116TH CONGRESS 1ST SESSION H.R. 2967

AUTHENTICATED U.S. GOVERNMENT INFORMATION

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To provide greater support for grandfamilies and older caretaker relatives.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2019

Mr. DANNY K. DAVIS of Illinois introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Education and Labor, Energy and Commerce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide greater support for grandfamilies and older caretaker relatives.

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 "Grandfamilies Act of5 2019".

1	SEC. 2. INCREASING ACCESS TO SOCIAL SECURITY BENE-
2	FITS FOR CHILDREN WHO LIVE WITH GRAND-
3	PARENTS OR OTHER FAMILY MEMBERS.
4	(a) IN GENERAL.—Title II of the Social Security Act
5	(42 U.S.C. 401 et seq.) is amended—
6	(1) in section $202(d)$ —
7	(A) in paragraph $(1)(C)$, by inserting "ex-
8	cept as provided in paragraph (9)," before "was
9	dependent"; and
10	(B) by amending paragraph (9) to read as
11	follows:
12	((9)(A) In the case of a child who is the child of an
13	individual under clause (3) of the first sentence of section
14	216(e) and is not a child of such individual under clause
15	(1) or (2) of such first sentence, the criteria specified in
16	subparagraph (B) shall apply instead of the criteria speci-
17	fied in subparagraph (C) of paragraph (1).
18	"(B) The criteria of this subparagraph are that—
19	"(i) the child has been living with such indi-
20	vidual in the United States for a period of not less
21	than 12 months;
22	"(ii) the child has been receiving not less than
23	$\frac{1}{2}$ of the child's support from such individual for a

"(iii) the period during which the child was liv ing with such individual began before the child at tained age 18.

"(C) In the case of a child who is less than 12 months 4 5 old, such child shall be deemed to meet the requirements of subparagraph (B) if, on the date the child attains 1 6 7 year of age, such child has lived with such individual in 8 the United States and received at least 1/2 of the child's 9 support from such individual for substantially all of the period which began on the date of such child's birth."; 10 11 and

12 (2) in section 216(e), in the first sentence—

13 "grandchild (\mathbf{A}) by striking or 14 stepgrandchild of an individual or his spouse" 15 and inserting "grandchild, stepgrandchild, or 16 other first-degree, second-degree, third-degree, 17 fourth-degree, or fifth-degree relative of an indi-18 vidual or the individual's spouse";

19 (B) by striking "was no natural or adop20 tive parent" and inserting "is no living natural
21 or adoptive parent";

22 (C) by striking "was under a disability"23 and inserting "is under a disability";

1	(D) by striking "living at the time" and all
2	that follows through ", or (B)" and inserting ",
3	(B)"; and
4	(E) by inserting ", or (C) the person has
5	been in the custody of such individual pursuant
6	to a court order for a period of not less than
7	12 months" before the first period.
8	(b) Conforming Amendments.—Section 202(d)(1)
9	of the Social Security Act (42 U.S.C. 402(d)(1)) is amend-
10	ed—
11	(1) by striking "subparagraphs (A), (B), and
12	(C)" and inserting "subparagraphs (A) and (B) and
13	subparagraph (C) or paragraph (9) (as applicable)";
14	and
15	(2) by striking "subparagraphs (B) and (C)"
16	and inserting "subparagraph (B) and subparagraph
17	(C) or paragraph (9) (as applicable)".
18	(c) EFFECTIVE DATE.—The amendments made by
19	this section shall take effect on the first day of the first
20	fiscal year that begins after the date of enactment of this
21	Act.
22	SEC. 3. ELIMINATING BARRIERS TO TANF FOR CHILDREN
23	AND OLDER CARETAKER RELATIVES.
24	(a) Broadening Good Cause Exception to Re-
25	QUIREMENT TO PROVIDE INFORMATION ON NONCUSTO-

DIAL PARENTS.—Section 454(29)(A)(i) of the Social Se curity Act (42 U.S.C. 654(29)(A)(i)) is amended by strik ing "best interests of the child" and inserting "best inter ests of the child, including, if enforcement procedures
 against a non-custodial parent of the child are initiated,
 whether such procedures will impede the parent's ability
 to reunify with the child in the future".

