

117TH CONGRESS
1ST SESSION

S. 462

To provide emergency funding for caseworkers and child protective services.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2021

Mr. CASEY (for himself, Mr. WYDEN, Mr. MARKEY, Ms. ROSEN, Mr. Kaine, Mr. BROWN, Mr. MANCHIN, and Ms. SMITH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide emergency funding for caseworkers and child protective services.

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 “Emergency Funding
5 for Child Protection Act”.

6 **SEC. 2. ADDITIONAL AMOUNT FOR THE STATE GRANT PRO-** 7 **GRAM FOR CHILD ABUSE OR NEGLECT PRE-** 8 **VENTION AND TREATMENT PROGRAMS.**

9 (a) APPROPRIATION.—There are hereby appropriated
10 to the Secretary, out of amounts in the Treasury not oth-

erwise appropriated, \$500,000,000 for fiscal year 2021,
 for the purpose of providing additional funding for the
 State grant program under section 106 of the Child Abuse
 Prevention and Treatment Act (42 U.S.C. 5106a), in ac-
 cordance with this section. Such amounts shall be in addi-
 tion to other amounts made available for such purpose,
 and shall remain available until expended.

(b) EMERGENCY DESIGNATION.—

(1) IN GENERAL.—The amounts provided by
 this section are designated as an emergency require-
 ment pursuant to section 4(g) of the Statutory Pay-
 As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) DESIGNATION IN SENATE.—In the Senate,
 this section is designated as an emergency require-
 ment pursuant to section 4112(a) of H. Con. Res.
 71 (115th Congress), the concurrent resolution on
 the budget for fiscal year 2018.

(c) ALLOTMENTS.—As soon as practicable, but not
 later than 30 days after the date of enactment of this Act,
 the Secretary shall make allotments out of the amounts
 appropriated under subsection (a) to each State and terri-
 tory receiving an allotment under section 106(f) of the
 Child Abuse Prevention and Treatment Act (42 U.S.C.
 5106a(f)) for fiscal year 2020, in the same manner that
 amounts appropriated under section 112 of such Act (42

1 U.S.C. 5106f)) are allotted to States in accordance with
2 section 106(f)(2) of such Act, except that, in allotting
3 amounts under this subsection, “\$50,000” shall be
4 deemed to be “\$1,000,000” each place such amount ap-
5 pears in such section 106(f)(2).

6 (d) USE OF FUNDS.—Amounts received by a State
7 or territory under subsection (c) may be used, consistent
8 with section 106 of the Child Abuse Prevention and Treat-
9 ment Act, to—

10 (1) expand the ability of caseworkers to conduct
11 safe, remote and in-person, homes visits and family
12 visits to investigate and treat child abuse and ne-
13 glect, which may include—

14 (A) purchasing personal protective equip-
15 ment for caseworkers and families, such as
16 gloves, hand sanitizer, and face masks;

17 (B) providing premium pay for case-
18 workers conducting in-home visits;

19 (C) purchasing new technology and updat-
20 ing or improving existing technology infrastruc-
21 ture for child welfare agencies;

22 (D) purchasing technology, including inter-
23 net access, and prepaid telephone minutes for
24 families; and

1 (E) training on the use of such technology
2 for caseworkers, families, and child welfare
3 agencies;

4 (2) access consultation and services related to
5 mental health, substance use disorder, and domestic
6 violence, including with infant-early childhood men-
7 tal health providers, to train and support case-
8 workers in the impacts of disasters and traumatic
9 experience for children (including very young chil-
10 dren), youth, and adults, to help caseworkers provide
11 trauma-informed services;

12 (3) enhance the ability of caseworkers to con-
13 nect families with, or facilitate access to, other serv-
14 ices, such as telebehavioral health care, in-person
15 well-child visits with pediatricians, substance use dis-
16 order treatment, and early intervention and special
17 education services under the Individuals with Dis-
18 abilities Education Act (20 U.S.C. 1400 et seq.) for
19 young children with developmental delays and dis-
20 abilities;

21 (4) address the needs, including mental health
22 needs, of lesbian, gay, bisexual, transgender, and
23 queer youth who are suspected victims of child abuse
24 or neglect;

1 (5) purchase emergency supplies for families
2 caring for children under protective services super-
3 vision (either at home or in foster care) and not able
4 to afford them, which may include cleaning and
5 sanitizing supplies, diapers, hygiene products, for-
6 mula for infants and toddlers, and reusable cloth
7 face coverings that are consistent with the guidelines
8 of the Centers for Disease Control and Prevention
9 for preventing the spread of COVID–19 among the
10 general public;

11 (6) provide time-limited, direct payments for
12 families caring for children under protective services
13 supervision (either at home or in foster care) who
14 are applying for government-funded assistance pro-
15 grams, to serve as a bridge until the family receives
16 or is denied such assistance;

17 (7) provide support, including assistance pay-
18 ments, training or mentorship in navigating virtual
19 platforms such as virtual learning and telehealth,
20 and access to legal representation, as needed, to rel-
21 atives or fictive kin to care for children, in lieu of
22 placing such children in foster care, in the event that
23 such children’s parents—

24 (A) are diagnosed with COVID–19; or

1 (B) are unable to care for their children
2 due to health or economic concerns stemming
3 from the COVID–19 pandemic;

4 (8) provide access to legal assistance for rel-
5 atives or fictive kin raising children with no parental
6 involvement to make alternative plans for the chil-
7 dren in the event the caregivers die or become un-
8 able to care for the children; and

9 (9) carry out such other activities that enhance
10 the ability of the State or territory to protect chil-
11 dren and support families during the COVID–19
12 pandemic.

