

116TH CONGRESS  
2D SESSION

# S. 3660

To provide emergency funding for caseworkers and child protective services.

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## IN THE SENATE OF THE UNITED STATES

MAY 7, 2020

Mr. CASEY (for himself, Mr. JONES, Mr. WYDEN, Ms. HARRIS, Mr. KAINE, and Mr. BROWN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To provide emergency funding for caseworkers and child protective services.

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 “Emergency Funding  
5 for Child Protection Act”.

6 **SEC. 2. ADDITIONAL AMOUNTS FOR THE STATE GRANT**  
7 **PROGRAM FOR CHILD ABUSE OR NEGLECT**  
8 **PREVENTION AND TREATMENT PROGRAMS.**

9 (a) APPROPRIATION.—There are hereby appropriated  
10 to the Secretary of Health and Human Services (referred

1 to in this title as the “Secretary”), out of amounts in the  
 2 Treasury not otherwise appropriated, \$500,000,000 for  
 3 fiscal year 2020, for the purpose of providing additional  
 4 funding for the State grant program under section 106  
 5 of the Child Abuse Prevention and Treatment Act (42  
 6 U.S.C. 5106a), in accordance with this section. Such  
 7 amounts shall be in addition to other amounts made avail-  
 8 able for such purpose, and shall remain available until ex-  
 9 pended.

10 (b) EMERGENCY DESIGNATION.—

11 (1) IN GENERAL.—The amounts provided by  
 12 this section are designated as an emergency require-  
 13 ment pursuant to section 4(g) of the Statutory Pay-  
 14 As-You-Go Act of 2010 (2 U.S.C. 933(g)).

15 (2) DESIGNATION IN SENATE.—In the Senate,  
 16 this section is designated as an emergency require-  
 17 ment pursuant to section 4112(a) of H. Con. Res.  
 18 71 (115th Congress), the concurrent resolution on  
 19 the budget for fiscal year 2018.

20 (c) ALLOTMENTS.—As soon as practicable, but not  
 21 later than 30 days after the date of enactment of this Act,  
 22 the Secretary shall make allotments out of the amounts  
 23 appropriated under subsection (a) to each State and terri-  
 24 tory receiving an allotment under section 106(f) of the  
 25 Child Abuse Prevention and Treatment Act (42 U.S.C.

1 5106a(f)) for fiscal year 2019, in the same manner that  
 2 amounts appropriated under section 112 of such Act (42  
 3 U.S.C. 5106f)) are allotted to States in accordance with  
 4 section 106(f)(2) of such Act, except that, in allotting  
 5 amounts under this subsection, “\$50,000” shall be  
 6 deemed to be “\$1,000,000” each place such amount ap-  
 7 pears in such section 106(f)(2).

8 (d) USE OF FUNDS.—Amounts received by a State  
 9 or territory under subsection (c) may be used, consistent  
 10 with section 106 of the Child Abuse Prevention and Treat-  
 11 ment Act, to—

12 (1) expand the ability of caseworkers to conduct  
 13 safe, remote and in-person, homes visits and family  
 14 visits to investigate and treat child abuse and ne-  
 15 glect, which may include—

16 (A) purchasing personal protective equip-  
 17 ment for caseworkers and families, such as  
 18 gloves, hand sanitizer, and face masks;

19 (B) providing premium pay for case-  
 20 workers conducting in-home visits;

21 (C) purchasing new technology and updat-  
 22 ing or improving existing technology infrastruc-  
 23 ture for child welfare agencies;

1 (D) purchasing technology, including inter-  
2 net access, and prepaid telephone minutes for  
3 families; and

4 (E) training on the use of such technology  
5 for caseworkers, families, and child welfare  
6 agencies;

7 (2) operating and expanding the national hot-  
8 line, including by publicizing such helpline, hiring  
9 more staff, and increasing hours of operation;

10 (3) access mental health consultation and serv-  
11 ices, including with infant-early childhood mental  
12 health providers, to train and support caseworkers in  
13 the impacts of disasters and traumatic experience  
14 for children (including very young children), youth,  
15 and adults, to help caseworkers provide trauma-in-  
16 formed services;

