

112TH CONGRESS  
1ST SESSION

# S. 961

To create the income security conditions and family supports needed to ensure permanency for the Nation’s unaccompanied youth, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 12, 2011

Mr. KERRY (for himself, Mrs. MURRAY, and Mr. BEGICH) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To create the income security conditions and family supports needed to ensure permanency for the Nation’s unaccompanied youth, and for other purposes.

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; ETC.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Reconnecting Youth to Prevent Homelessness Act of  
6 2011”.

7 (b) TABLE OF CONTENTS.—

Sec. 1. Short title; etc.

TITLE I—PREVENTION OF UNACCOMPANIED SITUATIONS AMONG  
CHILD WELFARE GROUPS

- Sec. 101. Curtailment of involuntary separation of children from their families.
- Sec. 102. GAO report on unaccompanied youth access to the child welfare system.
- Sec. 103. Discharge from child welfare system.
- Sec. 104. Demonstration project for improving permanency for youth in foster care.
- Sec. 105. Expansion of eligibility to participate in Good Neighbor Next Door program for foster care alumni.
- Sec. 106. Demonstration project for improving family relationships and reducing homelessness for LGBT youth.

#### TITLE II—EXTENSION OF CHILD WELFARE SERVICES TO OLDER YOUTH

- Sec. 201. Eligibility for foster care maintenance payments, adoption assistance payments, and kinship guardianship assistance through age 20.
- Sec. 202. Improvements to John H. Chafee Foster Care Independence Program.

#### TITLE III—YOUNG FAMILY CONCERNS

- Sec. 301. TANF State plan amendment.
- Sec. 302. Adult-supervised living arrangements.
- Sec. 303. Suspension of time limit for young adult parent involved in education or training.
- Sec. 304. Transitional compliance.
- Sec. 305. Sanction protections for minor parents.
- Sec. 306. Teen parent study and report.

#### TITLE IV—WORK OPPORTUNITIES

- Sec. 401. Inclusion of homeless youth as qualified population for Work Opportunity Credit.

#### TITLE V—SOCIAL SECURITY AND SUPPLEMENTAL SECURITY INCOME BENEFITS

- Sec. 501. Limitation on use of social security or supplemental security income benefits paid to representative payees on behalf of foster children for State costs.
- Sec. 502. Screening of foster children for eligibility for social security and supplemental security income benefits.
- Sec. 503. Notice to attorney or guardian ad litem for foster child of determination to pay social security or supplemental security income benefits to representative payee.
- Sec. 504. Management of social security and supplemental security income benefits for foster children.
- Sec. 505. Support and maintenance furnished in cash or in kind disregarded in determining income of foster children under the supplemental security income program.
- Sec. 506. Technical assistance for Child Welfare Agencies.
- Sec. 507. Effective dates.

1 **TITLE I—PREVENTION OF UNAC-**  
2 **COMPANIED SITUATIONS**  
3 **AMONG CHILD WELFARE**  
4 **GROUPS**

5 **SEC. 101. CURTAILMENT OF INVOLUNTARY SEPARATION OF**  
6 **CHILDREN FROM THEIR FAMILIES.**

7 Section 471(a) of the Social Security Act (42 U.S.C.  
8 671(a)) is amended—

9 (1) by striking “and” at the end of paragraph  
10 (26);

11 (2) by striking the period at the end of para-  
12 graph (27) and inserting “; and”; and

13 (3) by adding at the end the following:

14 “(28) provides that the State shall have in ef-  
15 fect such laws and procedures as are necessary to  
16 ensure that—

17 “(A) a child may not be placed in foster  
18 care under the responsibility of the State solely  
19 because the family with which the child is living  
20 is homeless (as defined in paragraph (2) of sec-  
21 tion 725 of the McKinney-Vento Homeless As-  
22 sistance Act (42 U.S.C. 11434a)) or living in  
23 substandard housing (as defined in section  
24 204(b)(11) of the National Housing Act) or a  
25 dwelling unit that is experiencing severe phys-

1           ical problems (as defined in subparagraph (F))  
2           of such section); and

3                   “(B) the State will work with the family  
4           and State housing authorities to secure perma-  
5           nent housing for any family that includes a  
6           minor child and is homeless or at risk of becom-  
7           ing homeless.”.

8 **SEC. 102. GAO REPORT ON UNACCOMPANIED YOUTH AC-**  
9                   **CESS TO THE CHILD WELFARE SYSTEM.**

10           Not later than 12 months after the date of enactment  
11 of this Act, the Comptroller General of the United States  
12 shall submit a report to the Committee on Ways and  
13 Means of the House of Representatives and the Committee  
14 on Finance of the Senate on the policies and practices of  
15 States regarding access to child welfare services (including  
16 services related to foster care and adoption) that are fi-  
17 nanced pursuant to part B or E of title IV of the Social  
18 Security Act (42 U.S.C. 601 et seq.) by children who have  
19 attained 13 years of age and that considers the use of  
20 runaway and homeless situations, as well as status as do-  
21 mestic minor victims of sex trafficking, as risk assessment  
22 factors for determining the appropriateness of placement  
23 in the child welfare system. Such report shall include—  
24                   (1) an inventory of such policies and practices;

1           (2) an assessment of the effectiveness of such  
2 policies and practices; and

3           (3) recommendations for such Federal or State  
4 legislation or administrative action as the Comp-  
5 troller General determines appropriate.

6 **SEC. 103. DISCHARGE FROM CHILD WELFARE SYSTEM.**

7           (a) STATE PLANS REQUIRED TO DESCRIBE STATE  
8 POLICIES AND PROCEDURES REGARDING RUNAWAY OR  
9 MISSING FOSTER CHILDREN.—Section 471(a) of the So-  
10 cial Security Act (42 U.S.C. 671(a)), as amended by sec-  
11 tion 101, is amended—

12           (1) by striking “and” at the end of paragraph  
13 (27);

14           (2) by striking the period at the end of para-  
15 graph (28) and inserting “; and”; and

16           (3) by adding at the end the following:

17           “(29) describes the written policies and proce-  
18 dures of the State that are designed to reduce the  
19 incidence of children missing or running away from  
20 foster care, and to locate and return such children  
21 to foster placements.”.

22           (b) JUDICIAL REVIEW OF PERMANENCY PLAN FOR  
23 CHILD LEAVING FOSTER CARE.—Section 475(5)(C) of  
24 such Act (42 U.S.C. 675(5)(C)) is amended—

1           (1) by striking “and (iii)” and inserting “(iii)”;  
2           and

3           (2) by inserting before the semicolon at the end  
4           the following: “; and (iv) procedural safeguards shall  
5           be applied to assure that the final permanency hear-  
6           ing regarding the transition of the child from foster  
7           care to a planned, permanent living arrangement or  
8           independent living is held in a family or juvenile  
9           court or another court (including a tribal court) of  
10          competent jurisdiction;”.

11          (c) REVIEW OF STEPS TAKEN TO ENSURE APPRO-  
12          PRIATE HOUSING FOR CHILDREN LEAVING FOSTER  
13          CARE.—Section 475(5)(C)(iii) of such Act (42 U.S.C.  
14          675(5)(C)(iii)) is amended by inserting “, and reviews all  
15          documentation of the efforts to secure a permanent living  
16          arrangement for the child upon emancipation from foster  
17          care” before “; and”.

