

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4843
OFFERED BY MR. BARLETTA OF PENNSYLVANIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Infant Plan of Safe
3 Care Improvement Act”.

**4 SEC. 2. BEST PRACTICES FOR DEVELOPMENT OF PLANS OF
5 SAFE CARE.**

6 Section 103(b) of the Child Abuse Prevention and
7 Treatment Act (42 U.S.C. 5104(b)) is amended—

8 (1) by redesignating paragraphs (5) through
9 (8) as paragraphs (6) through (9), respectively; and

10 (2) by inserting after paragraph (4), the fol-
11 lowing:

12 “(5) maintain and disseminate information
13 about the requirements of section 106(b)(2)(B)(iii)
14 and best practices relating to the development of
15 plans of safe care as described in such section for
16 infants born and identified as being affected by ille-
17 gal substance abuse or withdrawal symptoms, or a
18 Fetal Alcohol Spectrum Disorder;”.

1 **SEC. 3. STATE PLANS.**

2 Section 106(b)(2)(B)(iii) of the Child Abuse Preven-
3 tion and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(iii))
4 is amended by inserting before the semicolon at the end
5 the following: “to ensure the safety and well-being of such
6 infant following release from the care of healthcare pro-
7 viders, including through—”

8 “(I) addressing the health and
9 substance use disorder treatment
10 needs of the infant and affected fam-
11 ily or caregiver; and

12 “(II) the development and imple-
13 mentation by the State of monitoring
14 systems regarding the implementation
15 of such plans to determine whether
16 and in what manner local entities are
17 providing, in accordance with State
18 requirements, referrals to and delivery
19 of appropriate services for the infant
20 and affected family or caregiver;”.

21 **SEC. 4. DATA REPORTS.**

22 (a) IN GENERAL.—Section 106(d) of the Child Abuse
23 Prevention and Treatment Act (42 U.S.C. 5106a(d)) is
24 amended by adding at the end of the following:

25 “(17)(A) The number of infants identified
26 under subsection (b)(2)(B)(ii).

1 “(B) The number of infants for whom a
2 plan of safe care was developed under sub-
3 section (b)(2)(B)(iii).

4 “(C) The number of infants for whom a
5 referral was made for appropriate services, in-
6 cluding services for the affected family or care-
7 giver, under subsection (b)(2)(B)(iii).”.

8 (b) REDESIGNATION.—Effective on May 29, 2017,
9 section 106(d) of the Child Abuse Prevention and Treat-
10 ment Act (42 U.S.C. 5106a(d)) is amended by redesi-
11 gnating paragraph (17) (as added by subsection (a)) as
12 paragraph (18).

13 **SEC. 5. MONITORING AND OVERSIGHT.**

14 (a) AMENDMENT.—Title I of the Child Abuse Preven-
15 tion and Treatment Act (42 U.S.C. 5101 et seq.) is fur-
16 ther amended by adding at the end the following:

17 **“SEC. 114. MONITORING AND OVERSIGHT.**

18 “The Secretary shall conduct monitoring to ensure
19 that each State that receives a grant under section 106
20 is in compliance with the requirements of section 106(b),
21 which—

22 “(1) shall—

23 “(A) be in addition to the review of the
24 State plan upon its submission under section
25 106(b)(1)(A); and

1 “(B) include monitoring of State policies
2 and procedures required under clauses (ii) and
3 (iii) of section 106(b)(2)(B); and

4 “(2) may include—

5 “(A) a comparison of activities carried out
6 by the State to comply with the requirements of
7 section 106(b) with the State plan most re-
8 cently approved under section 432 of the Social
9 Security Act;

10 “(B) a review of information available on
11 the Website of the State relating to its compli-
12 ance with the requirements of section 106(b);

13 “(C) site visits, as may be necessary to
14 carry out such monitoring; and

15 “(D) a review of information available in
16 the State’s Annual Progress and Services Re-
17 port most recently submitted under section
18 1357.16 of title 45, Code of Federal Regula-
19 tions (or successor regulations).”.

20 (b) TABLE OF CONTENTS.—The table of contents in
21 section 1(b) of the Child Abuse Prevention and Treatment
22 Act (42 U.S.C. 5101 note) is amended by inserting after
23 the item relating to section 113, the following:

“Sec. 114. Monitoring and oversight.”.

1 **SEC. 6. RULE OF CONSTRUCTION.**

2 Nothing in this Act, or the amendments made by this
3 Act, shall be construed to authorize the Secretary of
4 Health and Human Services or any other officer of the
5 Federal Government to add new requirements to section
6 106(b) of the Child Abuse Prevention and Treatment Act
7 (42 U.S.C. 5106a(b)), as amended by this Act.