17 (4) enhance the ability of caseworkers to con-  
18 nect families with, or facilitate access to, other serv-  
19 ices, such as telebehavioral health care, in-person  
20 well-child visits with pediatricians, substance abuse  
21 treatment, and early intervention and special edu-  
22 cation services under the Individuals with Disabil-  
23 ities Education Act (20 U.S.C. 1400 et seq.) for  
24 young children with developmental delays and dis-  
25 abilities;

1           (5) address the needs, including mental health  
2           needs, of lesbian, gay, bisexual, transgender, and  
3           queer youth who are suspected victims of child abuse  
4           or neglect;

5           (6) purchase emergency supplies for families  
6           caring for children under protective services super-  
7           vision (either at home, in kinship care, or in foster  
8           care) and not able to afford them, which may in-  
9           clude cleaning and sanitizing supplies, diapers, hy-  
10          giene products, formula for infants and toddlers,  
11          and reusable cloth face coverings that are consistent  
12          with the guidelines of the Centers for Disease Con-  
13          trol and Prevention for preventing the spread of  
14          COVID–19 among the general public;

15          (7) provide support, including assistance pay-  
16          ments and access to legal representation, as needed,  
17          to relatives or fictive kin to care for children whose  
18          parents are diagnosed with COVID–19 until the par-  
19          ents are recovered, in lieu of placing such children  
20          in foster care; and

21          (8) carry out such other activities that enhance  
22          the ability of the State or territory to protect chil-  
23          dren and support families during the COVID–19  
24          pandemic.

1 (e) NO STATE MATCH REQUIRED.—A State or terri-  
 2 tory shall not be required to provide any additional fund-  
 3 ing for the State program under section 106 of the Child  
 4 Abuse Prevention and Treatment Act as a condition for  
 5 receiving an allocation under subsection (c).

6 (f) REPORTS.—Each State or territory receiving an  
 7 allotment under this section shall submit to the Secretary,  
 8 every 6 months until the amount so allotted has been fully  
 9 expended, a report detailing how such State or territory  
 10 is using such allotment in accordance with the require-  
 11 ments of this section.

12 **SEC. 3. ADDITIONAL AMOUNTS FOR COMMUNITY-BASED**  
 13 **GRANTS FOR THE PREVENTION OF CHILD**  
 14 **ABUSE AND NEGLECT.**

15 (a) APPROPRIATION.—There are hereby appropriated  
 16 to the Secretary, out of amounts in the Treasury not oth-  
 17 erwise appropriated, \$1,000,000,000 for fiscal year 2020,  
 18 for the purpose of providing additional funding for the  
 19 community-based grants for the prevention of child abuse  
 20 and neglect under title II of the Child Abuse Prevention  
 21 and Treatment Act (42 U.S.C. 5116 et seq.), in accord-  
 22 ance with this section. Such amounts shall be in addition  
 23 to other amounts made available for such purpose, and  
 24 shall remain available until expended.

25 (b) EMERGENCY DESIGNATION.—

1           (1) IN GENERAL.—The amounts provided by  
 2           this section are designated as an emergency require-  
 3           ment pursuant to section 4(g) of the Statutory Pay-  
 4           As-You-Go Act of 2010 (2 U.S.C. 933(g)).

5           (2) DESIGNATION IN SENATE.—In the Senate,  
 6           this section is designated as an emergency require-  
 7           ment pursuant to section 4112(a) of H. Con. Res.  
 8           71 (115th Congress), the concurrent resolution on  
 9           the budget for fiscal year 2018.

10          (c) ALLOTMENTS.—As soon as practicable, but not  
 11         later than 30 days after the date of enactment of this Act,  
 12         the Secretary shall make allotments out of the amounts  
 13         appropriated under subsection (a) to each State receiving  
 14         an allotment under section 203 of the Child Abuse Preven-  
 15         tion and Treatment Act (42 U.S.C. 5116b) for fiscal year  
 16         2019, in the same manner that amounts appropriated  
 17         under section 209 of such Act (42 U.S.C. 5116i) are allot-  
 18         ted to States in accordance with section 203 of such Act,  
 19         except that, in allotting amounts under this subsection—

20                 (1) in subsection (a) of such section 203, “1  
 21                 percent” shall be deemed to be “5 percent”;

22                 (2) in subsection (b)(1)(A) of such section  
 23                 203—

24                         (A) “70 percent” shall be deemed to be  
 25                         “100 percent”; and

1 (B) “\$175,000” shall be deemed to be  
2 “\$1,000,000”; and

3 (3) subsections (b)(1)(B) and (c) of such sec-  
4 tion 203 shall not apply.