18          (d) MODIFICATION OF CASE PLAN REQUIRE-  
19          MENTS.—Section 475(1)(D) of such Act (42 U.S.C.  
20          675(1)(D)) is amended to read as follows:

21                   “(D) Where appropriate, for a child who  
22                   has attained 14 years of age (and, at State op-  
23                   tion, any other child), a written description of  
24                   the programs and services that will facilitate  
25                   the transition of the child from foster care to

1 independent living, including age-appropriate  
2 adolescent health services, which include serv-  
3 ices to prevent pregnancy and sexually trans-  
4 mitted infections, as part of a general health  
5 plan, and a discussion of the appropriateness of  
6 the services that have been provided to the child  
7 under the plan. The plan for such child shall  
8 also include documentation of the steps the  
9 agency is taking to ensure a permanent place-  
10 ment with a family or other adult connection  
11 for the child, and a permanent living arrange-  
12 ment. In the case of a child who has attained  
13 17 years of age or with a permanency goal of  
14 emancipation, the plan shall include documenta-  
15 tion of the child's permanent living arrange-  
16 ment upon emancipation.”.

17 **SEC. 104. DEMONSTRATION PROJECT FOR IMPROVING PER-**  
18 **MANENCY FOR YOUTH IN FOSTER CARE.**

19 (a) ESTABLISHMENT.—The Secretary shall establish  
20 a demonstration project to develop multi-State working  
21 groups to conduct research and develop policy rec-  
22 ommendations for the support and enhancement of long-  
23 term permanency planning for children in foster care.

24 (b) DURATION AND SCOPE.—

1           (1) DURATION.—The Secretary shall conduct  
2 the demonstration project for a period of 5 years.

3           (2) SCOPE.—The Secretary shall designate not  
4 more than 5 working groups to participate in the  
5 demonstration project, with each working group to  
6 be established by and operated between 2 or more  
7 States.

8           (c) APPLICATION.—A group of 2 or more States that  
9 desires to participate in the demonstration project shall  
10 submit to the Secretary an application at such time, in  
11 such manner, and containing such information as the Sec-  
12 retary may require.

13          (d) RECOMMENDATIONS.—The recommendations de-  
14 veloped by a working group participating in the dem-  
15 onstration project shall include consideration of methods  
16 for improvement and enhancement in the following areas:

17           (1) The home study process for screening of  
18 prospective foster care parents, guardians, and adop-  
19 tive parents, including the development of a stand-  
20 ardized home study process.

21           (2) Visitation policies for children in foster care  
22 and their biological parents.

23           (3) Standardization of temporary or provisional  
24 licensing for foster care parents.



1           (4) Streamlining the application process for  
2 prospective foster care parents and reducing the  
3 length of time required for approval through the ap-  
4 plication process.

5           (5) Coordination of administrative processes,  
6 including the development of a standard data ex-  
7 change to allow for greater efficiency in the transfer  
8 of relevant data, information, and paperwork be-  
9 tween States, foster care agencies, and other rel-  
10 evant State agencies.

11           (6) Any other areas determined appropriate by  
12 the Secretary.

13           (e) AUTHORIZATION OF APPROPRIATIONS.—For the  
14 period of fiscal years 2012 through 2016, there is author-  
15 ized to be appropriated a total of \$50,000,000 to the Sec-  
16 retary to carry out the demonstration project under this  
17 section.

18           (f) DEFINITIONS.—In this section:

19           (1) DEMONSTRATION PROJECT.—The term  
20 “demonstration project” means the demonstration  
21 project conducted under this section.

22           (2) SECRETARY.—The term “Secretary” means  
23 the Secretary of Health and Human Services.

24           (3) STATE.—The term “State” means any of  
25 the 50 States or the District of Columbia.

1 **SEC. 105. EXPANSION OF ELIGIBILITY TO PARTICIPATE IN**  
2 **GOOD NEIGHBOR NEXT DOOR PROGRAM FOR**  
3 **FOSTER CARE ALUMNI.**

4 The Secretary of Housing and Urban Development  
5 shall revise subpart F of part 291 of its regulations (24  
6 C.F.R. 291) to provide that individuals who have been  
7 under the responsibility of the State foster care system  
8 but are no longer under the responsibility of the State due  
9 to having attained the age of majority, and who have at-  
10 tained a bachelor's degree or higher from an institution  
11 of higher education in the United States, qualify to pur-  
12 chase a home through the Good Neighbor Next Door Sales  
13 Program.

14 **SEC. 106. DEMONSTRATION PROJECT FOR IMPROVING**  
15 **FAMILY RELATIONSHIPS AND REDUCING**  
16 **HOMELESSNESS FOR LGBT YOUTH.**

17 (a) IN GENERAL.—The Secretary of Health and  
18 Human Services (referred to in this section as the “Sec-  
19 retary”) shall establish a demonstration project to develop  
20 programs that are focused on improving family relation-  
21 ships and reducing homelessness for lesbian, gay, bisexual,  
22 and transgender youth, including—

23 (1) research-based behavioral interventions that  
24 are designed to decrease rejecting behaviors and in-  
25 crease supportive behaviors in families with lesbian,  
26 gay, bisexual, or transgender youth in order to en-

1 sure that such youth maintain residence in their  
2 homes;

3 (2) research-based assessment tools to help  
4 identify lesbian, gay, bisexual, and transgender  
5 youth that are at risk for family conflict or ejection  
6 from their homes;

7 (3) research-based family educational tools and  
8 resources to help families learn about—

9 (A) behaviors that may place lesbian, gay,  
10 bisexual, or transgender youth at risk; and

11 (B) alternative behaviors that promote  
12 positive development for such youth; and

13 (4) multimedia educational tools and resources  
14 that are—

15 (A) based on research regarding supportive  
16 and rejecting behaviors in families with lesbian,  
17 gay, bisexual, and transgender youth; and

18 (B) focused on helping a diverse range of  
19 families understand how their words, actions,  
20 and behaviors affect the survival and well-being  
21 of lesbian, gay, bisexual, and transgender  
22 youth.

23 (b) DURATION.—The Secretary shall conduct the  
24 demonstration project for a period of 5 years.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
 2 authorized to be appropriated such sums as may be nec-  
 3 essary for purposes of carrying out the demonstration  
 4 project under this section.

5 **TITLE II—EXTENSION OF CHILD**  
 6 **WELFARE SERVICES TO**  
 7 **OLDER YOUTH**

8 **SEC. 201. ELIGIBILITY FOR FOSTER CARE MAINTENANCE**  
 9 **PAYMENTS, ADOPTION ASSISTANCE PAY-**  
 10 **MENTS, AND KINSHIP GUARDIANSHIP ASSIST-**  
 11 **ANCE THROUGH AGE 20.**

12 (a) DEFINITION OF CHILD.—Effective as if included  
 13 in the enactment of the Fostering Connections to Success  
 14 and Increasing Adoptions Act of 2008 (Public Law 110–  
 15 351), section 475(8) of the Social Security Act (as added  
 16 by section 201(a) of the Fostering Connections to Success  
 17 and Increasing Adoptions Act of 2008) is amended to read  
 18 as follows:

19 “(8) The term ‘child’ means—

20 “(A) a minor child; and

21 “(B) an individual who has reached the  
 22 legal age of majority but has not attained 21  
 23 years of age and is under the responsibility of  
 24 the State.”.

