

116TH CONGRESS  
1ST SESSION

# H. R. 4839

To amend part E of title IV of the Social Security Act to require States to provide for the placement of a foster child in a cottage home, and to make a child so placed eligible for foster care maintenance payments.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 23, 2019

Mr. MEADOWS introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To amend part E of title IV of the Social Security Act to require States to provide for the placement of a foster child in a cottage home, and to make a child so placed eligible for foster care maintenance payments.

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 “Caring Homes and  
5 Improved Lives for Dependents (CHILD) Act”.

1 **SEC. 2. PLACEMENT OF FOSTER CHILDREN IN COTTAGE**  
2 **HOMES.**

3 (a) STATE PLAN REQUIREMENT.—Section 471(a) of  
4 the Social Security Act (42 U.S.C. 671(a)) is amended—

5 (1) by striking “and” at the end of paragraph  
6 (36);

7 (2) by striking the period at the end of para-  
8 graph (37) and inserting “; and”; and

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

10 “(38) provides that, with respect to a child who  
11 has attained 6 years of age and who is removed  
12 from the child’s home, if a suitable relative or other  
13 designated caregiver is not available as a placement  
14 for the child, placing the child in a foster family  
15 home or a cottage home shall be considered the least  
16 restrictive setting for the child.”.

17 (b) ELIGIBILITY FOR FOSTER CARE MAINTENANCE  
18 PAYMENTS OF CERTAIN CHILDREN PLACED IN A COT-  
19 TAGE HOME.—Section 472(a)(2)(C) of such Act (42  
20 U.S.C. 672(a)(2)(C)) is amended by striking “home or  
21 child-care institution” and inserting “home, a child-care  
22 institution, or (if the child has attained 6 years of age  
23 and a suitable relative or other designated caregiver is not  
24 available as a placement for the child) a cottage home that  
25 is not a foster family home or child-care institution”.

1 (c) DEFINITION OF COTTAGE HOME.—Section  
2 472(c) of such Act (42 U.S.C. 672(c)), as amended by  
3 the Family First Prevention Services Act, is amended by  
4 adding at the end the following:

5 “(3) COTTAGE HOME.—The term ‘cottage  
6 home’ means a residential operation—

7 “(A) in which not more than 12 children  
8 reside;

9 “(B) that has and implements a trauma-  
10 informed treatment plan for its residents;

11 “(C) that involves family members of a  
12 child in the treatment for the child, and main-  
13 tains contact with the family of the child, if  
14 available and if the involvement is clinically ap-  
15 propriate for the well-being of the child;

16 “(D) that is licensed by the State in which  
17 it is situated or has been approved, by the  
18 agency of such State responsible for licensing or  
19 approval of institutions of this type; and

20 “(E) that is accredited by the Council on  
21 Accreditation or another national accrediting  
22 body.”.

23 (d) EFFECTIVE DATE.—

24 (1) IN GENERAL.—The amendments made by  
25 this section shall take effect on the date of the en-

1 actment of this Act, and shall apply to payments  
2 under part E of title IV of the Social Security Act  
3 for calendar quarters beginning on or after such  
4 date.

5 (2) DELAY PERMITTED IF STATE LEGISLATION  
6 REQUIRED.—If the Secretary of Health and Human  
7 Services determines that State legislation (other  
8 than legislation appropriating funds) is required in  
9 order for a State plan under part E of title IV of  
10 the Social Security Act to meet the additional re-  
11 quirements imposed by the amendments made by  
12 this section, the plan shall not be regarded as failing  
13 to meet any of the additional requirements before  
14 the first day of the first calendar quarter beginning  
15 after the first regular session of the State legislature  
16 that begins after the date of the enactment of this  
17 Act. For purposes of the preceding sentence, if the  
18 State has a 2-year legislative session, each year of  
19 the session is deemed to be a separate regular ses-  
20 sion of the State legislature.

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