
HR 9076: Protecting America's Children by Strengthening Families Act

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The IV-B Package from the Ways and Means Committee
August 14, 2024

What is IV-B?

- Title IV-B of the Social Security Act - relatively small, but very flexible, federal CW funding source. About 4% of total federal CW funds.
- **In SFY 2020, child welfare agencies reported spending \$614 million in Title IV-B funds on child welfare services.**
- **Title IV-B expenditures have decreased by 14 percent over the decade.**
- Includes two components:
 - Subpart 1 is a discretionary grant program composed primarily of the Stephanie Tubbs Jones Child Welfare Services (CWS) program. CWS funds can be used for a broad variety of child welfare services including, but not limited to, preventing maltreatment, family preservation, family reunification, services for foster and adopted children, and training for child welfare professionals.
 - Subpart 2, the MaryLee Allen Promoting Safe and Stable Families (PSSF) program, has mandatory (capped entitlement) and discretionary funding components. This program primarily funds family support, family preservation, reunification, and adoption-promotion and support activities.

More information on IV-B:

https://cms.childtrends.org/wp-content/uploads/2023/05/ChildWelfareFinancingSFY2020_TitleIV-B.pdf

See your state's data: <https://www.childtrends.org/publications/child-welfare-financing-survey-sfy2020>

Recent hearings on IV-B reauthorization

- Hearing on Strengthening Child Welfare and Protecting America's Children, June 26, 2024.
<https://waysandmeans.house.gov/event/hearing-on-strengthening-child-welfare-and-protecting-americas-children/>
- Work & Welfare Subcommittee Hearing on Pathways to Independence: Supporting Youth Aging Out of Foster Care – January 17, 2024.
<https://waysandmeans.house.gov/event/work-welfare-subcommittee-hearing-on-pathways-to-independence-supporting-youth-aging-out-of-foster-care/>
- Work & Welfare Subcommittee Hearing on Modernizing Child Welfare to Protect Vulnerable Children – September 28, 2023.
<https://waysandmeans.house.gov/event/work-welfare-subcommittee-hearing-on-modernizing-child-welfare-to-protect-vulnerable-children/>
- Markup of HR 9076 and HR 7906—July 24, 2024.
<https://waysandmeans.house.gov/event/markup-of-h-r-7906-and-h-r-9076/>

HR 9076

- Has 17 Sections.
- Comprised of multiple bills that were introduced in the House this summer.
- Section 1 is the Title: Protecting America's Children by Strengthening Families Act
- Section 2 is the Table of Contents
- The bill that was voted on 38-0 can be found here:
<https://waysandmeans.house.gov/wp-content/uploads/2024/07/AINS-to-H.R.-9076.pdf>
- The Ways and Means summary can be found here:
<https://waysandmeans.house.gov/wp-content/uploads/2024/07/H.R.-9076-Section-by-Section.pdf>

Section 3: Reauthorization of Title IV-B

- Reauthorizes Title IV-B Part 1 and 2 for 5 years, until 2029.
- Title IV-B, Subpart 1 is proposed to be funded at the current level.
- Title IV-B, Subpart 2 is proposed to be funded at \$345 million for FY 2025 and \$420 million for each of FY 2026-FY 2029.
- Adds a cap of \$10 million to the reservation of funds for Grants to States for Enhancing Collaboration between State Child Welfare and Juvenile Justice Systems.

Section 4: Enhancements to the Court Improvement Program

- Clarifies that funding can be used for technological improvements and to determine best practices related to remote hearing.
- Requires the Secretary to issue implementation guidance on best practices for the use of technology for remote hearings every 5 years.
- Requires the Secretary to consult with Indian tribes on the development of appropriate guidelines for State proceedings involving Indian children to maximize engagement of Indian tribes and provide appropriate guidelines on the conducting of proceedings subject to the Indian Child Welfare Act.
- Reserve \$40 million (as opposed to \$30 million) to implement this section.
- This section is from the **Court Improvement Program Enhancement Act, HR 8460**

Section 5: Expanding Regional Partnership Grants to Address Parental Substance Use Disorder as a Cause of Child Removal

- Increases funds from \$20-30 million for each fiscal year.
- Adds the juvenile court as a required partner for projects and recommends the inclusion of local housing partners.

