

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2857
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 “Supporting Families
3 Participating in Substance Abuse Treatment Act”.

**4 SEC. 2. FOSTER CARE MAINTENANCE PAYMENTS FOR CHIL-
5 DREN WITH PARENTS IN A LICENSED RESI-
6 DENTIAL FAMILY-BASED TREATMENT FACIL-
7 ITY FOR SUBSTANCE ABUSE.**

8 (a) IN GENERAL.—Section 472 of the Social Security
9 Act (42 U.S.C. 672) is amended—

10 (1) in subsection (a)(2)(C), by striking “or”
11 and inserting “, with a parent residing in a licensed
12 residential family-based treatment facility, but only
13 to the extent permitted under subsection (j), or in
14 a”; and

15 (2) by adding at the end the following:

16 “(j) CHILDREN PLACED WITH A PARENT RESIDING
17 IN A LICENSED RESIDENTIAL FAMILY-BASED TREAT-
18 MENT FACILITY FOR SUBSTANCE ABUSE.—

1 “(1) IN GENERAL.—Notwithstanding the pre-
2 ceding provisions of this section, a child who is eligi-
3 ble for foster care maintenance payments under this
4 section, or who would be eligible for the payments if
5 the eligibility were determined without regard to
6 paragraphs (1)(B) and (3) of subsection (a), shall be
7 eligible for the payments for a period of not more
8 than 12 months during which the child is placed
9 with a parent who is in a licensed residential family-
10 based treatment facility for substance abuse, but
11 only if—

12 “(A) the recommendation for the place-
13 ment is specified in the child’s case plan before
14 the placement;

15 “(B) the treatment facility provides, as
16 part of the treatment for substance abuse, par-
17 enting skills training, parent education, and in-
18 dividual and family counseling; and

19 “(C) the substance abuse treatment, par-
20 enting skills training, parent education, and in-
21 dividual and family counseling is provided
22 under an organizational structure and treat-
23 ment framework that involves understanding,
24 recognizing, and responding to the effects of all
25 types of trauma and in accordance with recog-

1 nized principles of a trauma-informed approach
2 and trauma-specific interventions to address the
3 consequences of trauma and facilitate healing.

4 “(2) APPLICATION.—With respect to children
5 for whom foster care maintenance payments are
6 made under paragraph (1), only the children who
7 satisfy the requirements of paragraphs (1)(B) and
8 (3) of subsection (a) shall be considered to be chil-
9 dren with respect to whom foster care maintenance
10 payments are made under this section for purposes
11 of subsection (h) or section 473(b)(3)(B).”.

12 (b) CONFORMING AMENDMENT.—Section 474(a)(1)
13 of such Act (42 U.S.C. 674(a)(1)) is amended by inserting
14 “subject to section 472(j),” before “an amount equal to
15 the Federal” the first place it appears.

16 **SEC. 3. EFFECTIVE DATE.**

17 (a) EFFECTIVE DATES.—Subject to subsection (b),
18 the amendments made by this Act shall take effect on Oc-
19 tober 1, 2017.

20 (b) TRANSITION RULE.—

21 (1) IN GENERAL.—In the case of a State plan
22 under part E of title IV of the Social Security Act
23 which the Secretary of Health and Human Services
24 determines requires State legislation (other than leg-
25 islation appropriating funds) in order for the plan to

1 meet the additional requirements imposed by the
2 amendments made by this Act, the State plan shall
3 not be regarded as failing to comply with the re-
4 quirements of such part solely on the basis of the
5 failure of the plan to meet such additional require-
6 ments before the first day of the first calendar quar-
7 ter beginning after the close of the first regular ses-
8 sion of the State legislature that begins after the
9 date of enactment of this Act. For purposes of the
10 previous sentence, in the case of a State that has a
11 2-year legislative session, each year of the session
12 shall be deemed to be a separate regular session of
13 the State legislature.

14 (2) APPLICATION TO PROGRAMS OPERATED BY
15 INDIAN TRIBAL ORGANIZATIONS.—In the case of an
16 Indian tribe, tribal organization, or tribal consortium
17 which the Secretary of Health and Human Services
18 determines requires time to take action necessary to
19 comply with the additional requirements imposed by
20 the amendments made by this Act (whether the
21 tribe, organization, or tribal consortium has a plan
22 under section 479B of the Social Security Act or a
23 cooperative agreement or contract entered into with
24 a State), the Secretary shall provide the tribe, orga-
25 nization, or tribal consortium with such additional

1 time as the Secretary determines is necessary for the
2 tribe, organization, or tribal consortium to take the
3 action to comply with the additional requirements
4 before being regarded as failing to comply with the
5 requirements.