8 (b) DISREGARD OF NONPARENT CARETAKER REL9 ATIVE INCOME, ASSETS, AND RESOURCES IN CHILD-ONLY
10 CASES.—

(1) IN GENERAL.—Section 408(a) of the Social
Security Act (42 U.S.C. 608(a)) is amended by adding at the end the following new paragraph:

14 "(13) DISREGARD OF INCOME, ASSETS, AND
15 RESOURCES FOR NONPARENT CARETAKER REL16 ATIVES IN CHILD-ONLY CASES.—

17 "(A) IN GENERAL.—With respect to a 18 minor child who does not reside in the same 19 household as a parent of the child, a State to 20 which a grant is made under section 403 shall 21 not take into account the income, assets, or re-22 sources of such child's nonparent caretaker rel-23 ative who is not seeking assistance under the 24 State program funded under this part or any 25 other State program funded with qualified

1	State expenditures (as defined in section
2	409(a)(7)(B)(i)) on their own behalf in deter-
3	mining whether the child is eligible for assist-
4	ance under any such program, or in deter-
5	mining the amount or types of such assistance
6	to be provided to the child.
7	"(B) EXCEPTION.—Subparagraph (A)
8	shall not apply in the case of a State pro-
9	gram—
10	"(i) that is operated specifically for
11	children living with nonparent caretaker
12	relatives;
13	"(ii) that provides monthly financial
14	assistance to a child living with a non-
15	parent caretaker relative in an amount
16	that is greater than the amount of assist-
17	ance that the child would receive on the
18	child's own behalf under the State program
19	funded under this part;
20	"(iii) that is separate from the State
21	program funded under this part; and
22	"(iv) that is described in the State
23	plan submitted under section 402.".

(2) PENALTY.—Section 409(a) of the Social Se curity Act (42 U.S.C. 609(a)) is amended by adding
 at the end the following new paragraph:

"(17) PENALTY FOR FAILURE TO DISREGARD 4 5 INCOME, ASSETS, AND RESOURCES OF NONPARENT 6 CARETAKER RELATIVE IN CHILD-ONLY CASES.—If 7 the Secretary determines that a State to which a 8 grant is made under section 403 in a fiscal year has 9 violated section 408(a)(13) during the fiscal year, 10 the Secretary shall reduce the grant payable to the 11 State under section 403(a)(1) for the immediately 12 succeeding fiscal year by an amount equal to 3 per-13 cent of the State family assistance grant.".

14 (c) Eliminating 5-Year Cap on Assistance in15 Child-Only Cases.—

16 (1) IN GENERAL.—Section 408(a)(7) of the So17 cial Security Act (42 U.S.C. 608(a)(7)) is amended
18 by adding at the end the following new subpara19 graph:

20 "(H) NO LIMIT FOR CHILD-ONLY CASES.—
21 A State shall not limit the number of months
22 of assistance under the State program funded
23 under this part or any other State program
24 funded with qualified State expenditures (as de-

1	fined in section $409(a)(7)(B)(i)$ for a family in
2	which all adults in the family—
3	"(i) are nonparent caretaker relatives
4	of a child who does not reside in the same
5	household of the parent of the child; and
6	"(ii) do not receive assistance under
7	the State program funded under this part
8	or any other State program funded with
9	qualified expenditures (as defined in sec-
10	tion $409(a)(7)(B)(i))$ on their own be-
11	half.".
12	(2) Penalty.—Section 409(a) of the Social Se-
13	curity Act (42 U.S.C. 609(a)), as previously amend-
14	ed by this section, is amended—
15	(A) in paragraph (9), by inserting "(other
16	than subparagraph (H))" after "section
17	408(a)(7)''; and
18	(B) by adding at the end the following new
19	paragraph:
20	"(18) Penalty for failure to comply with
21	5-YEAR CAP EXEMPTIONS.—If the Secretary deter-
22	mines that a State to which a grant is made under
23	section 403 in a fiscal year has violated subpara-
24	graph (H) of section $408(a)(7)$ during the fiscal
25	year, the Secretary shall reduce the grant payable to

the State under section 403(a)(1) for the imme-

diately succeeding fiscal year by an amount equal to

3 percent of the State family assistance grant".