1 (b) FOSTER CARE MAINTENANCE PAYMENTS.—Sec-  
2 tion 472 of the Social Security Act (42 U.S.C. 672) is  
3 amended—

4 (1) in subsection (a)—

5 (A) by striking paragraph (1) and insert-  
6 ing the following:

7 “(1) ELIGIBILITY.—Each State with a plan ap-  
8 proved under this part shall make foster care main-  
9 tenance payments on behalf of—

10 “(A) each child who is an individual de-  
11 scribed in section 475(8)(A) who has been re-  
12 moved from the home of a relative specified in  
13 section 406(a) (as in effect on July 16, 1996)  
14 into foster care if the removal and foster care  
15 placement met, and the placement continues to  
16 meet, the requirements of paragraph (2) of this  
17 subsection, and the child, while in the home,  
18 would have met the AFDC eligibility require-  
19 ment of paragraph (3); and

20 “(B) each child who is an individual de-  
21 scribed in section 475(8)(B) who has entered  
22 foster care under the responsibility of the State  
23 if the child would have met the AFDC eligibility  
24 requirement of paragraph (3) on the day before  
25 the date on which the child reached the legal

1 age of majority and the foster care placement  
 2 met and continues to meet the requirements of  
 3 paragraph (5) of this subsection.”;

4 (B) in the heading of paragraph (2), by in-  
 5 serting “APPLICABLE TO MINORS” after “RE-  
 6 QUIREMENTS”; and

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

8 “(5) FOSTER CARE PLACEMENT REQUIRE-  
 9 MENTS APPLICABLE TO CHILDREN WHO HAVE AT-  
 10 TAINED THE AGE OF MAJORITY.—The foster care  
 11 placement of a child who is an individual described  
 12 in section 475(8)(B) meets the requirements of this  
 13 paragraph if—

14 “(A) the foster care placement is in ac-  
 15 cordance with a voluntary placement agreement  
 16 entered into by the individual;

17 “(B) the individual’s placement and care  
 18 meet the requirement of paragraph (2)(B) of  
 19 this subsection; and

20 “(C)(i) the individual has been placed in a  
 21 foster family home, child-care institution, or  
 22 dwelling described in subsection (b)(3)(C); or

23 “(ii) the individual has secured a dwelling  
 24 described in subsection (b)(3)(D).”;

25 (2) in subsection (b)—

1 (A) by striking “or” at the end of para-  
2 graph (1);

3 (B) by striking the period at the end of  
4 paragraph (2) and inserting “, or”; and

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

6 “(3) in the case of a child who is an individual  
7 described in section 475(8)(B)—

8 “(A) in a home described in paragraph (1),  
9 in accordance with the payment rules set forth  
10 in paragraph (1);

11 “(B) in an institution described in para-  
12 graph (2), in accordance with the payment rules  
13 set forth in paragraph (2);

14 “(C) in a dwelling operated by an agency  
15 that provides social services to children and  
16 their families which supplements, supports, or  
17 substitutes parental care and supervision for  
18 the purpose of safeguarding and promoting the  
19 welfare of children, and that meets such stand-  
20 ards for licensure or approval as are established  
21 by the State for the provision of the services,  
22 whether the payments therefor are made to the  
23 agency or directly to the individual; or

24 “(D) in housing rented or leased by the in-  
25 dividual.”;

1 (3) in subsection (e), by inserting “minor” be-  
2 fore “child who”; and

3 (4) in subsection (f)—

4 (A) in paragraph (1)—

5 (i) by striking “a minor” and insert-  
6 ing “a child”; and

7 (ii) by striking “the minor” and in-  
8 serting “the child (or, if the child has at-  
9 tained 18 years of age, the child himself or  
10 herself)”; and

11 (B) in paragraph (2)—

12 (i) by striking “a minor child” and in-  
13 serting “a child (or, if the child has at-  
14 tained 18 years of age, the child himself or  
15 herself)”; and

16 (ii) by inserting “(if the child is a  
17 minor)” after “obligations of the parents  
18 or guardians”.

19 (c) ADOPTION ASSISTANCE PAYMENTS.—

20 (1) IN GENERAL.—Section 473(a)(1)(A) of such  
21 Act (42 U.S.C. 673(a)(1)(A)) is amended by insert-  
22 ing “who have not attained 21 years of age” after  
23 “special needs”.

24 (2) CONFORMING AMENDMENT.—Effective as if  
25 included in the enactment of the Fostering Connec-



1 tions to Success and Increasing Adoptions Act of  
2 2008 (Public Law 110–351), section 473(a)(4) of  
3 the Social Security Act (as amended by section  
4 201(c) of the Fostering Connections to Success and  
5 Increasing Adoptions Act of 2008) is amended to  
6 read as follows:

7 “(4)(A) Notwithstanding any other provision of this  
8 section, a payment may not be made pursuant to this sec-  
9 tion to parents or relative guardians with respect to a  
10 child—

11 “(i) who has attained 21 years of age;

12 “(ii) who has not attained 21 years of age, if  
13 the State determines that the parents or relative  
14 guardians, as the case may be, are no longer legally  
15 responsible for the support of the child; or

16 “(iii) if the State determines that the child is  
17 no longer receiving any support from the parents or  
18 relative guardians, as the case may be.

19 “(B) Parents or relative guardians who have been re-  
20 ceiving adoption assistance payments or kinship guardian-  
21 ship assistance payments under this section shall keep the  
22 State or local agency administering the program under  
23 this section informed of circumstances which would, pur-  
24 suant to this subsection, make them ineligible for the pay-

1 ments, or eligible for the payments in a different  
2 amount.”.

3 (d) CONFORMING AMENDMENT.—Section 474(a)(1)  
4 of such Act (42 U.S.C. 674(a)(1)) is amended by striking  
5 “under section 472 for children in foster family homes or  
6 child-care institutions” and inserting “in accordance with  
7 section 472”.

8 (e) EFFECTIVE DATE.—The amendments made by  
9 this section shall take effect on October 1, 2011.

10 **SEC. 202. IMPROVEMENTS TO JOHN H. CHAFEE FOSTER**  
11 **CARE INDEPENDENCE PROGRAM.**

12 (a) INCREASE IN ANNUAL AUTHORIZATION  
13 LEVEL.—Section 477(h)(1) of the Social Security Act (42  
14 U.S.C. 677(h)(1)) is amended by striking “\$140,000,000”  
15 and inserting “\$200,000,000”.

16 (b) EXPANSION OF ELIGIBILITY FOR SERVICES.—  
17 Section 477 of such Act (42 U.S.C. 677) is amended—

18 (1) in subsection (a)—

19 (A) in paragraph (1), by striking “18” and  
20 inserting “14”;

21 (B) in paragraph (5), by striking “between  
22 18 and 21” and inserting “who have attained  
23 18 years of age, and who have not attained 25  
24 years of age”; and

1 (C) in paragraph (7), by striking “16” and  
2 inserting “14”;

3 (2) in each of subsections (b)(3)(A) and  
4 (b)(3)(B), by striking “21” and inserting “25”; and  
5 (3) in subsection (i)—

6 (A) in paragraph (2), by striking “youths  
7 who, after attaining 16 years of age, are adopt-  
8 ed from, or enter kinship guardianship from,  
9 foster care” and inserting “youths in or exiting  
10 from foster care after attaining 14 years of  
11 age”; and

12 (B) by striking paragraph (3) and redesign-  
13 ating paragraphs (4) through (6) as para-  
14 graphs (3) through (5), respectively.

15 (c) ELIGIBILITY OF PRIVATE SERVICE PROVIDERS  
16 FOR FUNDS.—Section 477(b)(2) of such Act (42 U.S.C.  
17 677(b)(2)) is amended by adding at the end the following:

18 “(G) Distribute funds provided to the  
19 State under this section among a diverse range  
20 of qualified providers of services that are pri-  
21 vate entities, and ensure that the entities have  
22 equal opportunity to receive the funds.”.

