

117TH CONGRESS
1ST SESSION

S. 1741

To amend the Child Abuse Prevention and Treatment Act to provide for alternative pathways of addressing child abuse and neglect.

IN THE SENATE OF THE UNITED STATES

MAY 20, 2021

Mr. LUJÁN 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 alternative pathways of addressing child abuse and neglect.

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 “Alternative Pathways
5 to Child Abuse Prevention Act”.

6 **SEC. 2. FINDINGS.**

7 Section 2 of the Child Abuse Prevention and Treat-
8 ment Act (42 U.S.C. 5101 note) is amended—

9 (1) in paragraph (11), by inserting “trauma-in-
10 formed,” after “child-centered,”;

1 (2) in paragraphs (12) and (14), by inserting “,
2 Indian Tribes,” after “States” each place such term
3 appears; and

4 (3) in subparagraphs (C) and (D) of paragraph
5 (15), by inserting “and Indian Tribes” after
6 “States” each place such term appears.

7 **SEC. 3. ADVISORY BOARD ON CHILD ABUSE AND NEGLECT.**

8 Section 102 of the Child Abuse Prevention and
9 Treatment Act (42 U.S.C. 5102) is amended—

10 (1) in subsection (c)—

11 (A) in paragraph (13), by striking “and”;

12 (B) in paragraph (14), by striking the pe-
13 riod and inserting “; and”; and

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

15 “(15) domestic violence advocates and ex-
16 perts.”; and

17 (2) in subsection (f)—

18 (A) in paragraph (2), by striking “; and”;

19 (B) in paragraph (3), by striking the pe-
20 riod and inserting “; and”; and

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

22 “(4) recommendations for actions Federal,
23 State, Tribal, and local public agencies can take to
24 safely reduce the number of families referred to
25 child protective services and direct such families to

1 alternative pathways of preventive, family-centered
 2 services for support.”.

3 **SEC. 4. NATIONAL CLEARINGHOUSE FOR INFORMATION**
 4 **RELATING TO CHILD ABUSE.**

5 Section 103 of the Child Abuse Prevention and
 6 Treatment Act (42 U.S.C. 5104) is amended—

7 (1) in subsection (b)—

8 (A) in paragraph (3), by striking “relating
 9 to differential response;” and inserting “relat-
 10 ing to—

11 “(A) differential response; and

12 “(B) the use of alternative pathways that
 13 connect families experiencing difficulty meeting
 14 basic needs or other risk factors associated with
 15 child abuse and neglect, such as parental stress,
 16 family violence, and isolation, to community-
 17 based systems and programs that strengthen
 18 families seeking support instead of to the child
 19 protection system, such as—

20 “(i) State, Tribal, or local helplines
 21 that provide information or assistance and
 22 connect families to voluntary community-
 23 based support services; and

24 “(ii) alternative pathways for man-
 25 dated reporters and other concerned adults

1 to use to refer families for voluntary sup-
2 ports outside of the child protection sys-
3 tem;”;

4 (B) in paragraph (8) , by striking subpara-
5 graph (B) and inserting the following:

6 “(B) appropriate State, Tribal, and local
7 officials to assist in training law enforcement,
8 legal, judicial, medical, physical, behavioral, and
9 mental health, education, child welfare, sub-
10 stance use disorder treatment services, and do-
11 mestic violence services personnel, including
12 training on—

13 “(i) the role of the child protective
14 services system to identify children at risk
15 of serious harm; and

16 “(ii) how to direct families in need to
17 alternative pathways to community-based
18 systems and programs that strengthen
19 such families in order to safely reduce the
20 number of families unnecessarily referred
21 to child protective services; and”;

22 (C) in paragraph (9), by inserting “for
23 both victims and for people who use violence”
24 before the period; and

25 (2) in subsection (c)(1)(C)—

1 (A) in clause (iii), by striking “; and” and
 2 inserting a semicolon;

3 (B) in clause (iv), by inserting “and” after
 4 the semicolon; and

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

6 “(v) information on the presence of
 7 domestic violence in advance of a child
 8 death;”.

