSION**S. 2687**

To amend the Child Abuse Prevention and Treatment Act to improve plans of safe care for infants affected by illegal substance abuse or withdrawal symptoms, or a Fetal Alcohol Spectrum Disorder, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 15, 2016

Mr. CASEY (for himself, Mr. ALEXANDER, Mr. BENNET, Mr. HATCH, Mrs. MURRAY, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

APRIL 4, 2016

Reported by Mr. ALEXANDER, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend the Child Abuse Prevention and Treatment Act to improve plans of safe care for infants affected by illegal substance abuse or withdrawal symptoms, or a Fetal Alcohol Spectrum Disorder, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Plan of Safe Care Im-
3 provement Act”.

4 **SEC. 2. STATE PLANS.**

5 Section ~~106(b)(2)(B)(iii)~~ of the Child Abuse Preven-
6 tion and Treatment Act (~~42 U.S.C. 5106a(b)(2)(B)~~) is
7 amended by striking clause (iii) and inserting the fol-
8 lowing:

9 “(iii) policies and procedures that re-
10 quire—

11 “(I) the development of a plan of
12 safe care for an infant born and iden-
13 tified as being affected by illegal sub-
14 stance abuse or withdrawal symptoms
15 or a Fetal Alcohol Spectrum Disorder;
16 and

17 “(II) the development and imple-
18 mentation by the State of monitoring
19 systems regarding the plan of safe
20 care to—

21 “(aa) ensure the safety and
22 well-being of children;

23 “(bb) address the health, in-
24 cluding mental health, needs of
25 the child and family involved; and

1 “(cc) determine whether
 2 local entities are capable of pro-
 3 viding referrals to and delivery of
 4 appropriate services for the child
 5 and family;”.

6 **SEC. 3. DATA REPORTS.**

7 (a) **IN GENERAL.**—Section 106(d) of the Child Abuse
 8 Prevention and Treatment Act (42 U.S.C. 5106a(d)) is
 9 amended by adding at the end the following:

10 “(18) The number of infants for whom a plan
 11 of safe care, as referred to in subsection
 12 (b)(2)(B)(iii), was developed.”.

13 (b) **RULE OF CONSTRUCTION.**—In section 802(b)(2)
 14 of the Justice for Victims of Trafficking Act of 2015 (Pub-
 15 lic Law 114–22; 129 Stat 264), the reference to “adding
 16 at the end” shall be considered to refer to “inserting after
 17 paragraph (16)”.

18 **SEC. 4. MONITORING.**

19 Section 106 of the Child Abuse Prevention and
 20 Treatment Act (42 U.S.C. 5106a) is amended by adding
 21 at the end the following:

22 “(g) **MONITORING.**—The Secretary shall conduct
 23 monitoring of States to ensure that each State is meeting
 24 the requirements of subsection (b)(2)(B)(iii) to improve

1 outcomes among children who are most at risk for child
 2 abuse and neglect.”.

3 **SEC. 5. BEST PRACTICES FOR PLANS OF SAFE CARE.**

4 Not later than 90 days after the date of enactment
 5 of this Act, the Secretary of Health and Human Services
 6 shall issue guidance to States regarding the requirements
 7 and best practices for the development and implementa-
 8 tion of plans of safe care, as referred to in section
 9 106(b)(2)(B)(iii) of the Child Abuse Prevention and
 10 Treatment Act (42 U.S.C. 5106a(b)(2)(B)(iii)). In devel-
 11 oping the guidance, the Secretary shall seek and take into
 12 consideration input from all appropriate offices within the
 13 Department of Health and Human Services, including the
 14 Administration for Children and Families, the Centers for
 15 Medicare & Medicaid Services, the Centers for Disease
 16 Control and Prevention, the Substance Abuse and Mental
 17 Health Services Administration, and the National Insti-
 18 tutes of Health, and from the Department of Education.

19 **SECTION 1. SHORT TITLE.**

20 *This Act may be cited as the “Plan of Safe Care Im-*
 21 *provement Act”.*

22 **SEC. 2. STATE PLANS.**

23 *Section 106(b)(2)(B) of the Child Abuse Prevention*
 24 *and Treatment Act (42 U.S.C. 5106a(b)(2)(B)) is amended*
 25 *by striking clause (iii) and inserting the following:*

1 “(iii) policies and procedures that re-
2 quire—

3 “(I) the development of a multi-
4 disciplinary plan of safe care for an
5 infant born and identified as being af-
6 fected by substance abuse or with-
7 drawal symptoms or a Fetal Alcohol
8 Spectrum Disorder; and

9 “(II) the development and imple-
10 mentation by the State of monitoring
11 systems regarding the plan of safe care
12 to—

13 “(aa) ensure the safety and
14 well-being of children;

15 “(bb) address the health, in-
16 cluding mental health and sub-
17 stance use disorder treatment,
18 needs of the child, and of the fam-
19 ily or affected caregiver, involved;
20 and

21 “(cc) determine whether and
22 to what extent local entities are
23 providing referrals to and delivery
24 of appropriate services for the
25 child and family;”.

1 **SEC. 3. DATA REPORTS.**

2 (a) *IN GENERAL.*—Section 106(d) of the Child Abuse
3 Prevention and Treatment Act (42 U.S.C. 5106a(d)) is
4 amended by adding at the end the following:

5 “(18) The total number of infants identified and
6 the number of infants for whom a plan of safe care,
7 as referred to in subsection (b)(2)(B)(iii), was devel-
8 oped.”.

9 (b) *RULE OF CONSTRUCTION.*—In section 802(b)(2) of
10 the Justice for Victims of Trafficking Act of 2015 (Public
11 Law 114–22; 129 Stat 264), the reference to “adding at
12 the end” shall be considered to refer to “inserting after
13 paragraph (16)”.

14 **SEC. 4. MONITORING.**

15 Section 106 of the Child Abuse Prevention and Treat-
16 ment Act (42 U.S.C. 5106a) is amended by adding at the
17 end the following:

18 “(g) *MONITORING.*—The Secretary shall conduct moni-
19 toring of States to ensure that each State’s policies and pro-
20 cedures meet the requirements of clauses (ii) and (iii) of
21 subsection (b)(2)(B), to improve outcomes among infants
22 described in subsection (b)(2)(B)(iii)(I).”.

23 **SEC. 5. BEST PRACTICES FOR PLANS OF SAFE CARE.**

24 Not later than 90 days after the date of enactment of
25 this Act, the Secretary of Health and Human Services shall
26 issue guidance to States regarding the requirements and

1 *best practices for the development and implementation of*
2 *plans of safe care, as referred to in section 106(b)(2)(B)(iii)*
3 *of the Child Abuse Prevention and Treatment Act (42*
4 *U.S.C. 5106a(b)(2)(B)(iii)). In developing the guidance, the*
5 *Secretary shall seek and take into consideration input from*
6 *all appropriate offices within the Department of Health and*
7 *Human Services, including the Administration for Chil-*
8 *dren and Families, the Centers for Medicare & Medicaid*
9 *Services, the Centers for Disease Control and Prevention,*
10 *the Substance Abuse and Mental Health Services Adminis-*
11 *tration, and the National Institutes of Health, and from*
12 *the Department of Education. In developing the guidance,*
13 *the Secretary shall ensure that the guidance requirements*
14 *are consistent with the guidance requirements under the*
15 *Child Care and Development Block Grant Act of 1990 (42*
16 *U.S.C. 9858 et seq.), in all appropriate cases.*

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