23 (d) EXPANSION OF PROGRAM EVALUATIONS.—Sec-  
24 tion 477(g)(1) of such Act (42 U.S.C. 677(g)(1)) is  
25 amended—

1           (1) in the first sentence, by inserting “, and of  
2           model programs that focus on improving outcomes  
3           for youth aging out of care in the areas of edu-  
4           cation, employment, personal development, financial  
5           asset development, financial management skills, and  
6           housing” after “significance”;

7           (2) in the second sentence, by striking “and  
8           personal development” and inserting “mental and  
9           physical health, healthy relationships, personal devel-  
10          opment, and housing, and on the use of room and  
11          board services and how the use of the services im-  
12          prove housing outcomes for youth”; and

13          (3) in the third sentence, by inserting “, where  
14          practicable,” before “random assignment”.

15          (e) IMPROVING AWARENESS OF AVAILABLE SERV-  
16          ICES.—

17               (1) DUTIES OF THE SECRETARY.—Section 477  
18               of such Act (42 U.S.C. 677) is amended by adding  
19               at the end the following new subsection:

20               “(k) DISTRIBUTION OF INFORMATION ABOUT OTHER  
21          RELATED PROGRAMS.—To improve access to the array of  
22          services available to youth transitioning out of foster care  
23          and assist States in leveraging available resources, the  
24          Secretary shall provide for the efficient distribution to  
25          States and local areas of information about Federal pro-

1 grams, other than the program established by this section,  
 2 that may assist youth in their transition to self-sufficiency  
 3 and provide guidance on how to access services under the  
 4 programs.”.

5 (2) DUTIES OF THE STATE.—Section 477(b)(3)  
 6 of such Act (42 U.S.C. 677(b)(3)) is amended—

7 (A) by redesignating subparagraphs (G)  
 8 through (K) as subparagraphs (H) through (L),  
 9 respectively; and

10 (B) by inserting after subparagraph (F)  
 11 the following:

12 “(G) A certification by the chief executive offi-  
 13 cer that, when or before a child leaves foster care  
 14 under the responsibility of the State, the State will  
 15 inform the child of the full range of available finan-  
 16 cial asset development, financial management, hous-  
 17 ing, counseling, health, public benefit employment,  
 18 and education services, and other appropriate sup-  
 19 port and services for which the child is eligible.”.

20 **TITLE III—YOUNG FAMILY**  
 21 **CONCERNS**

22 **SEC. 301. TANF STATE PLAN AMENDMENT.**

23 Section 402(a)(1)(A) of the Social Security Act (42  
 24 U.S.C. 602(a)(1)(A)) is amended by adding at the end the  
 25 following new clause:

1           “(vii) Identify the education and  
2           training, living arrangement, and other  
3           services needs of individuals described in  
4           section 408(a)(5)(B)(ii) who are potentially  
5           eligible to receive assistance under the  
6           State program funded under this part and  
7           establish policies, procedures, and strate-  
8           gies to address the needs.”.

9   **SEC. 302. ADULT-SUPERVISED LIVING ARRANGEMENTS.**

10          Section 408(a)(5)(B) of the Social Security Act (42  
11   U.S.C. 608(a)(5)(B)) is amended—

12               (1) by striking clause (i) and inserting the fol-  
13   lowing:

14               “(i) **PROVISION OF ADULT-SUPER-**  
15               **VISIONED LIVING ARRANGEMENT.**—In the case  
16               of an individual who is described in clause  
17               (ii), the State agency referred to in section  
18               402(a)(4) shall provide or ensure the pro-  
19               vision of a second chance home, maternity  
20               group home, transitional living youth  
21               project, or other appropriate adult-super-  
22               vised supportive living arrangement, taking  
23               into consideration the needs, concerns, and  
24               wishes of the individual, unless the State  
25               agency determines that the individual’s

1 current living arrangement is appropriate,  
2 and therefore, shall require that the indi-  
3 vidual and the minor child referred to in  
4 subparagraph (A)(ii)(II) reside in such liv-  
5 ing arrangement as a condition of the con-  
6 tinued receipt of assistance under the  
7 State program funded under this part at-  
8 tributable to funds provided by the Federal  
9 Government (or in an alternative appro-  
10 priate arrangement, should circumstances  
11 change and the current arrangement cease  
12 to be appropriate).”;

13 (2) in clause (ii)—

14 (A) by redesignating subclauses (III) and  
15 (IV) as subclauses (V) and (VI), respectively;  
16 and

17 (B) by inserting after subclause (II) the  
18 following:

19 “(III) the individual is a home-  
20 less youth;

21 “(IV) the individual is a street  
22 youth;”;

23 (3) by redesignating clause (iii) as clause (vi)  
24 and inserting after clause (ii) the following:

1                   “(iii) DISCLOSURE OF ADULT-SUPER-  
2                   VISED LIVING ARRANGEMENT OPTIONS TO  
3                   INDIVIDUAL.—The State agency shall en-  
4                   sure that individuals described in subpara-  
5                   graph (A)(ii) who are applicants or recipi-  
6                   ents of assistance are fully informed of all  
7                   adult-supervised living arrangement op-  
8                   tions that satisfy the requirement of this  
9                   subsection, and provide the individual the  
10                  opportunity to request a specific adult-su-  
11                  pervised living arrangement.

12                  “(iv) DETERMINATION OF ADULT-SU-  
13                  PERVISED LIVING ARRANGEMENT.—In de-  
14                  termining the appropriateness of the indi-  
15                  vidual’s current living arrangement in  
16                  clause (i) and considering the individual’s  
17                  request for a specific adult-supervised liv-  
18                  ing arrangement in clause (iii), the State  
19                  agency shall provide a written explanation  
20                  of the determination, including a statement  
21                  regarding the right to appeal the deter-  
22                  mination under clause (v), to the indi-  
23                  vidual, if the determination is other than  
24                  the adult-supervised living arrangement re-  
25                  quested by the individual.



1                   “(v) RIGHT TO APPEAL ADULT-SU-  
 2                   PERVISED LIVING ARRANGEMENT.—If the  
 3                   State agency’s determination of appro-  
 4                   priate adult-supervised living arrangement  
 5                   in clause (i) is other than the adult-super-  
 6                   vised living arrangement requested by the  
 7                   individual in clause (iii), the individual  
 8                   shall have a right to appeal the State agen-  
 9                   cy’s decision through appeal and dispute  
 10                  resolution mechanisms available in the  
 11                  State.”; and

12                  (4) by adding at the end the following:

13                   “(vi) DEFINITIONS.—In this subpara-  
 14                   graph:

15                   “(I) TRANSITIONAL LIVING  
 16                   YOUTH PROJECT.—The term ‘transi-  
 17                   tional living youth project’ has the  
 18                   same meaning as provided in section  
 19                   387(6) of the Juvenile Justice and  
 20                   Delinquency Prevention Act of 1974.

21                   “(II) HOMELESS YOUTH.—The  
 22                   term ‘homeless youth’ has the same  
 23                   meaning as provided in section 387(3)  
 24                   of the Juvenile Justice and Delin-  
 25                   quency Prevention Act of 1974.

1                   “(III) STREET YOUTH.—The  
 2                   term ‘street youth’ has the same  
 3                   meaning as provided in section 387(5)  
 4                   of the Juvenile Justice and Delin-  
 5                   quency Prevention Act of 1974.”.