13 (e) NO STATE MATCH REQUIRED.—A State or terri-
14 tory shall not be required to provide any additional fund-
15 ing for the State program under section 106 of the Child
16 Abuse Prevention and Treatment Act as a condition for
17 receiving an allocation under subsection (c).

18 (f) REPORTS.—Each State or territory receiving an
19 allotment under this section shall submit to the Secretary,
20 every 6 months until the amount so allotted has been fully
21 expended, a report detailing how such State or territory
22 is using such allotment in accordance with the require-
23 ments of this section.

1 **SEC. 3. ADDITIONAL AMOUNT FOR COMMUNITY-BASED**
2 **GRANTS FOR THE PREVENTION OF CHILD**
3 **ABUSE AND NEGLECT.**

4 (a) APPROPRIATION.—There are hereby appropriated
5 to the Secretary, out of amounts in the Treasury not oth-
6 erwise appropriated, \$1,000,000,000 for fiscal year 2021,
7 for the purpose of providing additional funding for the
8 community-based grants for the prevention of child abuse
9 and neglect under title II of the Child Abuse Prevention
10 and Treatment Act (42 U.S.C. 5116 et seq.), in accord-
11 ance with this section. Such amounts shall be in addition
12 to other amounts made available for such purpose, and
13 shall remain available until expended.

14 (b) EMERGENCY DESIGNATION.—

15 (1) IN GENERAL.—The amounts provided by
16 this section are designated as an emergency require-
17 ment pursuant to section 4(g) of the Statutory Pay-
18 As-You-Go Act of 2010 (2 U.S.C. 933(g)).

19 (2) DESIGNATION IN SENATE.—In the Senate,
20 this section is designated as an emergency require-
21 ment pursuant to section 4112(a) of H. Con. Res.
22 71 (115th Congress), the concurrent resolution on
23 the budget for fiscal year 2018.

24 (c) ALLOTMENTS.—As soon as practicable, but not
25 later than 30 days after the date of enactment of this Act,
26 the Secretary shall make allotments out of the amounts

1 appropriated under subsection (a) to each State receiving
 2 an allotment under section 203 of the Child Abuse Preven-
 3 tion and Treatment Act (42 U.S.C. 5116b) for fiscal year
 4 2020, in the same manner that amounts appropriated
 5 under section 209 of such Act (42 U.S.C. 5116i) are allot-
 6 ted to States in accordance with section 203 of such Act,
 7 except that, in allotting amounts under this subsection—

8 (1) in subsection (a) of such section 203, “1
 9 percent” shall be deemed to be “5 percent”;

10 (2) in subsection (b)(1)(A) of such section
 11 203—

12 (A) “70 percent” shall be deemed to be
 13 “100 percent”; and

14 (B) “\$175,000” shall be deemed to be
 15 “\$1,000,000”; and

16 (3) subsections (b)(1)(B) and (c) of such sec-
 17 tion 203 shall not apply.

18 (d) USE OF FUNDS.—Amounts received by a State
 19 under subsection (c) may be used, consistent with title II
 20 of the Child Abuse Prevention and Treatment Act, to—

21 (1) provide services and supports to help fami-
 22 lies build protective factors linked to the prevention
 23 of child abuse and neglect;

24 (2) purchase emergency supplies and basic ne-
 25 cessities for families, which may include diapers and

1 infant hygiene products, formula, non-perishable
2 food, water, soap, hand sanitizer, and reusable cloth
3 face coverings that are consistent with the guidelines
4 of the Centers for Disease Control and Prevention
5 for preventing the spread of COVID–19 among the
6 general public;

7 (3) provide time-limited, direct payments for
8 families caring for children under protective services
9 supervision (either at home or in foster care) who
10 are applying for government-funded assistance pro-
11 grams, to serve as a bridge until the family receives
12 or is denied such assistance;

13 (4) maximize the participation of racial and
14 ethnic minorities; children and adults with disabil-
15 ities; families experiencing domestic violence; fami-
16 lies experiencing homelessness and those at risk of
17 homelessness; families with low-incomes and families
18 with caregivers recently unemployed; lesbian, gay, bi-
19 sexual, transgender, and queer youth; relative and
20 fictive kin caregivers and the children raised by such
21 caregivers; and young parents in community-based
22 and prevention-focused programs designed to
23 strengthen and support families to prevent child
24 abuse and neglect;