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4 (d) EXEMPTION FROM WORK REQUIREMENTS FOR 5 NONPARENT CARETAKER RELATIVES IN CHILD-ONLY 6 CASES.— 7 (1) IN GENERAL.—Section 408 of the Social 8 Security Act (42 U.S.C. 608) is amended by adding 9 at the end the following new subsection: 10 "(h) STATE REQUIRED TO EXEMPT NONPARENT 11 CARETAKER RELATIVES FROM WORK PARTICIPATION IN CHILD-ONLY CASES.—A State shall not require an indi-12 vidual to engage in work if the individual— 13 14 "(1) is the nonparent caretaker relative of a 15 child who does not reside in the same household as 16 a parent of the child; and 17 "(2) resides in a household in which no adult 18 receives assistance under the State program funded 19 under this part or any other State program funded 20 with qualified expenditures (as defined in section 409(a)(7)(B)(i)) on their own behalf.". 21 22 (2) PENALTY.—Section 409(a) of the Social Se-23 curity Act (42 U.S.C. 609(a)), as previously amend-24 ed by this section, is amended by adding at the end 25 the following new paragraph: •HR 2967 IH

1	"(19) Penalty for failure to comply with
2	WORK PARTICIPATION EXEMPTIONS.—If the Sec-
3	retary determines that a State to which a grant is
4	made under section 403 in a fiscal year has violated
5	subsection (h) of section 408 during the fiscal year,
6	the Secretary shall reduce the grant payable to the
7	State under section $403(a)(1)$ for the immediately
8	succeeding fiscal year by an amount equal to 3 per-
9	cent of the State family assistance grant.".
10	(e) Eliminating 5-Year Cap on Assistance for
11	Older Caretaker Relatives.—
12	(1) IN GENERAL.—Section 408(a)(7) of the So-
13	cial Security Act (42 U.S.C. 608(a)(7)), as amended
14	by subsection $(c)(1)$, is amended by adding at the
15	end the following new subparagraph:
16	"(I) Non-application of limit to
17	OLDER CARETAKER RELATIVES.—
18	"(i) NO LIMIT FOR OLDER CARE-
19	TAKER RELATIVES.—Subparagraph (A)
20	shall not apply and a State shall not limit
21	the number of months of assistance under
22	the State program funded under this part
23	or any other State program funded with
24	qualified State expenditures (as defined in
25	section $409(a)(7)(B)(i)$) based on receipt

1	of such assistance by an individual who is
2	an older caretaker relative (as defined for
3	purposes of paragraph (14)).
4	"(ii) DISREGARD OF MONTHS OF AS-
5	SISTANCE .—In determining the number of
6	months for which a family that includes an
7	adult who has received assistance under
8	the State program funded under this part
9	or any other State program funded with
10	qualified State expenditures (as defined in
11	section $409(a)(7)(B)(i))$, the State shall
12	disregard any month for which such assist-
13	ance was provided with respect to the fam-
14	ily during which such adult was an older
15	caretaker relative (as defined for purposes
16	of paragraph (14)).".
17	(2) PENALTY.—Section 409(a) of the Social Se-
18	curity Act (42 U.S.C. 609(a)), as previously amend-
19	ed by this section, is amended—
20	(A) in paragraph (9), by inserting "or (I)"
21	after "subparagraph (H)"; and
22	(B) in paragraph (18), by inserting "or
23	(I)" after "subparagraph (H)".
24	(f) EXEMPTION FROM WORK REQUIREMENTS FOR
25	Older Caretaker Relatives.—

(1) IN GENERAL.—Section 408 of the Social
 Security Act (42 U.S.C. 608), by subsection (d)(1),
 is amended by adding at the end the following new
 subsection:

5 "(i) STATE REQUIRED TO EXEMPT OLDER CARE-6 TAKER RELATIVES FROM WORK PARTICIPATION WHERE 7 CARETAKER RECEIVES ASSISTANCE.—A State shall not 8 require an individual to engage in work, and, at the option 9 of the State and on a case-by-case basis, may disregard 10 such individual in determining the participation rates 11 under section 407(a), if the individual—

12 "(1) is an older caretaker relative (as defined
13 for purposes of subsection (a)(14)); and

"(2) directly receives assistance on the individual's own behalf under the State program funded
under this part or any other State program funded
with qualified expenditures (as defined in section
409(a)(7)(B)(i)).".