9 **SEC. 5. RESEARCH AND ASSISTANCE ACTIVITIES.**

10 Section 104 of the Child Abuse Prevention and
 11 Treatment Act (42 U.S.C. 5105) is amended—

12 (1) in subsection (a)(1)—

13 (A) in subparagraph (L), by inserting
 14 “and the use of alternative pathways that con-
 15 nect families to community-based prevention
 16 services where possible instead of system in-
 17 volvement” after “differential response”; and

18 (B) in subparagraph (O)—

19 (i) in clause (ix), by inserting “pres-
 20 ence of domestic violence,” after “size),”;

21 (ii) in clause (x), by striking “; and”
 22 and inserting a semicolon;

23 (iii) in clause (xi), by striking the pe-
 24 riod and inserting “; and”; and

1 (iv) by adding at the end the fol-
 2 lowing:

3 “(xii) the prevalence of domestic vio-
 4 lence in child abuse and neglect reports
 5 and open cases.”;

6 (2) in subsection (b)(2)—

7 (A) in subparagraph (C), by striking “;
 8 and” and inserting a semicolon;

9 (B) in subparagraph (D), by striking the
 10 period and inserting “; and”; and

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

12 “(E) ways to safely decrease the number of
 13 families being referred to child protective serv-
 14 ices and instead provide them with alternative
 15 pathways to community-based child abuse pre-
 16 vention services that strengthen families.”; and

17 (3) in subsection (e)(3), by inserting “and for
 18 demonstration projects that focus on building re-
 19 search-based protective factors in community organi-
 20 zations, health care, and schools for adult and child
 21 survivors of domestic violence as a strategy for keep-
 22 ing children out of the child protective services sys-
 23 tem” before the period.

1 **SEC. 6. GRANTS TO STATES, INDIAN TRIBES OR TRIBAL OR-**
 2 **GANIZATIONS, AND PUBLIC OR PRIVATE**
 3 **AGENCIES AND ORGANIZATIONS.**

4 Section 105(a) of the Child Abuse Prevention and
 5 Treatment Act (42 U.S.C. 5106(a)) is amended—

6 (1) in paragraph (2)(B), by inserting “and case
 7 management” after “through referral”;

8 (2) in paragraph (5), by inserting “for survivors
 9 or people who use violence” after “violence service
 10 agencies”;

11 (3) in paragraph (6), by inserting “account-
 12 ability and meaningful pathways to change for the
 13 person using violence,” after “parent involved and
 14 children,”; and

15 (4) by adding at the end the following:

16 “(8) **ALTERNATIVE PATHWAYS TO COMMUNITY-**
 17 **BASED FAMILY-STRENGTHENING SERVICES AND**
 18 **PROGRAMS.**—The Secretary may award grants to
 19 collaborations of State, Tribal, and local child wel-
 20 fare agencies with community-based providers to
 21 support the development and implementation of al-
 22 ternative pathways and systems and supports that
 23 connect families experiencing difficulty meeting basic
 24 needs or risk factors associated with child abuse and
 25 neglect to community-based systems and programs

1 that assist families seeking support as an alternative
2 to the child protection system, such as supporting—

3 “(A) the development and implementation
4 of—

5 “(i) local or State helplines, websites,
6 or mobile applications that provide infor-
7 mation or assistance and connect families
8 to voluntary community-based support
9 services, including local programs sup-
10 ported under title II;

11 “(ii) a continuum of preventive serv-
12 ices that strengthen families and promote
13 child, parent, and family well-being; and

14 “(iii) alternative pathways for manda-
15 tory reporters and other concerned adults
16 to use to connect families to voluntary sup-
17 ports outside of child protection systems
18 and educating adults about such pathways;
19 and

20 “(B) the hiring of personnel to help con-
21 nect families to voluntary supports outside of
22 child protection systems, navigate barriers to
23 accessing these services, and ensure services
24 exist where families live and work.”.