1 (5) bolster the efforts of the State hotlines by
2 publicizing such hotlines, hiring more staff, and in-
3 creasing hours of operation;

4 (6) establish satellite locations and mobile units
5 for community based nonprofit organizations and
6 family resource centers so families can access re-
7 sources and services in a safe manner;

8 (7) hire, and provide premium pay to, social
9 program navigators, parent coaches, and home visi-
10 tors to reach more families;

11 (8) purchase technology, including internet ac-
12 cess, for staff and families to support the prevention
13 of child abuse and neglect, and train staff and fami-
14 lies to facilitate usage of such technology;

15 (9) develop and distribute parenting tip sheets
16 and guides for families that address topics that may
17 include—

18 (A) children’s responses to trauma caused
19 by the COVID–19 pandemic;

20 (B) adult self-care and stress management;

21 (C) familial conflict resolution and de-esca-
22 lation;

23 (D) maintaining healthy attachments be-
24 tween caregivers and children, and where ap-
25 propriate, birth parents;

1 (E) understanding the intersection of trauma with childhood development; and

3 (F) other tips and advice pertinent to maintaining child and parent and caregiver well-being during the COVID–19 pandemic;

6 (10) develop and distribute mandatory reporter tip sheets and guides that address topics that may include—

9 (A) recognizing and reporting child abuse and neglect in a virtual environment;

11 (B) helping parents, caregivers, and kin access community supports to help families with non-safety concerns outside of the child welfare system; and

15 (C) other tips or advice pertinent to recognizing and reporting child abuse or neglect, or supporting families at risk of child abuse or neglect, during the COVID–19 pandemic;

19 (11) access services related to mental health, substance use disorder, and domestic violence, including infant-early childhood mental health services, through consultants to train and support staff around the impacts of the COVID–19 pandemic, about the intersection of trauma with childhood development, and establish or support local trauma re-

1 sponse teams and the procedures to connect via re-
2 mote technology;

3 (12) assist community-based organizations op-
4 erating programs and activities designed to strength-
5 en and support families to prevent child abuse and
6 neglect with operating costs to ensure that such or-
7 ganizations can continue providing services during
8 the COVID–19 pandemic;

9 (13) prevent child fatalities and near fatalities,
10 including by—

11 (A) providing support for crisis nurseries;

12 and

13 (B) conducting targeted educational cam-
14 paigns for parents and caregivers; and

15 (14) carry out other programs, services, and ac-
16 tivities that strengthen families and prevent child
17 abuse and neglect.

18 (e) NO STATE MATCH REQUIRED.—Notwithstanding
19 section 204(4) of the Child Abuse Prevention and Treat-
20 ment Act (42 U.S.C. 5116d(4)), a State shall not be re-
21 quired to provide any additional funding for the program
22 under title II of the Child Abuse Prevention and Treat-
23 ment Act (42 U.S.C. 5116 et seq.) as a condition for re-
24 ceiving an allocation under subsection (c).

1 (f) REPORTS.—Each State receiving an allotment
 2 under this section shall submit to the Secretary, every 6
 3 months until the amount so allotted has been fully ex-
 4 pended, a report detailing how such State is using such
 5 allotment in accordance with the requirements of this sec-
 6 tion.

7 **SEC. 4. ADDITIONAL AMOUNT FOR THE NATIONAL CHILD**
 8 **ABUSE HOTLINE.**

9 (a) APPROPRIATION.—There are hereby appropriated
 10 to the Secretary, out of amounts in the Treasury not oth-
 11 erwise appropriated, \$2,000,000 for fiscal year 2021, for
 12 the purpose of operating and expanding the national child
 13 abuse hotline, including by publicizing such helpline, hir-
 14 ing more staff, and increasing hours of operation. Such
 15 amounts shall be in addition to other amounts made avail-
 16 able for such purpose, and shall remain available until ex-
 17 pended.

18 (b) EMERGENCY DESIGNATION.—

19 (1) IN GENERAL.—The amounts provided by
 20 this section are designated as an emergency require-
 21 ment pursuant to section 4(g) of the Statutory Pay-
 22 As-You-Go Act of 2010 (2 U.S.C. 933(g)).

23 (2) DESIGNATION IN SENATE.—In the Senate,
 24 this section is designated as an emergency require-
 25 ment pursuant to section 4112(a) of H. Con. Res.

1 71 (115th Congress), the concurrent resolution on
2 the budget for fiscal year 2018.

3 **SEC. 5. DEFINITIONS.**

4 In this Act:

5 (1) CASEWORKER.—The term “caseworker” in-
6 cludes child welfare agency staff and staff of other
7 related organizations, such as in-home services or
8 home visiting services.

9 (2) FAMILY.—The term “family” includes for-
10 mal and informal kinship care arrangements.

11 (3) SECRETARY.—The term “Secretary” means
12 the Secretary of Health and Human Services.

○