

117TH CONGRESS
2D SESSION

S. 4725

To amend parts B and E of title IV of the Social Security Act to improve foster and adoptive parent recruitment and retention, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2022

Mr. GRASSLEY (for himself and Ms. HASSAN) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend parts B and E of title IV of the Social Security Act to improve foster and adoptive parent recruitment and retention, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Data-Driven Foster
5 Parent Recruitment and Retention Act of 2022”.

6 **SEC. 2. STATE PLAN AMENDMENT.**

7 (a) IN GENERAL.—Section 422 of the Social Security
8 Act (42 U.S.C. 622) is amended—

9 (1) in subsection (b), by striking paragraph (7)
10 and inserting the following:

1 “(7) provide for development and implementa-
 2 tion of a family partnership plan which meets the re-
 3 quirements of subsection (d) for identification, re-
 4 cruitment, screening, licensing, support, and reten-
 5 tion of foster and adoptive families that reflect the
 6 racial and ethnic diversity of children in the State
 7 for whom foster and adoptive homes are needed;”;
 8 and

9 (2) by adding at the end the following:

10 “(d) FAMILY PARTNERSHIP PLAN REQUIRE-
 11 MENTS.—For purposes of subsection (b)(7), the require-
 12 ments for a family partnership plan (in this subsection
 13 referred to as the ‘plan’) are the following:

14 “(1) The plan is developed in consultation with
 15 birth, kinship, foster and adoptive families, commu-
 16 nity-based service providers, technical assistance
 17 providers, and youth with lived experience with fos-
 18 ter care and adoption.

19 “(2)) The plan describes —

20 “(A) how the State plans to identify, no-
 21 tify, engage, and support relatives as potential
 22 placement resources for children;

23 “(B) how the State plans to use data to
 24 establish goals, assess needs, measure progress,
 25 reduce unnecessary placements in congregate

1 care, improve placement stability, increase rates
2 of kinship placements, improve recruitment and
3 retention of families for teens, sibling groups,
4 and other special populations, and align the ra-
5 cial and ethnic composition of foster and adop-
6 tive families with that of children in need of
7 homes; and

8 “(C) how that State will stand up or sup-
9 port foster family advisory boards for the pur-
10 pose of improving recruitment and retention of
11 foster and adoptive families.

12 “(3) The plan provides that, not less than an-
13 nually, the State shall collect and report on the
14 State’s actual foster family capacity and congregate
15 care utilization, including the number, demo-
16 graphics, and characteristics of licensed foster fami-
17 lies, the number of such families that are not being
18 fully utilized and the reasons therefor, and the num-
19 ber, demographics, and characteristics of children
20 placed in congregate care in-State and out-of-State.

21 “(4) The plan includes, and shall update not
22 less than annually, a summary of the most recent
23 feedback from foster and adoptive parents and youth
24 regarding licensure, training, support, and reasons
25 why parents stop fostering.

1 “(5) The plan includes such other information
2 relating to foster and adoptive parent recruitment
3 and retention as the Secretary may require.”.

4 (b) EFFECTIVE DATE.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), the amendment made by this subsection
7 shall take effect on October 1, 2022.

8 (2) DELAY PERMITTED IF STATE LEGISLATION
9 REQUIRED.—In the case of a State plan approved
10 under subpart 1 of part B of title IV of the Social
11 Security Act which the Secretary of Health and
12 Human Services determines requires State legisla-
13 tion (other than legislation appropriating funds) in
14 order for the plan to meet the additional require-
15 ments imposed by this subsection, the State plan
16 shall not be regarded as failing to comply with the
17 requirements of such part solely on the basis of the
18 failure of the plan to meet such additional require-
19 ments before the first day of the first calendar quar-
20 ter beginning after the close of the first regular ses-
21 sion of the State legislature that begins after the
22 date of enactment of this subsection. For purposes
23 of the previous sentence, in the case of a State that
24 has a 2-year legislative session, each year of such

1 session shall be deemed to be a separate regular ses-
 2 sion of the State legislature.

3 **SEC. 3. INCLUSION OF INFORMATION ON FOSTER FAMILIES**
 4 **IN ANNUAL CHILD WELFARE OUTCOMES RE-**
 5 **PORT TO CONGRESS.**

6 Section 479A of the Social Security Act (42 U.S.C.
 7 679b) is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (6)(C), by striking “and”
 10 after the semicolon;

11 (B) in paragraph (7)(B), by striking the
 12 period and inserting “; and”; and

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

14 “(8) include in the report submitted pursuant
 15 to paragraph (5) for fiscal year 2023 or any suc-
 16 ceeding fiscal year—

17 “(A) State-by-State data on the number,
 18 demographics, and characteristics of foster fam-
 19 ilies in the State, and the number of licensed
 20 foster families not being utilized in the State
 21 and the reasons why; and

22 “(B) a summary of the challenges of, and
 23 barriers to, being a foster parent, including
 24 with respect to recruitment, licensure, engage-
 25 ment, retention, and why parents stop fos-

1 tering, as reported by States based on surveys
2 of foster parents.”; and

3 (2) in subsection (b)—

4 (A) by striking “The Secretary” and in-
5 serting the following:

6 “(1) IN GENERAL.—The Secretary”; and

7 (B) by adding at the end the following:

8 “(2) WORKING GROUP ON DATA COLLECTION,
9 USE, AND PRESENTATION.—Not later than 3 months
10 after the date of enactment of the Data-Driven Fos-
11 ter Parent Recruitment and Retention Act of 2022,
12 the Secretary shall convene a working group com-
13 prised of leading child welfare researchers, child wel-
14 fare practitioners, and individuals with lived experi-
15 ence in foster care, including youth with experience
16 in both family-based care and congregate care, to
17 advise the Secretary on the types, uses, and presen-
18 tation of data to be included in the annual report re-
19 quired under this section.”.

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