Section 6: Modernization–Reducing Administrative Burden

- This is a longer section of the bill that includes multiple subsections and covers a few topics:
 - Use of IV-B funds to deliver eligible services through a portal.
 - Use of IV-B funds for Family Centers.
 - Requirements related to information on legal representation.
 - Requirements related to the Health Oversight and Coordination Plan.
 - Requirements to reduce administrative burdens.
 - A requirement to make IV-B Plans publicly available.

Section 6: Use of Technology

- This provision would amend 42 U.S.C.A. 629a and include the following services in the list of permissible uses of funds for “family preservation services”: “the means of access and use of an electronic or digital portal to facilitate the provision of community support to care for and meet specific needs of families and children.”
- This section is from the **Helping Hands for Families Act**, [HR 476](#)

Section 6: Family Resource Centers

- This subsection specifies that family resource centers are an example of allowable community-based family support services under Title IV-B.
- This is from the **Promoting Community-Based Prevention Services Act, H.R. 8798**.

Section 6: Legal Representation

- Requires that the state's IV-B Plan include: information about available independent legal representation is provided to—
 - the child, as appropriate; and
 - any individual who is a parent or guardian, or has legal custody, of the child.
- This is a less robust version of the **Ensuring Legal Representation for Child Welfare Act, HR 8810**.

Section 6: Supporting Mental Health and Wellbeing of Children in Foster Care

- This sub-section would amend the requirements of the Title IV-B health oversight and coordination plan (42 U.S.C. 622 (b)(15)) in the following ways:
 - Requires the state agency responsible for providing mental health services and mental health service providers to be included in developing the plan
 - The plan must include a list of services provided to support the physical and emotional trauma associated with a child's maltreatment and removal from home
 - The plan must include the steps taken to provide continuity of mental health care in addition to physical health care;
 - The plan for overseeing the prescription of psychotropic medications must include procedures for informed consent of youth, and compliance with professional practice guidelines;
 - A description of the state child welfare agency actively consults with mental health providers in addition to physicians.
- This section is from the **Foster Youth Mental Health Support Act, [HR 8643](#)**

Section 6: Reducing Administrative Burden

This subsection requires the following of the Secretary:

- Review and revise administrative data collection instruments and forms to eliminate duplication and streamline reporting requirements for the recipients.
- Conduct an analysis of the total number of hours reported by the recipients to comply with paperwork requirements and explore how to reduce the numbers of hours required for the compliance by at least 15 percent.
- Collect input from the recipients with respect to fiscal and oversight requirements and making changes to ensure consistency with standards and guidelines for other Federal formula grant programs based on the input.
- Respect the sovereignty of Indian tribes when complying with this subsection.
- Within 2 years, the Secretary shall comply with the requirement of this subsection.
- Within 3 years, the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report describing the efforts of the Secretary to comply with the requirements of this subsection.
- This section is from **The Reducing Administrative Burden for Child Welfare Agencies Act, [HR 8744](#)**.

Section 6: Public Access to State IV-B Plans

This subsection requires the Secretary to:

- Develop a standardized template for State Plans.
- Post State Plans on a public website.
- Include on the website aggregated national summaries of State submissions.

Section 7: Streamlining Funding for Indian Tribes

This section includes several subsections related to funding for Tribes and subsections related to improving States' compliance with the Indian Child Welfare Act.

Section 7: Funding

- Creates a direct 3% set aside of IV-B funds to Tribes.
- This provision is from the **Tribal Child Welfare Support Act.**
- This section include a few other provisions that make access to funding more streamlined for Tribes as well as an increase in CIP funds to \$2 million.

Section 7: Improving ICWA Implementation

- This provision requires that the Secretary, in consultation with the Tribes, develop a specific plan to provide technical assistance to the States to ensure
 - Timely identification of Indian children and extended family members.
 - Timely tribal notice of State child custody proceedings involving an Indian child.
 - Reports of cases in which a transfer of jurisdiction (as defined under the Indian Child Welfare Act of 1978) was granted or was not granted, and reasons specified for denial in cases where transfer was denied.
 - In cases in which a State court orders a foster care placement of an Indian child, whether requirements for active efforts to prevent the breakup of the Indian family, testimony of a qualified expert witness, and evidentiary standards were met.
 - Whether an Indian child was placed in a placement that is required to be preferred under the Indian Child Welfare Act of 1978, and if not, the reasons specified.
 - In cases in which a State court orders the termination of parental rights to an Indian child, whether requirements for active efforts to prevent the breakup of the Indian family, testimony of a qualified expert witness, and evidentiary standards were met.

