

116TH CONGRESS
1ST SESSION

H. R. 4420

To amend subpart 1 of part B of title IV of the Social Security Act to ensure that mental health screenings and assessments are provided to children and youth upon entry into foster care.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2019

Mrs. LAWRENCE (for herself, Ms. BASS, Mr. LANGEVIN, Ms. BARRAGÁN, Mrs. NAPOLITANO, Ms. WILSON of Florida, Mr. HASTINGS, Ms. NORTON, Mr. SOTO, Ms. LEE of California, Mr. GARCÍA of Illinois, Ms. TLAIB, Mr. MITCHELL, and Ms. MENG) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend subpart 1 of part B of title IV of the Social Security Act to ensure that mental health screenings and assessments are provided to children and youth upon entry into foster care.

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 “Timely Mental Health
5 for Foster Youth Act”.

1 **SEC. 2. TIMELY MENTAL HEALTH SCREENINGS AND AS-**
2 **SESSMENTS FOR CHILDREN AND YOUTH**
3 **UPON ENTRY INTO FOSTER CARE.**

4 (a) STATE PLAN REQUIREMENT.—Section
5 422(b)(15)(A) of the Social Security Act (42 U.S.C.
6 622(b)(15)(A)) is amended—

7 (1) in clause (i), by inserting “and that require
8 that an initial mental health screening of any child
9 in foster care be completed not later than 30 days
10 after the date the child enters into foster care and,
11 in the case of any child in foster care for whom a
12 mental health issue is identified in such initial
13 screening, that a comprehensive assessment of the
14 mental health of the child be completed not later
15 than 60 days after the date the child enters into fos-
16 ter care” before the semicolon; and

17 (2) in clause (ii), by striking “screenings” and
18 inserting “such screenings and assessments”.

19 (b) TECHNICAL AMENDMENT.—Section
20 422(b)(15)(A) of such Act (42 U.S.C. 622(b)(15)(A)) is
21 further amended in the matter before clause (i), by strik-
22 ing “provides” and inserting “provide”.

23 (c) EFFECTIVE DATE.—

24 (1) IN GENERAL.—Except as provided in para-
25 graph (2), the amendments made by this section
26 shall take effect on October 1, 2020.

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 section, the State plan shall
9 not be regarded as failing to comply with the re-
10 quirements of such subpart 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 section. For purposes of
16 the previous sentence, in the case of a State that has
17 a 2-year legislative session, each year of such session
18 shall be deemed to be a separate regular session of
19 the State legislature.

20 **SEC. 3. TECHNICAL ASSISTANCE TO STATES.**

21 The Administration for Children and Families and
22 the Center for Medicare and Medicaid Services of the De-
23 partment of Health and Human Services shall provide
24 technical assistance to States on how to comply with the
25 amendments made by section 2(a) of this Act. The Admin-

1 istration for Children and Families and the Center for
2 Medicare and Medicaid Services should consult with other
3 relevant Federal agencies on the development of the tech-
4 nical assistance, which should take into account evidence-
5 based best practices.

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