19 (2) PENALTY.—Paragraph (18) of section
20 409(a) of the Social Security Act (42 U.S.C.
21 609(a)), as added by subsection (d)(2), is amended
22 by inserting "or (i)" after "subsection (h)".

23 (3) CONFORMING AMENDMENTS.—402(a)(1)(A)
24 of the Social Security Act (42 U.S.C. 602(a)(1)(A))
25 is amended—

1	(A) in clause (ii), by inserting "and subject
2	to subsection (h) and (i) of section 408" before
3	the period; and
4	(B) in clause (iii), by inserting "and sub-
5	ject to subsection (h) and (i) of section 408"
6	before the period.
7	(g) DISREGARD OF INCOME, ASSETS, AND RE-
8	SOURCES FOR OLDER CARETAKER RELATIVES.—
9	(1) IN GENERAL.—Section 408(a) of the Social
10	Security Act (42 U.S.C. 608(a)), as previously
11	amended by this section, is amended by adding at
12	the end the following new paragraph:
13	"(14) DISREGARD OF INCOME, ASSETS, AND
14	RESOURCES FOR OLDER CARETAKER RELATIVES.—
15	"(A) IN GENERAL.—In determining the
16	eligibility for, and amount of, assistance under
17	the State program funded under this part or
18	any other State program funded with qualified
19	State expenditures (as defined in section
20	409(a)(7)(B)(i)) for a family that includes an
21	individual who is an older caretaker relative (as
22	defined in subparagraph (B)), a State to which
23	a grant is made under section 403 shall not
24	take into account the income, assets, or re-
25	sources of that individual.

1	"(B) DEFINITION.—
2	"(i) IN GENERAL.—For purposes of
3	this paragraph, the term 'older caretaker
4	relative' means an individual who—
5	"(I) subject to clause (ii), has at-
6	tained age 55; and
7	"(II) is the primary caretaker for
8	a minor child who—
9	"(aa) is living with the indi-
10	vidual;
11	"(bb) does not have a parent
12	living in the home; and
13	"(cc) is a relative of the in-
14	dividual.
15	"(ii) STATE OPTION TO MODIFY AGE
16	CRITERION.—At the option of a State,
17	such term shall include an individual who
18	has not attained age 55.
19	"(iii) Determination to be made
20	BY STATE.—The determination of whether
21	an individual meets the criteria described
22	in clause (i)(II) shall be made by the
23	State.".
24	(2) Penalty.—Section 409(a) of the Social Se-
25	curity Act (42 U.S.C. 609(a)), as previously amend-

ed by this section, is amended by adding at the end
 the following new paragraph:

3 "(20) PENALTY FOR FAILURE TO DISREGARD 4 INCOME, ASSETS, AND RESOURCES FOR OLDER 5 CARETAKER RELATIVES.—If the Secretary deter-6 mines that a State to which a grant is made under 7 section 403 in a fiscal year has violated section 8 408(a)(14) during the fiscal year, the Secretary 9 shall reduce the grant payable to the State under 10 section 403(a)(1) for the immediately succeeding fis-11 cal year by an amount equal to 3 percent of the 12 State family assistance grant.".

13 (h) ENSURING EQUITABLE TREATMENT FOR OLDER
14 CARETAKER RELATIVES UNDER TANF.—

15 (1) STATE NOTIFICATIONS TO OLDER CARE16 TAKER RELATIVES OF CHILD TANF RECIPIENTS.—

17 (A) IN GENERAL.—Section 408(a) of the
18 Social Security Act (42 U.S.C. 608(a)), as pre19 viously amended by this section, is amended by
20 adding at the end the following:

21 "(15) STATE REQUIREMENTS REGARDING NO22 TICE TO RELATIVE CARETAKERS.—A State to which
23 a grant is made under section 403 shall—

24 "(A) ensure that the State agency respon-25 sible for administering the State program fund-