This provision is from **Strengthening Tribal Families Act of 2024, [H.R. 8621](#)**

Section 8: Accelerating Access to FFPSA Prevention Services

- This section would set aside \$5 million per year for evaluations of programs that are categorically eligible for funding under the Family First Prevention Services Act.
- This section comes from the **Strengthening Evidence-based Prevention Services Act of 2024, H.R. 8814.**

Section 9: Strengthening Support for Youth who Age Out of Foster Care

This section includes two topics: (1) monthly caseworker visits for youth in extended foster care and (2) youth and family engagement in the development of the IV-B Plan.

Section 9: Caseworker Visits

This subsection requires that the IV-B Plan include a description of how the State “may offer virtual caseworker visits to youth in care who have attained the age of 18 years and provided informed consent for virtual visits.”

Section 9: Youth and Family Engagement

This subsection would amend the requirements for the state's IV-B plan (42 U.S.C.A. 629b) and require that the Plan can only be approved by the Secretary if the state agency has consulted with the following in the development of the plan:

- Appropriate public and nonprofit private agencies;
- Community-based organizations involved in providing services for children and families in the areas of family preservation, family support, family reunification, foster care, kinship, and adoption promotion and support;
- Parents with child welfare experience, foster parents, adoptive parents, and kinship caregivers; and
- children, youth, and young adults with experience in the child welfare system, including State boards and councils comprised of youth with the experience who represent the diversity of children in the State to whom the plan would apply.
- The bill also requires that the state make publicly accessible on a website of the State agency a report that outlines how the State has implemented the suggestions provided by the children and youth who provided feedback consistent with the law.
- This provision is from the **Youth and Family Engagement in Child Welfare Act, [HR 8815](#)**

Section 10: Recognizing the Importance of Relative and Kinship Caregivers

This section addresses: (1) including kin and relatives in all IV-B services; (2) clarifies that IV-B services can be delivered through peers; (3) clarifies that “youth” can be provided IV-B services and defines youth as individuals under age 26; and (4) reserves funds to develop evidence based kinship navigator programs.

Section 10: Including Kin and Youth and Peer Delivered Services

- The section would amend 42 U.S.C.A. 629a to:
 - Include kinship and relative caregivers to the list of individuals who can receive services and supports under IV-B.
 - Adds and defines the term youth to those who can be served through Title IV-B. Youth is defined as young people who are under age 26.
 - Names peer delivered services as among the types of services that can be funded with IV-B funds.
- These provisions are from **The Empowering Kinship Providers and Youth Act, [HR 8743](#)**

Section 10: Kinship Navigator Programs and Evaluations

This provision provides \$10 million for competitive grants to provide services and support the transition to evidence-based kinship navigator programs.

Section 11: Avoiding Neglect by Addressing Poverty

This section would:

- Amend the definition of family preservation services in Title IV-B to include the provision of “nonrecurring short term benefits (including supports related to housing instability, utilities, transportation, and food assistance, among other basic needs) that address immediate needs related to a specific crisis, situation, or event affecting the ability of a child to remain in a home established for the child that is not intended to meet an ongoing need.”
- Amend the IV-B state plan requirement (42 U.S.C. 629b) to include providing a description of policies in place, including training for employees, to address child welfare reports and investigations concerning the living arrangements or subsistence needs of a child with the goal to prevent the separation of a child from a parent of the child solely due to poverty.
- This section is from the **Preventing Child Welfare Entry Caused by Poverty Act, [HR 8813](#)**

Section 12: Strengthening Support for Caseworkers

This section proposes to allocate \$26 million per fiscal year to improve the quality of caseworker visits. Funding uses should emphasize the following:

- Reducing caseload ratios and the administrative burden on caseworkers
- Activities designed to increase retention, recruitment, and training of caseworkers;
- Implementing technology solution to streamline caseworker duties and modernize systems,
- Improving caseworker safety;
- Mental health resources to support caseworker well-being, including peer-to-peer support programs;
- Recruitment campaigns aimed at attracting qualified caseworker candidates
- Some of the content of this provision is from the **The Child Welfare Workforce Development Act, HR 8745**

Section 12: Part 2

ELIMINATION OF COST-SHARE PENALTY TIED TO MONTHLY CASEWORKER VISIT STANDARD

**Please note that we believe there is a drafting error in this section.

Section 13: Demonstration Projects for Improving Relationships Between Incarcerated Parents and Children in Foster Care

- This provision would amend 42 U.S.C.A. 629i to develop State Partnership Planning and Demonstration Grants to improve the relationships between youth in care and parents who are incarcerated.
- \$35 million is allocated to fund 5 year planning and demonstration grants.
- The provision also includes requirements related to technical assistance provided by the Secretary, the provision for grantees to complete evaluations and for a Report to Congress.
- This provision is from the **Promoting Active Relationships to Enable Nurturing Ties (PARENT) Act of 2024, HR 8799**.
- Note that the funding proposed for this section is discretionary. It would need to be appropriated in the budget to be included.

Section 14: Guidance to States on Improving Data Collection and Reporting for Youth in Residential Programs

This provision would require, within two years, that the Secretary convene an array of stakeholders from federal agencies and policy experts and to issue guidance to States in administering their IV-E and IV-B Plans on the following topics:

- Best practices for Federal and State agencies to collect data and share information related to the well-being of youth residing in residential treatment facilities, including those facilities operating in multiple States or serving out-of-state youth.
- Best practices on improving State collection and sharing of data related to incidences of maltreatment of youth residing in residential treatment facilities, including with respect to meeting the requirement of section 471(a)(9)(A) of such Act for such youth in foster care.
- Best practices on improving oversight of youth residential programs receiving Federal funding, and research-based strategies for risk assessment related to the health, safety, and well-being of youth in the facilities.
- This provisions came from the **Promoting Accountability, Reporting, Information Sharing and Health Act, H.R. 8817**

Section 15: Streamlining Research, Training, and Technical Assistance Funding

- This section of the bill amends 42 U.S.C.A. 629e(c) and:
 - Eliminates the \$6 million research set-aside;
 - Provides \$1 million in discretionary funding for Regional Partnership Grants to support evaluations of programs for inclusion in the Family First Prevention Services evidence-based clearinghouse; and
 - Provides \$1 million for HHS technical assistance to support effective implementation of the Indian Child Welfare Act (ICWA).
 - Note that the \$6 million was at risk of being eliminated altogether. It was moved to fund a portion of Section 12, Strengthening Support for Caseworkers.

Section 16: Report on Adoption and Guardianship Services

This section directs the Secretary to release a report on adoption and subsidized guardianship services. within two years. The report must include:

- The latest information on adoption disruption and dissolution for children adopted from the foster care system;
- Factors associated with those disruptions and dissolutions, including whether the children received pre- or post-adoption services; and
- A summary of post-adoption and guardianship-related services in each state, including the amount and sources of funding and the extent to which these services are evidence-based or evidence-informed.

Effective Dates

- October 1, 2025, OR
- If state legislation is needed, one or two more years depending on the state's legislative session.
- Timelines for the Tribes shall be developed by the Secretary in consultation with the Tribes.

Opportunity for Advocacy: Sign on to a Support Letter

- The Committee to save IV-B has developed a letter of support for the package that was passed by Ways and Means.
- You can find the letter [here](#).
- Here is the [sign-on form](#) . **Please complete it by COB Friday, August 30th.** If you have questions, please contact Zach Laris at zach@bolderhorizon.org.

Opportunity for Advocacy: Connecting with Leaders on the Senate Finance Committee

- If the bill is voted favorably in the full House, the bill will move to the Senate.
- The Senate Finance Committee has jurisdiction on child welfare matters and will lead discussions on the package.
- Members of the Finance Committee may be interested in weighing in on the bill so may be open to our advocacy.