

Legislative Update

Several child welfare related bills seemingly are in the early stages of the legislative process and appear to not yet be garnering a groundswell of support:



Medicaid Continuity for Children in Foster Care Act (S. 2689) was filed by Sen. Richard Burr (North Carolina) on August 10, 2021.

The bill would clarify existing law to ensure that the care provided for certain foster children in need of higher levels of care are covered by Medicaid. The bill has 4 co-sponsors: Sen. Dianne Feinstein [D-CA] original co-sponsor, Sen. Todd Young [R-IN] signed on September 20, 2021, Sen Alejandro "Alex" Padilla [D-CA] signed on September 20, 2021, and Sen. Marco Rubio [R-FL] signed on September 2021. The bill was assigned to the Finance Committee.[]

[Note: Unless the bill is passed, QRTPs with more than 16 beds will be subject to the IMD (Institute for Mental Disease) exclusion that prohibits payments to a hospital, nursing facility or other institution with more than 16 beds that primarily provides care for people with mental health conditions.

According to Skopos Labs, there is a 1% chance of being enacted.

<https://www.govtrack.us/congress/bills/117/s2689>

Protecting Siblings Relationships in Foster Care Act (H.R. 4378) was filed by Rep. Don Bacon on July 9, 2021

The bill is a competitive grant pilot program to encourage the development of specialized foster care programs designed specifically for large sibling groups, sibling groups with a wide age range, and sibling groups with complex needs.

The bill has 3 original co-sponsors and an additional co-sponsor added on July 13, 2021. Co-sponsors include: Rep. Karen Bass [D-CA], Rep. James R. Langevin [D-RI], Rep. Brenda Lawrence [D-MI], and Rep. Markwayne Millin [R-OK]

<https://www.congress.gov/bill/117th-congress/house-bill/4378?s=1&r=15>

Foster Care Stabilization Act (H.R. 4299) was filed by Rep Don Bacon on July 1, 2021.

The bill directs the Secretary of Health and Human Services to establish a demonstration grant program to provide emergency relief to foster youth and improve pre-placement services offered by foster care stabilization agencies, and for other purposes.

The bill has 3 original co-sponsors: Rep. Karen Bass [D-CA], Rep. James R. Langevin [D-RI], and Rep. Markwayne Mullin [R-OK]

<https://www.govtrack.us/congress/bills/117/hr4299>

Tribal Family Fairness Act (H.R. 4348) –

The bill was filed by Rep. Karen Bass on July 2, 2021. The purpose is to remove administrative barriers to participation of Indian tribes in Federal Child Welfare programs, and increase funding for tribal child welfare programs, and for other purposes.

Co-sponsors include: Rep. Sharice Davids [D-KS 07/02/21], Rep. G.K. Butterfield [D-NC 07-19-21], Rep. Liz Cheney [R-WY 07-19-21], Rep. Pete Aguilar [D-CA 07/12/21], Rep. Ken Calvert [R-CA 07/19/21], Rep. Angie Craig [D-MN 07/19//21], Rep. Charlie Crist [D-FL].

<https://www.congress.gov/bill/117th-congress/house-bill/4348/committees?q=%7B%22search%22%3A%5B%22To+remove+administrative+barriers+to+participation+of+Indian+tribes+in+Federal+child+welfare+programs%2C+and+increase+Federal+funding+for+tribal+child+welfare+programs%2C+and+for+other+purposes.%22%5D%7D&r=1&s=2>

Accountability for Congregate Care Act

Last month, Rep. Ro Khanna [D-CA] announced at a press conference with Paris Hilton his intent to craft legislation entitled the Accountability for Congregate Care Act. Rep. Adam Schiff also spoke in favor of the legislation. Reportedly, Sen. Jeff Merkley [D-OR] has indicated he will sponsor the legislation in the Senate.

Reportedly, the intended legislation would identify a bill of rights for residents including protections against solitary confinement, chemical and physical restraints, alienation from their peers, and the right to call friends and family. Reportedly, the legislation will include minimum standards of care and treatment that facilities will have to meet.

To my knowledge, nothing yet has been officially filed in either the House or Senate.

December 13-30, 2021 Home State Work Period

As legislators work from their home states during December, it serves as an opportune time to reach out to thank them for the services they provide. It always serves our membership well to have an on-going favorable working relationship with the legislators and their staff who represent us in Congress.

For that matter, it might also serve as an opportune time to calendar visits with legislative staff to visit your facility during the first quarter of 2022. It is critically important that there be open communication with those who represent and serve us in Congress.