1 ed under this part employs a resource employee 2 who is trained to provide guidance to an older caretaker relative of a minor child if the child 3 4 is a recipient of assistance under the program 5 (or under a State program funded with quali-6 fied State expenditures (as defined in section 7 409(a)(7)(B)(i)), on legal options regarding 8 custody and guardianship of the child, including 9 explaining to the relative caretaker how each 10 legal option corresponds to the availability of 11 benefits and services, and who serves as a liai-12 son with other agencies and community organizations that provide resources and assistance to 13 14 relative caretakers; and

15 "(B) ensure that the State agency provides 16 to any older caretaker relative of a minor child 17 if the child is a recipient of assistance under 18 the State program funded under this part (or 19 under a State program funded with qualified 20 defined in section State expenditures (as 21 409(a)(7)(B)(i)), written notice that—

22 "(i) explains the options of the older
23 caretaker relative under Federal, State,
24 and local law to participate in the care and
25 placement of the child, including the finan-

1	cial ramifications of the options and any
2	options that may be lost by choosing cer-
3	tain benefits;
4	"(ii) describes the requirements under
5	section $471(a)(10)$ to become a foster fam-
6	ily home and the additional services and
7	supports that are available for a child
8	placed in such a home;
9	"(iii) if the State has elected the op-
10	tion to make guardianship assistance pay-
11	ments under section $471(a)(28)$, describes
12	how the relative caretaker may enter into
13	an agreement with the State to receive the
14	payments;
15	"(iv) describes policies under the
16	State program funded under this part that
17	are designed to help older caretaker rel-
18	atives, including income, asset, and re-
19	source exemptions in determining program
20	eligibility, 'good cause' exemptions to child
21	support enforcement policies, and work re-
22	quirement exemptions;
23	"(v) provides direct contact informa-
24	tion for other agencies and community or-
25	ganizations that provide resources and as-

1	sistance, such as housing, supplemental
2	nutrition assistance, health care, and child
3	care; and
4	"(vi) provides direct contact informa-
5	tion for the resource employee described in
6	subparagraph (A).".
7	(B) INCLUSION IN STATE PLAN.—Section
8	402(a)(1)(B) of such Act (42 U.S.C.
9	602(a)(1)(B)) is amended by adding at the end
10	the following:
11	"(vi) The document shall provide a
12	detailed explanation of how the State in-
13	tends to comply with section $408(a)(15)$.".
14	(C) PENALTY.—Section 409(a) of such Act
15	(42 U.S.C. 609(a)) is amended by adding at the
16	end the following:
17	"(21) Failure to notify relative care-
18	TAKERS.—If the Secretary determines that a State
19	to which a grant is made under section 403 for a
20	fiscal year has violated section $408(a)(15)$ during
21	the fiscal year, the Secretary shall reduce the grant
22	payable to the State under section $403(a)(1)$ for the
23	immediately succeeding fiscal year by an amount
24	equal to 4 percent of the grant.".

1	(2) STATE TREATMENT OF RELATIVE CARE-
2	TAKERS OF CHILD TANF RECIPIENTS.—Section
3	402(a)(1)(B) of the Social Security Act (42 U.S.C.
4	602(a)), as amended by paragraph (2)(B), is further
5	amended by adding at the end the following:
6	"(vii) The document shall provide a
7	detailed explanation of the State's treat-
8	ment of older caretaker relatives of minor
9	children, in cases in which the child is a
10	recipient of assistance under the State pro-
11	gram funded under this part (or under a
12	State program funded with qualified State
13	expenditures (as defined in section
14	409(a)(7)(B)(i))), including—
15	"(I) information regarding how
16	the State defines terms such as 'rel-
17	ative', 'fictive kin', and 'caretaker';
18	"(II) a description of the training
19	received by caseworkers of the State
20	agency responsible for administering
21	the program in relation to older care-
22	taker relatives of minor children, in
23	cases in which the child is such a re-
24	

