

Lamar Alexander

KIN16120

S.L.C.

114TH CONGRESS
2D SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To amend the Child Abuse Prevention and Treatment Act to improve plans of safe care for infants affected by 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Plan of Safe Care Im-
5 provement Act".

1 **SEC. 2. STATE PLANS.**

2 Section 106(b)(2)(B) of the Child Abuse Prevention
3 and Treatment Act (42 U.S.C. 5106a(b)(2)(B)) is amend-
4 ed by striking clause (iii) and inserting the following:

5 “(iii) policies and procedures that re-
6 quire—

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

13 “(II) the development and imple-
14 mentation by the State of monitoring
15 systems regarding the plan of safe
16 care to—

17 “(aa) ensure the safety and
18 well-being of children;

19 “(bb) address the health
20 treatment, including mental
21 health and substance use dis-
22 order treatment, needs of the
23 child, and of the family or af-
24 fected caregiver, involved; and

25 “(cc) determine whether and
26 to what extent local entities are

1 providing referrals to and deliv-
2 ery of appropriate services for
3 the child and family;”.

4 **SEC. 3. DATA REPORTS.**

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

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

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

17 **SEC. 4. MONITORING.**

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

21 “(g) MONITORING.—The Secretary shall conduct
22 monitoring of States to ensure that each State’s policies
23 and procedures meet the requirements of clauses (ii) and
24 (iii) of subsection (b)(2)(B), to improve outcomes among
25 infants described in subsection (b)(2)(B)(iii)(I).”.

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

2 Not later than 90 days after the date of enactment
3 of this Act, the Secretary of Health and Human Services
4 shall issue guidance to States regarding the requirements
5 and best practices for the development and implementa-
6 tion of plans of safe care, as referred to in section
7 106(b)(2)(B)(iii) of the Child Abuse Prevention and
8 Treatment Act (42 U.S.C. 5106a(b)(2)(B)(iii)). In devel-
9 oping the guidance, the Secretary shall seek and take into
10 consideration input from all appropriate offices within the
11 Department of Health and Human Services, including the
12 Administration for Children and Families, the Centers for
13 Medicare & Medicaid Services, the Centers for Disease
14 Control and Prevention, the Substance Abuse and Mental
15 Health Services Administration, and the National Insti-
16 tutes of Health, and from the Department of Education.
17 In developing the guidance, the Secretary shall ensure that
18 the guidance requirements are consistent with the guid-
19 ance requirements under the Child Care and Development
20 Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), in all
21 appropriate cases.