1 **SEC. 7. GRANTS TO STATES FOR CHILD ABUSE OR NE-**
 2 **GLECT PREVENTION AND TREATMENT PRO-**
 3 **GRAMS.**

4 Section 106 of the Child Abuse Prevention and
 5 Treatment Act (42 U.S.C. 5106a) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (13)(B), by striking “;
 8 or” and inserting a semicolon;

9 (B) in paragraph (14)(B), by striking the
 10 period and inserting “; or”; and

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

12 “(15) improving the child protective system to
 13 focus children at most serious risk of harm and safe-
 14 ly reduce the number of families investigated for
 15 child abuse and neglect by increasing the number of
 16 families connected to voluntary, community-based
 17 systems and programs that assist families in need of
 18 supports and services, including by developing, im-
 19 plementing, and expanding—

20 “(A) local or State helplines, websites, and
 21 mobile applications that connect families to vol-
 22 untary community-based resources, including
 23 local programs funded under title II;

24 “(B) a continuum of preventive services
 25 that strengthen families and promote child, par-
 26 ent, and family well-being;

1 “(C) alternative pathways for mandatory
 2 reporters and other concerned adults to use to
 3 refer families for voluntary supports outside of
 4 child protection systems and educating adults
 5 about such systems; and

6 “(D) personnel to help connect families to
 7 voluntary supports outside of child protection
 8 systems, navigate barriers to accessing these
 9 services, and ensure services exist where fami-
 10 lies live and work.”; and

11 (2) in subsection (b)(2)(D)—

12 (A) in clause (v), by striking “; and” and
 13 inserting a semicolon;

14 (B) in clause (vi), by adding “and” after
 15 the semicolon; and

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

17 “(vii) changes in policies and proce-
 18 dures of State and local child welfare agen-
 19 cies that—

20 “(I) reduce the number of fami-
 21 lies referred to such agencies for inci-
 22 dents that are not child abuse or ne-
 23 glect, such as families referred to the
 24 child protective system solely based on
 25 circumstances related to poverty;

1 “(II) develop, implement, and
2 scale systems of alternative pathways
3 (in coordination with the lead entity
4 and local programs supported by title
5 II) that connect such families to vol-
6 untary community-based support to
7 build protective factors that reduce
8 the likelihood of child abuse and ne-
9 glect, or that reduce harm as a result
10 of domestic violence, including efforts
11 to educate mandatory reporters and
12 other concerned adults about such
13 systems to refer families for voluntary
14 supports outside of child protection
15 systems; and

16 “(III) increase supports for fami-
17 lies in navigating and accessing vol-
18 untary community-based support to
19 reduce the likelihood of child abuse
20 and neglect or that reduce harm as a
21 result of domestic violence, including
22 personnel and casework.”.

1 **SEC. 8. GRANTS TO STATES FOR PROGRAMS RELATING TO**
 2 **THE INVESTIGATION AND PROSECUTION OF**
 3 **CHILD ABUSE AND NEGLECT CASES.**

4 Section 107(c)(1) of the Child Abuse Prevention and
 5 Treatment Act (42 U.S.C. 5106c(c)(1)) is amended—

6 (1) in subparagraph (I), by striking “; and”
 7 and inserting a semicolon;

8 (2) in subparagraph (J), by striking the period
 9 and inserting “; and”; and

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

11 “(K) domestic violence and sexual violence
 12 prevention and treatment advocates.”.

13 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) TITLE I.—Section 112(a)(1) of the Child Abuse
 15 Prevention and Treatment Act (42 U.S.C. 5106h(a)(1))
 16 is amended by striking “\$120,000,000 for fiscal year 2010
 17 and such sums as may be necessary for each of the fiscal
 18 years 2011 through 2015” and inserting “\$500,000,000
 19 for fiscal year 2022 and such sums as may be necessary
 20 for each of fiscal years 2023 through 2027”.

21 (b) TITLE II.—Section 209 of the Child Abuse Pre-
 22 vention and Treatment Act (42 U.S.C. 5116i) is amended
 23 by striking “\$80,000,000 for fiscal year 2010 and such
 24 sums as may be necessary for each of the fiscal years 2011
 25 through 2015” and inserting “\$1,000,000,000 for fiscal

1 year 2022 and such sums as may be necessary for each
2 of fiscal years 2023 through 2027”.

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