20
"(III) an explanation of the ways
in which assistance available under
the program to an older relative care-
taker of a minor child is affected by
the temporary presence in the home of
a biological parent of the child; and
"(IV) an explanation of how ben-
efits are adjusted for older caretaker
relatives including income, asset, and
resource exemptions in determining
program eligibility, 'good cause' ex-
emptions to child support enforcement
policies, and work requirement exemp-
tions.".
(3) ENHANCED DATA REPORTING.—Section
411(a)(7) of the Social Security Act (42 U.S.C.
611(a)(7)) is amended by adding at the end the fol-
lowing: "The Secretary shall also prescribe regula-
tions to improve the reporting of data on the eco-
nomic well-being and circumstances of families with
older relative caretakers of minor children, including,
to the extent practicable, information relating to—
"(A) all adults in the family, including
whether or not such adults are recipients of as-
sistance under the State program funded under

1	this part (or under a State program funded
2	with qualified State expenditures (as defined in
3	section $409(a)(7)(B)(i));$
4	"(B) all minor children in the family, in-
5	cluding whether any such minor child—
6	"(i) is required to be included in the
7	foster care reporting population for pur-
8	poses of the Adoption and Foster Care
9	Analysis Reporting System (AFCARS) es-
10	tablished pursuant to section 479; or
11	"(ii) is not required to be so included
12	in such foster care reporting population,
13	but—
14	"(I) is receiving services in the
15	home of the relative caretaker that
16	are supervised or administered by the
17	State agency responsible for admin-
18	istering the State plan approved
19	under part B;
20	"(II) was placed with the relative
21	caretaker to prevent the need for fos-
22	ter care as a result of an intervention
23	on behalf of the child which was car-
24	ried out or supervised by the State

1	agency administering the State plans
2	under parts B and E; or
3	"(III) was placed with the rel-
4	ative caretaker upon formal discharge
5	from the care and placement responsi-
6	bility of the State agency admin-
7	istering the plans under part B or E;
8	"(iii) all families who applied for a
9	good-cause exemption to the State's child
10	enforcement cooperation policies; and
11	"(iv) all families who received a good-
12	cause exemption to the State's child en-
13	forcement cooperation policies.".
14	(i) Effective Date.—
15	(1) IN GENERAL.—Except as provided in para-
16	graph (2), the amendments made by this section
17	shall take effect on the first day of the first fiscal
18	year that begins after the date of enactment of this
19	Act.
20	(2) Delay permitted.—
21	(A) IN GENERAL.—Before the date de-
22	scribed in subparagraph (B), a State plan
23	under title IV of the Social Security Act shall
24	not be regarded as failing to comply with an ad-
25	ditional requirement imposed on the plan by

1	this section if the Secretary of Health and
2	Human Services determines that such addi-
3	tional requirement—
4	(i) requires State legislation (other
5	than legislation appropriating funds) in
6	order for the plan to meet such additional
7	requirement; or
8	(ii) could not practicably be met by
9	the plan before such date.
10	(B) DATE DESCRIBED.—For purposes of
11	subparagraph (A), the date described in this
12	subparagraph is, with respect to a State, the
13	first day of the first calendar quarter beginning
14	after the close of the first regular session of the
15	State legislature that begins after the date of
16	enactment of this section. For purposes of the
17	previous sentence, in the case of a State that
18	has a 2-year legislative session, each year of
19	such session shall be deemed to be a separate
20	regular session of the State legislature.
21	SEC. 4. IMPROVING THE COLLECTION OF CHILD SUPPORT
22	FOR FAMILIES RECEIVING TANF ASSISTANCE.
23	(a) IN GENERAL.—Section 454 of the Social Security
24	Act (42 U.S.C. 654) is amended—

1	(1) by redesignating paragraphs (30) through
2	(34) as paragraphs (31) through (35), respectively;
3	and
4	(2) by inserting after paragraph (29) the fol-
5	lowing:
6	"(30) include a description of—
7	"(A) the methods used by the State to de-
8	termine whether an individual who has applied
9	for or is receiving assistance under the State
10	program funded under part A, the State pro-
11	gram under part E, the State program under
12	title XIX, or the supplemental nutrition assist-
13	ance program, as defined under section 3(h) of
14	the Food and Nutrition Act of 2008 (7 U.S.C.
15	2012(h)), is cooperating in good faith with the
16	State in establishing paternity or in estab-
17	lishing, modifying, or enforcing a support order,
18	as provided in paragraph (29);
19	"(B) the State's process for determining in
20	a timely manner whether such an individual
21	satisfies the cooperation requirement described
22	in subparagraph (A) due to the individual's

participation in another State or Federal assist-

24 ance program;

