

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2834
OFFERED BY MR. BRADY OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Partnership Grants
3 to Strengthen Families Affected by Substance Abuse Act”.

**4 SEC. 2. ENHANCEMENTS TO GRANTS TO IMPROVE WELL-
5 BEING OF FAMILIES AFFECTED BY SUB-
6 STANCE ABUSE.**

7 Section 437(f) of the Social Security Act (42 U.S.C.
8 629g(f)) is amended—

9 (1) in the subsection heading, by striking “IN-
10 CREASE THE WELL-BEING OF, AND TO IMPROVE
11 THE PERMANENCY OUTCOMES FOR, CHILDREN AF-
12 FECTED BY” and inserting “IMPLEMENT IV–E PRE-
13 VENTION SERVICES, AND IMPROVE THE WELL-
14 BEING OF, AND IMPROVE PERMANENCY OUTCOMES
15 FOR, CHILDREN AND FAMILIES AFFECTED BY HER-
16 OIN, OPIOIDS, AND OTHER”;

17 (2) by striking paragraph (2) and inserting the
18 following:

1 “(2) REGIONAL PARTNERSHIP DEFINED.—In
2 this subsection, the term ‘regional partnership’
3 means a collaborative agreement (which may be es-
4 tablished on an interstate, State, or intrastate basis)
5 entered into by the following:

6 “(A) MANDATORY PARTNERS FOR ALL
7 PARTNERSHIP GRANTS.—

8 “(i) The State child welfare agency
9 that is responsible for the administration
10 of the State plan under this part and part
11 E.

12 “(ii) The State agency responsible for
13 administering the substance abuse preven-
14 tion and treatment block grant provided
15 under subpart II of part B of title XIX of
16 the Public Health Service Act.

17 “(B) MANDATORY PARTNERS FOR PART-
18 NERSHIP GRANTS PROPOSING TO SERVE CHIL-
19 DREN IN OUT-OF-HOME PLACEMENTS.—If the
20 partnership proposes to serve children in out-of-
21 home placements, the Juvenile Court or Admin-
22 istrative Office of the Court that is most appro-
23 priate to oversee the administration of court
24 programs in the region to address the popu-

1 lation of families who come to the attention of
2 the court due to child abuse or neglect.

3 “(C) OPTIONAL PARTNERS.—At the option
4 of the partnership, any of the following:

5 “(i) An Indian tribe or tribal consor-
6 tium.

7 “(ii) Nonprofit child welfare service
8 providers.

9 “(iii) For-profit child welfare service
10 providers.

11 “(iv) Community health service pro-
12 viders, including substance abuse treat-
13 ment providers.

14 “(v) Community mental health pro-
15 viders.

16 “(vi) Local law enforcement agencies.

17 “(vii) School personnel.

18 “(viii) Tribal child welfare agencies
19 (or a consortia of the agencies).

20 “(ix) Any other providers, agencies,
21 personnel, officials, or entities that are re-
22 lated to the provision of child and family
23 services under a State plan approved under
24 this subpart.

1 “(D) EXCEPTION FOR REGIONAL PART-
2 NERSHIPS WHERE THE LEAD APPLICANT IS AN
3 INDIAN TRIBE OR TRIBAL CONSORTIA.—If an
4 Indian tribe or tribal consortium enters into a
5 regional partnership for purposes of this sub-
6 section, the Indian tribe or tribal consortium—

7 “(i) may (but is not required to) in-
8 clude the State child welfare agency as a
9 partner in the collaborative agreement;

10 “(ii) may not enter into a collabo-
11 rative agreement only with tribal child wel-
12 fare agencies (or a consortium of the agen-
13 cies); and

14 “(iii) if the condition described in
15 paragraph (2)(B) applies, may include
16 tribal court organizations in lieu of other
17 judicial partners.”;

18 (3) in paragraph (3)—

19 (A) in subparagraph (A)—

20 (i) by striking “2012 through 2016”
21 and inserting “2017 through 2021”; and

22 (ii) by striking “\$500,000 and not
23 more than \$1,000,000” and inserting
24 “\$250,000 and not more than
25 \$1,000,000”;

1 (B) in subparagraph (B)—

2 (i) in the subparagraph heading, by
3 inserting “; PLANNING” after “APPROVAL”;

4 (ii) in clause (i), by striking “clause
5 (ii)” and inserting “clauses (ii) and (iii)”;
6 and

7 (iii) by adding at the end the fol-
8 lowing:

9 “(iii) SUFFICIENT PLANNING.—A
10 grant awarded under this subsection shall
11 be disbursed in two phases: a planning
12 phase (not to exceed 2 years) and an im-
13 plementation phase. The total disburse-
14 ment to a grantee for the planning phase
15 may not exceed \$250,000, and may not ex-
16 ceed the total anticipated funding for the
17 implementation phase.”; and

18 (C) by adding at the end the following:

19 “(D) LIMITATION ON PAYMENT FOR A FIS-
20 CAL YEAR.—No payment shall be made under
21 subparagraph (A) or (C) for a fiscal year until
22 the Secretary determines that the eligible part-
23 nership has made sufficient progress in meeting
24 the goals of the grant and that the members of
25 the eligible partnership are coordinating to a

1 reasonable degree with the other members of
2 the eligible partnership.”;

3 (4) in paragraph (4)—

4 (A) in subparagraph (B)—

5 (i) in clause (i), by inserting “, par-
6 ents, and families” after “children”;

7 (ii) in clause (ii), by striking “safety
8 and permanence for such children; and”
9 and inserting “safe, permanent caregiving
10 relationships for the children;”;