6 **SEC. 303. SUSPENSION OF TIME LIMIT FOR YOUNG ADULT**  
 7                   **PARENT INVOLVED IN EDUCATION OR TRAIN-**  
 8                   **ING.**

9                   Section 408(a)(7)(B) of the Social Security Act (42  
 10 U.S.C. 608(a)(7)(B)) is amended—

11                   (1) in the heading, by striking “MINOR CHILD  
 12                   EXCEPTION” and inserting “AGE EXCEPTIONS”; and

13                   (2) by striking clauses (i) and (ii) and inserting  
 14                   the following:

15                   “(i) a minor child, and not the head  
 16                   of a household or married to the head of  
 17                   a household; or

18                   “(ii) was pregnant or a parent, and—

19                   “(I) had not attained 20 years of  
 20                   age, and was meeting all program re-  
 21                   quirements relating to education,  
 22                   training and living arrangements; or

23                   “(II) had attained 20 but not 21  
 24                   years of age, and was scheduled to

1 complete all program requirements re-  
2 lating to education or training.”.

3 **SEC. 304. TRANSITIONAL COMPLIANCE.**

4 Section 408(a) of the Social Security Act (42 U.S.C.  
5 608(a)) is amended—

6 (1) in paragraph (4), by striking “if” and all  
7 that follows and inserting “if—

8 “(A) the individual does not participate  
9 in—

10 “(i) educational activities directed to-  
11 ward the attainment of a high school di-  
12 ploma or its equivalent; or

13 “(ii) an alternative educational or  
14 training program that has been approved  
15 by the State; and

16 “(B) 91 days have elapsed since the State  
17 has notified the individual that the individual is  
18 in violation of this paragraph. During the 91-  
19 day period described in the preceding sentence,  
20 if the individual is otherwise (but for this para-  
21 graph) eligible for assistance under the State  
22 program funded under this part, the State shall  
23 treat such individual’s application for such ben-  
24 efits as if the individual satisfied the require-  
25 ments of subparagraph (A).”; and

1           (2) in paragraph (5)(A)(i), by inserting “, and  
2           91 days have elapsed since the State has notified the  
3           individual that the individual is in violation of this  
4           paragraph. During the 91-day period described in  
5           the preceding sentence, if the individual is otherwise  
6           (but for this paragraph) eligible for assistance under  
7           the State program funded under this part, the State  
8           shall treat such individual’s application for such ben-  
9           efits as if the individual satisfied the residence re-  
10          quirements of the preceding sentence” before the pe-  
11          riod.

12 **SEC. 305. SANCTION PROTECTIONS FOR MINOR PARENTS.**

13          Section 408(a) of the Social Security Act (42 U.S.C.  
14 608(a)) is amended by adding at the end the following:

15           “(12) A State to which a grant is made under  
16          section 403 of this Act shall not impose a sanction  
17          on a recipient of assistance under the State program  
18          funded under this part who is an individual de-  
19          scribed in paragraph (4) or (5)(B)(ii) of this sub-  
20          section and whose household includes a minor who  
21          has received assistance under the State program  
22          funded under this part, under the Supplemental Nu-  
23          trition Assistance Program authorized by the Food  
24          and Nutrition Act of 2008, or under any other State  
25          program funded with qualified State expenditures

1 (as defined in section 409(a)(7)(B)(i)), unless the  
 2 State has established procedures that help recipients  
 3 of assistance under the State program funded under  
 4 this part understand, avoid, or end sanctions, and  
 5 has applied the procedures to the recipient.”.

6 **SEC. 306. TEEN PARENT STUDY AND REPORT.**

7 Section 413 of the Social Security Act (42 U.S.C.  
 8 613) is amended by adding at the end the following:

9 “(k) TEEN PARENT STUDY AND REPORT.—

10 “(1) STUDY OF TANF RECIPIENTS.—The Sec-  
 11 retary shall conduct a study of recipients of assist-  
 12 ance under State programs funded under this part  
 13 who are parents and have not attained 20 years of  
 14 age to determine the following:

15 “(A) Whether State data on the number of  
 16 such recipients is accurately reflected in Fed-  
 17 eral data, including an examination of the ex-  
 18 tent to which such recipients who are members  
 19 of a family are not reflected in the data, and  
 20 an examination of the extent to which Federal  
 21 estimation methods do not reflect the number  
 22 of such recipients in a State.

23 “(B) What assessment procedures are uti-  
 24 lized with such recipients, and whether there  
 25 appear to be best practices that consider such

1 issues as whether the recipient has an edu-  
2 cational barrier such as a learning disability or  
3 mental health problem.

4 “(C) Whether localities appear to have  
5 adequate and appropriate services that meet the  
6 needs of such recipients in areas such as infant  
7 care, age-appropriate adolescent health, edu-  
8 cation, training, and mental health, for services  
9 such as appropriate housing, mental health, and  
10 alternative education, whether staff assist teen  
11 parents in researching and locating such serv-  
12 ices including an appropriate living arrange-  
13 ment, and the extent to which such recipients  
14 who have not completed high school or the  
15 equivalent are encouraged to engage in edu-  
16 cation or work.

17 “(D) How State rules providing that, in  
18 determining the eligibility of such recipients for  
19 such assistance, the income of the recipient is  
20 deemed to include the income of any parents  
21 with whom such recipient is living appear to  
22 have affected the extent to which such recipi-  
23 ents who are members of a family with income  
24 less than 200 percent of the poverty line (as de-  
25 fined in section 673(2) of the Omnibus Budget

1 Reconciliation Act of 1981, including any revision  
2 sion required by such section, applicable to a  
3 family of the size involved) are able to partici-  
4 pate in State programs funded under this part.

5 “(E) Demographic information such as—

6 “(i) the age of such recipients;

7 “(ii) the amount of time such recipi-  
8 ents received such assistance in a given  
9 year;

10 “(iii) the number of children that  
11 such recipients have;

12 “(iv) school attainment by such recipi-  
13 ents, by age;

14 “(v) the employment status of such  
15 recipients, such as whether a recipient has  
16 ever worked or has worked while in school;

17 “(vi) the child care arrangements of  
18 such recipients; and

19 “(vii) the living arrangements of such  
20 recipients.

21 “(2) STUDY OF LOW-INCOME TEEN PARENTS  
22 WHO ARE NOT TANF RECIPIENTS.—The Secretary  
23 shall conduct a study of a representative sample of  
24 low-income (as determined by the Secretary) teen  
25 parents who are not recipients of assistance under a

1 State program funded under this part, to determine  
2 the following:

3 “(A) Whether the teen parent sought to  
4 apply for such assistance.

5 “(B) Whether a teen parent who indicated  
6 to a State a desire to apply for such assistance  
7 received an application for such assistance.

8 “(C) Whether a teen parent who applied  
9 for such assistance was subsequently contacted  
10 by the State agency responsible for operating a  
11 State program funded under this part.

12 “(3) REPORT TO CONGRESS.—

13 “(A) IN GENERAL.—Not later than 3 years  
14 after the date of enactment of this subsection,  
15 the Secretary shall submit a report to Congress  
16 that contains the findings of the studies re-  
17 quired by this subsection and recommendations  
18 regarding such issues as how to improve data  
19 reporting, State plans, State ‘best practice’ in-  
20 formation sharing, and assessments.

21 “(B) ADVISORY GROUP.—The Secretary  
22 shall establish an advisory group consisting of  
23 representatives from organizations that work  
24 with parents who have not attained 20 years of  
25 age, to provide advice to the Secretary on ques-



1           tions relating to such parents that should be in-  
 2           vestigated and to provide comments to accom-  
 3           pany the recommendations contained in the re-  
 4           port under subparagraph (A).”.