1	"(C) the good cause or other exceptions to
2	the cooperation requirement that the State rec-
3	ognizes, including an explanation of any special
4	requirements or considerations for an older rel-
5	ative caretaker seeking to apply for such an ex-
6	ception; and
7	"(D) how the State makes clear to an indi-
8	vidual who has applied for or is receiving assist-
9	ance under a program referred to in subpara-
10	graph (A)—
11	"(i) what, if anything, the individual
12	needs to do in order to satisfy the coopera-
13	tion requirement, including explaining to
14	the individual how the individual might
15	satisfy the requirement through participa-
16	tion in another State or Federal assistance
17	program;
18	"(ii) the effect on the individual's eli-
19	gibility to receive assistance under a pro-
20	gram referred to in subparagraph (A), and
21	under other State or Federal assistance
22	programs, if the individual fails to satisfy
23	the cooperation requirement; and
24	"(iii) the good cause or other excep-
25	tions to the cooperation requirement for

	20
1	which the individual may be eligible, in-
2	cluding the standard of proof required to
3	qualify for each exception and an expla-
4	nation of any special requirements or con-
5	siderations for older caretaker relatives;".
6	(b) Conforming Amendments.—Title IV of the So-
7	cial Security Act (42 U.S.C. 601 et seq.) is amended—
8	(1) in section $452(k)(1)$, by striking "section
9	454(31)" and inserting "section $454(32)$ "; and
10	(2) in section 454, in the matter following para-
11	graph (35) (as redesignated by subsection (a)) by
12	striking "paragraph (33)" and inserting "paragraph
13	(34)".
14	(c) EFFECTIVE DATE.—The amendments made by
15	this section shall take effect on the first day of the first
16	fiscal year that begins after the date of enactment of this
17	Act.
18	SEC. 5. ENCOURAGING STATES TO ADOPT TEMPORARY
19	GUARDIANSHIP LAWS.
20	(a) IN GENERAL.—Section $474(a)(7)$ of the Social
21	Security Act (42 U.S.C. $674(a)(7)$) is amended by insert-
22	ing "(or, in the case of a State that has in effect for the
23	quarter a temporary guardianship law (as defined in sec-
24	tion 475(14)), 75 percent)" after "50 percent".

(b) DEFINITION.—Section 475 of the Social Security
 Act (42 U.S.C. 675) is amended by adding at the end the
 following new paragraph:

4 "(14)(A) The term 'temporary guardianship law' 5 means a State law that allows for the establishment, by operation of such law and through an easily navigable sim-6 7 ple civil process of a relationship between a child and a 8 nonparent caretaker who has taken responsibility for car-9 ing for the child in the absence of the child's parents in 10 which some of the parental rights with respect to the child are transferred to the caretaker for a specified period of 11 12 time which may be extended or renewed, except that the total period of time for which such rights are transferred 13 to the caretaker (including any extensions or renewals) 14 15 shall not exceed a maximum period of time (as established by the State). 16

17 "(B) Under the process established under a law de-18 scribed in subparagraph (A)—

19 "(i) court fees shall be waived or reduced; and 20 "(ii) any court forms or filings related to the 21 process are easy enough to understand that a non-22 parent caretaker who has taken responsibility for 23 caring for the child in the absence of the child's par-24 ents could reasonably complete such forms or filings 25 without legal assistance.". (c) EFFECTIVE DATE.—The amendments made by
 this section shall take effect on the first day of the first
 fiscal year that begins after the date of enactment of this
 Act.

