

118TH CONGRESS
1ST SESSION

S. _____

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

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

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 “Recruiting Families
5 Using Data Act of 2023”.

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—

1 (1) in subsection (b)(7), by inserting “through
2 the development and implementation of a family
3 partnership plan which meets the requirements of
4 subsection (d) for identification, recruitment, screen-
5 ing, licensing, support, and retention of foster and
6 adoptive families” after “are needed”; and

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

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

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

17 “(2) The plan describes —

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

22 “(B) how the State plans to develop and
23 implement child-specific recruitment plans for
24 every child in or entering foster care who needs
25 a foster or adoptive family;

1 “(C) how the State plans to authentically
2 engage children and youth in recruitment ef-
3 forts on their behalf;

4 “(D) how the State plans to use data to
5 establish goals, assess needs, measure progress,
6 reduce unnecessary placements in congregate
7 care, increase permanency, improve placement
8 stability, increase the rate of kinship place-
9 ments, improve recruitment and retention of
10 families for teens, sibling groups, and other spe-
11 cial populations, and align the composition of
12 foster and adoptive families with the needs of
13 children in or entering foster care; and

14 “(E) how that State will stand up or sup-
15 port foster family advisory boards for the pur-
16 pose of improving recruitment and retention of
17 foster and adoptive families.

18 “(3) The plan provides that, not less than an-
19 nually, the State shall collect and report on the
20 State’s actual foster family capacity and congregate
21 care utilization, including the number, demo-
22 graphics, and characteristics of licensed foster fami-
23 lies, including prospective adoptive families, the
24 number of such families that haven’t received a
25 placement or are not being fully utilized and the rea-

1 sons therefor, and the number, demographics, and
2 characteristics of children placed in congregate care
3 in-State and out-of-State.

4 “(4) The plan includes, and shall update not
5 less than annually, a summary of the most recent
6 feedback from foster and adoptive parents and youth
7 regarding licensure, training, support, and reasons
8 why parents stop fostering or why adoptive or legal
9 guardianship placements out of foster care fail or
10 foster and such adoptive or legal guardianship fami-
11 lies struggle to meet children’s needs.

12 “(5) The plan includes, and shall update annu-
13 ally, a report on the State’s analysis of specific chal-
14 lenges or barriers to recruiting, licensing, and uti-
15 lizing families who reflect the racial and ethnic back-
16 ground of children in foster care in the State, and
17 the State’s efforts to overcome those challenges and
18 barriers.

19 “(6) The plan includes such other information
20 relating to foster and adoptive parent recruitment
21 and retention as the Secretary may require.”.

22 (b) EFFECTIVE DATE.—

23 (1) IN GENERAL.—Except as provided in para-
24 graph (2), the amendment made by this subsection
25 shall take effect on October 1, 2024.

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

20 **SEC. 3. INCLUSION OF INFORMATION ON FOSTER AND**
21 **ADOPTIVE FAMILIES IN ANNUAL CHILD WEL-**
22 **FARE OUTCOMES REPORT TO CONGRESS.**

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

1 (1) in paragraph (6)(C), by striking “and”
2 after the semicolon;

3 (2) in paragraph (7)(B), by striking the period
4 and inserting “; and”; and

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

6 “(8) include in the report submitted pursuant
7 to paragraph (5) for fiscal year 2025 or any suc-
8 ceeding fiscal year—

9 “(A) State-by-State data on the number,
10 demographics, and characteristics of foster and
11 adoptive families in the State, and the number
12 of potential foster and adoptive families not
13 being utilized in the State and the reasons why;

14 “(B) a summary of the challenges of, and
15 barriers to, being a foster or adoptive parent,
16 including with respect to recruitment, licensure,
17 engagement, retention, and why parents stop
18 fostering, adoptions disrupt or dissolve, or fos-
19 ter or adoptive families struggle, as reported by
20 States based on surveys of foster and adoptive
21 parents; and

22 “(C) a summary of the challenges and bar-
23 riers States reported on efforts to recruit a pool
24 of families that reflect the racial and ethnic

- 1 background of children in foster care in the
- 2 State, and efforts to overcome those barriers.”.