5 (d) USE OF FUNDS.—Amounts received by a State  
6 under subsection (c) may be used, consistent with title II  
7 of the Child Abuse Prevention and Treatment Act, to—

8 (1) provide services and supports to help fami-  
9 lies build protective factors linked to the prevention  
10 of child abuse and neglect;

11 (2) purchase emergency supplies and basic ne-  
12 cessities for families, which may include diapers and  
13 infant hygiene products, formula, non-perishable  
14 food, water, soap, hand sanitizer, and reusable cloth  
15 face coverings that are consistent with the guidelines  
16 of the Centers for Disease Control and Prevention  
17 for preventing the spread of COVID–19 among the  
18 general public;

19 (3) maximize the participation of racial and  
20 ethnic minorities, children and adults with disabil-  
21 ities, families experiencing domestic violence, fami-  
22 lies experiencing homelessness and those at risk of  
23 homelessness, families with low-incomes and families  
24 with caregivers recently unemployed, lesbian, gay, bi-  
25 sexual, transgender, and queer youth, and young

1 parents in community-based and prevention-focused  
2 programs designed to strengthen and support fami-  
3 lies to prevent child abuse and neglect;

4 (4) bolster the efforts of the State hotlines by  
5 publicizing such hotlines, hiring more staff, and in-  
6 creasing hours of operation;

7 (5) establish satellite locations and mobile units  
8 for community-based nonprofit organizations and  
9 family resource centers so families can access re-  
10 sources and services in a safe manner;

11 (6) hire, and provide premium pay to, social  
12 program navigators, parent coaches, and home visi-  
13 tors to reach more families;

14 (7) purchase technology, including internet ac-  
15 cess, for staff and families to support the prevention  
16 of child abuse and neglect, and train staff and fami-  
17 lies to facilitate usage of such technology;

18 (8) develop and distribute parenting tip sheets  
19 and guides for families that address topics that may  
20 include—

21 (A) children's responses to trauma caused  
22 by the COVID-19 pandemic;

23 (B) adult self-care and stress management;

24 (C) familial conflict resolution and de-esca-  
25 lation;

1 (D) maintaining healthy attachments be-  
2 tween caregivers and children, and where ap-  
3 propriate, birth parents;

4 (E) understanding the intersection of trau-  
5 ma with childhood development; and

6 (F) other tips and advice pertinent to  
7 maintaining child and parent well-being during  
8 the COVID–19 pandemic;

9 (9) access mental health services, including in-  
10 fant-early childhood mental health services, through  
11 mental health consultants to train and support staff  
12 around the impacts of the COVID–19 pandemic,  
13 about the intersection of trauma with childhood de-  
14 velopment, and establish or support local trauma re-  
15 sponse teams and the procedures to connect via re-  
16 mote technology;

17 (10) assist community-based organizations op-  
18 erating programs and activities designed to strength-  
19 en and support families to prevent child abuse and  
20 neglect with operating costs to ensure that such or-  
21 ganizations can continue providing services during  
22 the COVID–19 pandemic; and

23 (11) carry out other programs, services, and ac-  
24 tivities that strengthen families and prevent child  
25 abuse and neglect.

1       (e) NO STATE MATCH REQUIRED.—Notwithstanding  
2 section 204(4) of the Child Abuse Prevention and Treat-  
3 ment Act (42 U.S.C. 5116d(4)), a State shall not be re-  
4 quired to provide any additional funding for the program  
5 under title II of the Child Abuse Prevention and Treat-  
6 ment Act (42 U.S.C. 5116 et seq.) as a condition for re-  
7 ceiving an allocation under subsection (c).

8       (f) REPORTS.—Each State receiving an allotment  
9 under this section shall submit to the Secretary, every 6  
10 months until the amount so allotted has been fully ex-  
11 pended, a report detailing how such State is using such  
12 allotment in accordance with the requirements of this sec-  
13 tion.

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