5 SEC. 6. GUIDANCE.

6 (a) GUIDANCE TO STATES ON ENSURING AWARE-NESS OF CHILD WELFARE SYSTEM AMONG KINSHIP 7 8 CAREGIVERS.—Not later than the first day of the first fis-9 cal year that begins after the date of enactment of this 10 Act, the Secretary of Health and Human Services shall issue guidance to States on ways to ensure that kinship 11 12 caregivers who receive assistance under a State program 13 funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) or any other State program fund-14 15 ed with qualified State expenditures (as defined in section 409(a)(7)(B)(i) of such Act (42 U.S.C. 609(a)(7)(B)(i))) 16 17 are—

(1) provided with information about any appropriate assistance and services available to them through the child welfare system of the State, including eligibility for foster care licensure and pathways to guardianship assitance programs or adoption subsidies, and how to access such assistance and services; and (2) referred to any kinship navigator program
 operated by the State.

3 (b) Guidance on Coordinating Assistance for 4 CAREGIVERS.—Not later than the first day of the first fiscal year that begins after the date of enactment of this 5 Act, the Secretary of Health and Human Services shall 6 7 issue guidance for States identifying options for State pro-8 grams, including programs funded under title IV of the 9 Social Security Act (42 U.S.C. 601 et seq.), programs 10 funded under the Older Americans Act of 1965 (42 U.S.C. 11 3001 et seq.), and other relevant programs that are jointly 12 funded or administered by States and the Federal Govern-13 ment, to collaborate, coordinate, and streamline outreach to, and processing of applications of assistance, for grand-14 15 parents and older relative caregivers or kinship caregivers caring for grandchildren and other relative children resid-16 ing with them. 17

18 SEC. 7. STATE SUPPORT PLANS FOR GRANDPARENTS CAR-

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ING FOR GRANDCHILDREN.

(a) IN GENERAL.—Not later than the first day of the
first fiscal year that begins after the date of enactment
of this Act, from amounts appropriated to carry out this
section, the Secretary of Health and Human Services shall
award grants to States for purposes of developing State

support plans for grandparents caring for grandchildren and other relatives caring for relative children.

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3 (b) REQUIREMENTS.—A State support plan for
4 grandparents caring for grandchildren and other relatives
5 caring for relative children that is funded by a grant under
6 this section shall include the following:

7 (1) An initial assessment of the state of grand8 parents caring for grandchildren and other relatives
9 caring for relative children in the State.

10 (2) A plan for how appropriate State agencies 11 can collaborate in their efforts to provide financial 12 support, housing services, and other services and 13 supports to grandparents caring for grandchildren 14 and other relatives caring for relative children.

(3) Steps that the State proposes to take over
the next 5 years to ensure that grandparents caring
for grandchildren and other relatives caring for relative children have necessary resources.

(4) A plan to simplify or combine application
requirements for State public assistance programs to
reduce administrative burdens on recipients, with a
focus on families consisting of grandparents or other
older caretaker relatives raising relative children.

(c) AUTHORIZATION OF APPROPRIATIONS.—There
 are authorized to be appropriated \$10,000,000 to carry
 out this section.

4 SEC. 8. NATIONAL TECHNICAL ASSISTANCE CENTER ON 5 GRANDFAMILIES.

6 (a) IN GENERAL.—Not later than the first day of the 7 first fiscal year that begins after the date of enactment 8 of this Act, the Administrator of the Administration for 9 Community Living shall establish a National Technical 10 Assistance Center on Grandfamilies (in this section re-11 ferred to as the "Center") to conduct the activities de-12 scribed in subsection (b).

13 (b) ACTIVITIES OF CENTER.—The Center—

(1) shall engage experienced experts to identify
model practices or programs, related to health, nutrition, housing, and other related issues, to help
serve children, parents, and caregivers in
grandfamilies;

(2) may develop guidelines for States to encourage best practices to support grandfamilies impacted
by parental substance use, including ways to help
caregivers meet children's health, development, and
wellbeing needs (including promotion of safe sleep
practices), support birth parents' access, engagement, and success in treatment, support birth par-

ents' formation of a healthy attachment with their
 children, and promote positive parenting (including
 co-parenting support) skills for both relative care givers and birthparents; and

5 (3) may facilitate learning across States and 6 provide technical assistance and resources to individ-7 uals and entities that directly work with all 3 gen-8 erations in grandfamilies.

9 (c) AUTHORIZATION OF APPROPRIATIONS.—There 10 are authorized to be appropriated \$5,000,000 to carry out 11 this section.