5                           **TITLE IV—WORK**  
 6                           **OPPORTUNITIES**

7   **SEC. 401. INCLUSION OF HOMELESS YOUTH AS QUALIFIED**  
 8                   **POPULATION FOR WORK OPPORTUNITY**  
 9                   **CREDIT.**

10           (a) IN GENERAL.—Paragraph (1) of section 51(d) of  
 11 the Internal Revenue Code of 1986 is amended by striking  
 12 “or” at the end of subparagraph (H), by striking the pe-  
 13 riod at the end of subparagraph (I) and inserting “, or”,  
 14 and adding at the end the following new subparagraph:

15                           “(J) a qualified homeless youth.”.

16           (b) QUALIFIED HOMELESS YOUTH.—Subsection (d)  
 17 of section 51 of such Code is amended by redesignating  
 18 paragraphs (11) through (13) as paragraphs (12) through  
 19 (14), respectively, and by inserting after paragraph (10)  
 20 the following new paragraph:

21                           “(11) QUALIFIED HOMELESS YOUTH.—The  
 22           term ‘qualified homeless youth’ means any individual  
 23           who is certified by the designated local agency—

24                                   “(A) as having attained age 16 but not age  
 25                                   25 on the hiring date; and

1           “(B) as being described in paragraph (2)  
 2           of section 725 of the McKinney-Vento Homeless  
 3           Assistance Act (42 U.S.C. 11434a), as in effect  
 4           on the date of the enactment of this paragraph,  
 5           on the hiring date.”.

6           (c) EFFECTIVE DATE.—The amendments made by  
 7 this section shall apply to individuals who begin work for  
 8 the employer after the date of the enactment of this Act.

9       **TITLE V—SOCIAL SECURITY AND**  
 10       **SUPPLEMENTAL SECURITY**  
 11       **INCOME BENEFITS**

12       **SEC. 501. LIMITATION ON USE OF SOCIAL SECURITY OR**  
 13               **SUPPLEMENTAL SECURITY INCOME BENE-**  
 14               **FITS PAID TO REPRESENTATIVE PAYEES ON**  
 15               **BEHALF OF FOSTER CHILDREN FOR STATE**  
 16               **COSTS.**

17       (a) AMENDMENTS TO TITLE II.—

18           (1) EXCEPTION TO PROHIBITION ON ASSIGN-  
 19       MENTS, ETC.—Section 207 of the Social Security  
 20       Act (42 U.S.C. 407) is amended by adding at the  
 21       end the following:

22           “(d) Subsection (a) of this section shall not apply to  
 23 a payment made by a representative payee to reimburse  
 24 a State as described in section 205(j)(9)(B)(i), but only  
 25 to the extent that the payment is—

1           “(1) not prohibited by section 205(j)(9)(B)(i);  
2           and

3           “(2) made available, distributed, and applied in  
4           accordance with section 205(j)(9)(B)(iii).”.

5           (2) LIMITATION ON USE OF SOCIAL SECURITY  
6           BENEFITS.—Section 205(j)(9) of such Act (42  
7           U.S.C. 405(j)(9)) is amended—

8                       (A) by inserting “(A)” after “(9)”; and

9                       (B) by adding at the end the following:

10           “(B)(i) A State or local government agency serving  
11 in any State as a representative payee under this sub-  
12 section with respect an individual who is in foster care  
13 under the responsibility of the State shall not use any (or,  
14 if the individual has not attained 14 years of age, more  
15 than 50 percent of any) benefits paid to the representative  
16 payee pursuant to paragraph (1) of this subsection to re-  
17 imburse the State for—

18                       “(I) foster care maintenance payments made  
19                       pursuant to section 472; or

20                       “(II) other payments made by the State or po-  
21                       litical subdivision of the State to cover any other  
22                       cost or expense for an individual who is in foster  
23                       care under the responsibility of the State.

24           “(ii) An expense described in paragraph (4)(A)(i) of  
25 this subsection or section 1631(a)(2)(D) shall not be con-

1 sidered a cost or expense for purposes of clause (i) of this  
2 subparagraph.

3       “(iii) In any case in which the State or local govern-  
4 ment agency referred to in clause (i) determines that any  
5 portion of such individual’s benefit under this title which  
6 is held by such agency in accordance with this subsection  
7 would be available under the provisions of this subsection  
8 (other than this clause) to reimburse government costs in  
9 connection with such foster care, any amount of such por-  
10 tion of such benefit shall be available for such reimburse-  
11 ment only to the extent that such amount is made avail-  
12 able to supplement, and not to replace, any amounts oth-  
13 erwise available from non-Federal sources to meet such  
14 government costs. Any amount of such reimbursement  
15 shall not be distributed into the general funds of the agen-  
16 cy or the State or local government and may be applied  
17 only so as to increase funding for foster care services pro-  
18 vided by the State or local government.”.

19       (b) AMENDMENTS TO TITLE XVI.—

20               (1) APPLICABILITY OF TITLE II EXCEPTION TO  
21 PROHIBITION ON ASSIGNMENTS, ETC.—Section  
22 1631(d)(1) of such Act (42 U.S.C. 1383(d)(1)) is  
23 amended—

24                       (A) by inserting “(A)” after “(1)”;

1 (B) by striking “The provisions of” and in-  
2 serting “Subject to subparagraph (B), the pro-  
3 visions of”; and

4 (C) by inserting at the end the following  
5 new subparagraph:

6 “(B) Subsection (a) of section 207 shall not apply  
7 to a payment made by a representative payee to reimburse  
8 a State as described in subsection (a)(2)(A)(iv)(II) of this  
9 section, but only to the extent that such payment is—

10 “(i) not prohibited by subsection  
11 (a)(2)(A)(iv)(II) of this section; and

12 “(ii) made available, distributed, and applied in  
13 accordance with subsection (a)(2)(A)(iv)(IV) of this  
14 section.”.

15 (2) LIMITATION ON USE OF SSI BENEFITS.—  
16 Section 1631(a)(2)(A)(iv) of such Act (42 U.S.C.  
17 1383(a)(2)(A)(iv)) is amended—

18 (A) by inserting “(I)” after “(iv)”; and

19 (B) by inserting at the end the following  
20 new subclauses:

21 “(II) Subject to subclauses (III) and (IV), a State  
22 or local government agency serving in any State as a rep-  
23 resentative payee under this subsection with respect an eli-  
24 gible individual who is in foster care under the responsi-  
25 bility of the State shall not use any (or, if the individual

1 has not attained 14 years of age, more than 50 percent  
2 of any) benefits paid to the representative payee pursuant  
3 to clause (ii) to reimburse the State for—

4           “(aa) foster care maintenance payments made  
5           pursuant to section 472; or

6           “(bb) other payments made by a State or polit-  
7           ical subdivision of a State to cover any other cost or  
8           expense for an individual who is in foster care under  
9           the responsibility of the State.

10          “(III) For purposes of subclause (II)(bb), an expense  
11          described in subparagraph (D) or section 205(j)(4)(A)(i)  
12          shall not be considered a cost or expense.

13          “(IV) For purposes of subclause (II), if a State or  
14          local government agency determines that an amount of an  
15          individual’s benefit under this title that is held by the  
16          agency in accordance with this paragraph would be avail-  
17          able under the provisions of this paragraph (other than  
18          this subclause) to reimburse government costs in connec-  
19          tion with the foster care, such amount shall be available  
20          for such reimbursement only to the extent that the amount  
21          is made available to supplement, and not to replace, any  
22          amounts otherwise available from non-Federal sources to  
23          meet the government costs. Any amount of the reimburse-  
24          ment shall not be distributed into the general funds of the  
25          agency or the State or local government and may be ap-

1 plied only so as to increase funding for foster care services  
2 provided by such State or local government.”.