11 (iii) in clause (iii), by striking “or”
12 and inserting “increase reunification rates
13 for children who have been placed in out-
14 of-home care, or decrease”; and

15 (iv) by redesignating clause (iii) as
16 clause (v) and inserting after clause (ii)
17 the following:

18 “(iii) improve the substance abuse
19 treatment outcomes for parents including
20 retention in treatment and successful com-
21 pletion of treatment;

22 “(iv) facilitate the implementation, de-
23 livery, and effectiveness of prevention serv-
24 ices and programs under section 471(e);
25 and”;

1 (B) in subparagraph (D), by striking
2 “where appropriate,”; and

3 (C) by striking subparagraphs (E) and (F)
4 and inserting the following:

5 “(E) A description of a plan for sustaining
6 the services provided by or activities funded
7 under the grant after the conclusion of the
8 grant period, including through the use of pre-
9 vention services and programs under section
10 471(e) and other funds provided to the State
11 for child welfare and substance abuse preven-
12 tion and treatment services.

13 “(F) Additional information needed by the
14 Secretary to determine that the proposed activi-
15 ties and implementation will be consistent with
16 research or evaluations showing which practices
17 and approaches are most effective.”;

18 (5) in paragraph (5)(A), by striking “abuse
19 treatment” and inserting “use disorder treatment in-
20 cluding medication assisted treatment and in-home
21 substance abuse disorder treatment and recovery”;

22 (6) in paragraph (7)—

23 (A) by striking “and” at the end of sub-
24 paragraph (C); and

1 (B) by redesignating subparagraph (D) as
2 subparagraph (E) and inserting after subpara-
3 graph (C) the following:

4 “(D) demonstrate a track record of suc-
5 cessful collaboration among child welfare, sub-
6 stance abuse disorder treatment and mental
7 health agencies; and”;

8 (7) in paragraph (8)—

9 (A) in subparagraph (A)—

10 (i) by striking “establish indicators
11 that will be” and inserting “review indica-
12 tors that are”; and

13 (ii) by striking “in using funds made
14 available under such grants to achieve the
15 purpose of this subsection” and inserting
16 “and establish a set of core indicators re-
17 lated to child safety, parental recovery,
18 parenting capacity, and family well-being.
19 In developing the core indicators, to the
20 extent possible, indicators shall be made
21 consistent with the outcome measures de-
22 scribed in section 471(e)(6)”; and

23 (B) in subparagraph (B)—

24 (i) in the matter preceding clause (i),
25 by inserting “base the performance meas-

1 ures on lessons learned from prior rounds
2 of regional partnership grants under this
3 subsection, and” before “consult”; and

4 (ii) by striking clauses (iii) and (iv)
5 and inserting the following:

6 “(iii) Other stakeholders or constitu-
7 encies as determined by the Secretary.”;

8 (8) in paragraph (9)(A), by striking clause (i)
9 and inserting the following:

10 “(i) SEMIANNUAL REPORTS.—Not
11 later than September 30 of each fiscal year
12 in which a recipient of a grant under this
13 subsection is paid funds under the grant,
14 and every 6 months thereafter, the grant
15 recipient shall submit to the Secretary a
16 report on the services provided and activi-
17 ties carried out during the reporting pe-
18 riod, progress made in achieving the goals
19 of the program, the number of children,
20 adults, and families receiving services, and
21 such additional information as the Sec-
22 retary determines is necessary. The report
23 due not later than September 30 of the
24 last such fiscal year shall include, at a
25 minimum, data on each of the performance

1 indicators included in the evaluation of the
2 regional partnership.”; and

3 (9) in paragraph (10), by striking “2012
4 through 2016” and inserting “2017 through 2021”.

5 **SEC. 3. EFFECTIVE DATE.**

6 (a) IN GENERAL.—Subject to subsection (b), the
7 amendments made by this Act shall take effect on October
8 1, 2017.

9 (b) TRANSITION RULE.—

10 (1) IN GENERAL.—In the case of a State plan
11 under part B of title IV of the Social Security Act
12 which the Secretary of Health and Human Services
13 determines requires State legislation (other than leg-
14 islation appropriating funds) in order for the plan to
15 meet the additional requirements imposed by the
16 amendments made by this Act, the State plan shall
17 not be regarded as failing to comply with the re-
18 quirements of such part solely on the basis of the
19 failure of the plan to meet such additional require-
20 ments before the first day of the first calendar quar-
21 ter beginning after the close of the first regular ses-
22 sion of the State legislature that begins after the
23 date of enactment of this Act. For purposes of the
24 previous sentence, in the case of a State that has a
25 2-year legislative session, each year of the session

1 shall be deemed to be a separate regular session of
2 the State legislature.

3 (2) APPLICATION TO PROGRAMS OPERATED BY
4 INDIAN TRIBAL ORGANIZATIONS.—In the case of an
5 Indian tribe, tribal organization, or tribal consortium
6 which the Secretary of Health and Human Services
7 determines requires time to take action necessary to
8 comply with the additional requirements imposed by
9 the amendments made by this Act (whether the
10 tribe, organization, or tribal consortium has a plan
11 under section 479B of the Social Security Act or a
12 cooperative agreement or contract entered into with
13 a State), the Secretary shall provide the tribe, orga-
14 nization, or tribal consortium with such additional
15 time as the Secretary determines is necessary for the
16 tribe, organization, or tribal consortium to take the
17 action to comply with the additional requirements
18 before being regarded as failing to comply with the
19 requirements.