3 **SEC. 502. SCREENING OF FOSTER CHILDREN FOR ELIGI-**  
4 **BILITY FOR SOCIAL SECURITY AND SUPPLE-**  
5 **MENTAL SECURITY INCOME BENEFITS.**

6 (a) STATE PLAN REQUIREMENT.—Section 471(a) of  
7 the Social Security Act (42 U.S.C. 671(a)) is amended—

8 (1) by striking “and” at the end of paragraph  
9 (32);

10 (2) by striking the period at the end of para-  
11 graph (33) and inserting “; and”; and

12 (3) by adding at the end the following:

13 “(34) provides that, not later than 36 months  
14 after the date of enactment of the Reconnecting  
15 Youth to Prevent Homelessness Act of 2011, the  
16 State agency described in paragraph (2) shall—

17 “(A) develop and implement procedures to  
18 ensure that, within 60 days after the status of  
19 a child who is in foster care under the responsi-  
20 bility of the State is first reviewed pursuant to  
21 the procedures described in section 475(5)(B),  
22 the child is screened to determine their poten-  
23 tial eligibility for benefits under title II and for  
24 supplemental security income benefits under  
25 title XVI; and

1           “(B) if such screening results in a deter-  
2           mination that the child is potentially eligible for  
3           any such benefits—

4                   “(i) provide the child with assistance  
5                   in applying for and, as necessary, appeal-  
6                   ing any decisions made with respect to  
7                   such benefits; and

8                   “(ii) if there is no other suitable can-  
9                   didate available, apply to become the rep-  
10                  resentative payee for the child with respect  
11                  to such benefits.”.

12       (b) GAO STUDY.—

13           (1) IN GENERAL.—The Comptroller General of  
14           the United States shall conduct a study to determine  
15           whether States have substantially complied with the  
16           amendments made by this section during the 6-year  
17           period following enactment of this Act, including  
18           whether States have—

19                   (A) established successful procedures that  
20                   screen all foster children under the responsi-  
21                   bility of the States for their potential eligibility  
22                   for benefits under title II of the Social Security  
23                   Act and for supplemental security income bene-  
24                   fits under title XVI of such Act;



1 (B) provided all such potentially eligible  
 2 foster children assistance in applying for, and  
 3 appealing decisions made with respect to, the  
 4 benefits; and

5 (C) implemented procedures to identify  
 6 suitable nongovernmental candidates to serve as  
 7 representative payees for children in foster care  
 8 with respect to the benefits.

9 (2) REPORT TO THE CONGRESS.—Not later  
 10 than 1 year after completion of the study described  
 11 in paragraph (1), the Comptroller General of the  
 12 United States shall submit to the Congress a report  
 13 containing the results of such study.

14 **SEC. 503. NOTICE TO ATTORNEY OR GUARDIAN AD LITEM**  
 15 **FOR FOSTER CHILD OF DETERMINATION TO**  
 16 **PAY SOCIAL SECURITY OR SUPPLEMENTAL**  
 17 **SECURITY INCOME BENEFITS TO REP-**  
 18 **RESENTATIVE PAYEE.**

19 (a) AMENDMENT TO TITLE II.—Section  
 20 205(j)(2)(E)(ii) of the Social Security Act (42 U.S.C.  
 21 405(j)(2)(E)(ii)) is amended by inserting “, except that,  
 22 in the case of an individual who is in foster care under  
 23 the responsibility of a State, such notice shall also be pro-  
 24 vided to the attorney or guardian ad litem appointed to  
 25 represent the individual pursuant to section

1 106(b)(2)(A)(xiii) of the Child Abuse Prevention and  
 2 Treatment Act and, if the individual has attained 14 years  
 3 of age, to the individual” before the period.

4 (b) AMENDMENT TO TITLE XVI.—Section  
 5 1631(a)(2)(B)(xii) of such Act (42 U.S.C.  
 6 1383(a)(2)(B)(xii)) is amended by inserting “, except  
 7 that, in the case of an individual who is in foster care  
 8 under the responsibility of a State, such notice shall also  
 9 be provided to the attorney or guardian ad litem appointed  
 10 to represent the individual pursuant to section  
 11 106(b)(2)(A)(xiii) of the Child Abuse Prevention and  
 12 Treatment Act and, if the individual has attained 14 years  
 13 of age, to the individual” before the period.

14 **SEC. 504. MANAGEMENT OF SOCIAL SECURITY AND SUP-**  
 15 **PLEMENTAL SECURITY INCOME BENEFITS**  
 16 **FOR FOSTER CHILDREN.**

17 (a) PLAN FOR ACHIEVING SELF-SUPPORT.—Section  
 18 471(a) of the Social Security Act (42 U.S.C. 671(a)), as  
 19 amended by section 502(a) of this Act, is amended—

20 (1) by striking “and” at the end of paragraph  
 21 (33);

22 (2) by striking the period at the end of para-  
 23 graph (34) and inserting “; and”; and

24 (3) by adding at the end the following:

1           “(35) provides that, with respect to each child  
2           in foster care under the responsibility of the State  
3           who is a recipient of benefits under title II or sup-  
4           plemental security income benefits under title XVI,  
5           the State agency shall develop a plan is individually  
6           designed to best meet the current and future needs  
7           of the child and enable the child to achieve self-sup-  
8           port after leaving foster care, in accordance with the  
9           following requirements:

10                   “(A)(i) The plan shall set forth a strategy  
11                   to conserve benefits not necessary for the imme-  
12                   diate needs of the child, as determined pursuant  
13                   to clause (ii), in a manner that best meets the  
14                   future needs and educational and employment  
15                   interests of the child, and for the placement of  
16                   any such benefits in an account of the type de-  
17                   scribed in section 1631(a)(2)(F).

18                   “(ii) The plan shall provide for a deter-  
19                   mination as to whether the child has immediate  
20                   needs for which such benefits should be used  
21                   consistent with sections 205(j)(10)(B) and  
22                   1631(a)(2)(A)(iv).

23                   “(iii) The plan shall provide that any as-  
24                   sets set aside under the plan shall be conserved,  
25                   remain inaccessible to the child (with the excep-

1           tion of any allowable expenses described in sec-  
2           tion 1631(a)(2)(F)(ii)(II) or any other use ap-  
3           proved by the Secretary as being in the best in-  
4           terests of the child), and placed in the account  
5           described in clause (i) of this subparagraph,  
6           until the later of the date that the child attains  
7           18 years of age or ceases to be under the re-  
8           sponsibility of the State, at which time any as-  
9           sets subject to the plan shall be accessible to  
10          the child to—

11                   “(I) secure and maintain stable hous-  
12                   ing;

13                   “(II) pursue educational opportuni-  
14                   ties, including job training, vocational  
15                   training, or obtaining a professional li-  
16                   cense;

17                   “(III) purchase a vehicle;

18                   “(IV) operate a business;

19                   “(V) pay for employment-related  
20                   costs, including the cost of uniforms, insur-  
21                   ance, licenses, or complying with licensing  
22                   requirements;

23                   “(VI) pay for medical or health-re-  
24                   lated expenses; or

1           “(VII) pay for any expenses reason-  
2 ably expected to assist the child in becom-  
3 ing self-sufficient.

4           “(B) The State agency shall—

5           “(i) develop and implement the plan  
6 in collaboration with the child (on an age-  
7 appropriate basis), the social worker for  
8 the child, the person acting as the rep-  
9 resentative payee for the child pursuant to  
10 section 205(j) or 1631(a)(2), and the at-  
11 torney or guardian ad litem appointed to  
12 represent the child pursuant to section  
13 106(b)(2)(A)(xiii) of the Child Abuse Pre-  
14 vention and Treatment Act; and

15           “(ii) in developing and implementing  
16 the plan, make reasonable efforts to seek  
17 input from the parents and caretakers of  
18 the child.

19           “(C)(i) The State agency shall complete  
20 the plan not later than 60 days after the status  
21 of the child is first reviewed pursuant to the  
22 procedures described in section 475(5)(B).

23           “(ii) The State agency shall ensure that  
24 each subsequent review of the status of the  
25 child includes consideration of an updated

1 version of the plan and a report on the progress  
2 made in implementing such plan.

3 “(D)(i) Following completion of the plan,  
4 the State agency shall provide a copy of the  
5 plan to the attorney or guardian ad litem ap-  
6 pointed to represent the child pursuant to sec-  
7 tion 106(b)(2)(A)(xiii) of the Child Abuse Pre-  
8 vention and Treatment Act no later than 30  
9 days prior to the subsequent review of the sta-  
10 tus of the child under the procedures described  
11 in section 475(5)(B).

12 “(ii) Not later than 30 days prior to each  
13 subsequent review, the State agency shall pro-  
14 vide an updated copy of the plan to the attor-  
15 ney or guardian ad litem so appointed.

16 “(E)(i) The child may request the plan to  
17 be modified as part of a review of their status  
18 under the procedures described in section  
19 475(5)(B), through a separate hearing, or as  
20 part of a permanency hearing under the proce-  
21 dures described in section 475(5)(C).

22 “(ii) For purposes of any administrative or  
23 judicial review proceeding, the plan shall not be  
24 treated as meeting the requirements of this  
25 paragraph with respect to a child unless the

1 plan is determined by the reviewer to be the  
2 best available means of meeting the current and  
3 future needs and educational and employment  
4 interests of the child.”.

5 (b) PROVISIONS RELATING TO REPRESENTATIVE  
6 PAYEES.—

7 (1) AMENDMENTS TO TITLE II.—Section 205(j)  
8 of the Social Security Act (42 U.S.C. 405(j)), as  
9 amended by sections 501(a)(2) and 503(a), is fur-  
10 ther amended—

11 (A) by redesignating paragraphs (8), (9),  
12 and (10) as paragraphs (9), (10), and (11), re-  
13 spectively; and

14 (B) by inserting after paragraph (7) the  
15 following new paragraph:

16 “(8) For purposes of benefits paid to a representative  
17 payee under paragraph (1) on behalf of an individual who  
18 is in foster care under the responsibility of a State, the  
19 representative payee shall manage such benefits in accord-  
20 ance with the plan developed for the individual pursuant  
21 to section 471(a)(35).”.

22 (2) AMENDMENT TO TITLE XVI.—Section  
23 1631(a)(2) of such Act (42 U.S.C. 1383(a)(2)) is  
24 amended by adding at the end the following:

1       “(J) For purposes of benefits paid to a representative  
2 payee under subparagraph (A)(ii) on behalf of an indi-  
3 vidual who is in foster care under the responsibility of a  
4 State, the representative payee shall manage such benefits  
5 in accordance with the plan developed for the individual  
6 pursuant to section 471(a)(35).”.

7       (c) EXCLUSION FROM RESOURCES UNDER THE SSI  
8 PROGRAM.—Section 1613(a) of such Act (42 U.S.C.  
9 1382b(a)) is amended—

10           (1) by striking “and” at the end of paragraph  
11           (15);

12           (2) by striking the period at the end of para-  
13           graph (16) and inserting “; and”; and

14           (3) by inserting after paragraph (16) the fol-  
15           lowing:

16           “(17) any assets managed on behalf of an eligi-  
17           ble individual in accordance with a plan developed  
18           for such individual pursuant to section 471(a)(35).”.

19       (d) EXCLUSION FROM RESOURCE LIMITATION.—  
20 Subparagraph (B) of section 472(a)(3) of the Social Secu-  
21 rity Act (42 U.S.C. 672(a)(3)) is amended by inserting  
22 “, and excluding any assets held in an account that has  
23 been established pursuant to paragraph (35) of section  
24 471(a) and managed in accordance with a plan developed  
25 under such paragraph” after “as so in effect”.



1 **SEC. 505. SUPPORT AND MAINTENANCE FURNISHED IN**  
2 **CASH OR IN KIND DISREGARDED IN DETER-**  
3 **MINING INCOME OF FOSTER CHILDREN**  
4 **UNDER THE SUPPLEMENTAL SECURITY IN-**  
5 **COME PROGRAM.**

6 Section 1612(a)(2)(A) of the Social Security Act (42  
7 U.S.C. 1382a(a)(2)(A)) is amended—

8 (1) by striking “another nonprofit organization,  
9 and” and inserting “another nonprofit organiza-  
10 tion,”; and

11 (2) by inserting “, and (iv) clause (i) shall not  
12 apply in the case of a child who is in foster care  
13 under the responsibility of a State” before the semi-  
14 colon at the end.

15 **SEC. 506. TECHNICAL ASSISTANCE FOR CHILD WELFARE**  
16 **AGENCIES.**

17 (a) **IN GENERAL.**—Pursuant to a request by a State  
18 agency that is responsible for administering, or super-  
19 vising the administration of, the program authorized by  
20 part E of title IV of the Social Security Act (42 U.S.C.  
21 670 et seq.), the Secretary of Health and Human Services  
22 shall provide such agency with technical assistance in car-  
23 rying out the amendments made by this Act.

24 (b) **AUTHORIZATION OF APPROPRIATIONS.**—There is  
25 authorized to be appropriated to carry out this section,

1 \$4,500,000 for fiscal year 2013, and such sums as may  
2 be necessary for each of fiscal years 2014 through 2018.

3 **SEC. 507. EFFECTIVE DATES.**

4 (a) IN GENERAL.—Except as provided in subsection  
5 (b) or as otherwise provided, the amendments made by  
6 this Act shall apply to benefits payable for months begin-  
7 ning after the date of the enactment of this Act.

8 (b) STATE PLAN REQUIREMENTS RELATING TO  
9 PLANS FOR ACHIEVING SELF-SUPPORT.—

10 (1) IN GENERAL.—The amendments made by  
11 section 504(a) of this Act shall take effect on the  
12 first day of the first calendar quarter beginning  
13 after the date of the enactment of this Act, and shall  
14 apply to payments under part E of title IV of the  
15 Social Security Act for calendar quarters beginning  
16 after such first day.

17 (2) DELAY PERMITTED IF STATE LEGISLATION  
18 REQUIRED.—If the Secretary of Health and Human  
19 Services determines that State legislation (other  
20 than legislation appropriating funds) is required in  
21 order for a State plan approved under part E of title  
22 IV of the Social Security Act to meet the additional  
23 requirements imposed by the amendments made by  
24 section 504(a) of this Act, the plan shall not be re-  
25 garded as failing to meet any of the additional re-

1        requirements before the first day of the first calendar  
2        quarter beginning after the first regular session of  
3        the State legislature that begins after the date of the  
4        enactment of this Act. If the State has a 2-year leg-  
5        islative session, each year of the session is deemed  
6        to be a separate regular session of the State legisla-  
7        ture.

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