

114TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend the Child Abuse Prevention and Treatment Act to improve plans of safe care for infants affected by illegal substance abuse or withdrawal symptoms, or a Fetal Alcohol Spectrum Disorder, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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\_\_\_\_\_ introduced the following bill; which was read twice  
and referred to the Committee on \_\_\_\_\_

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## A BILL

To amend the Child Abuse Prevention and Treatment Act to improve plans of safe care for infants affected by illegal substance abuse or withdrawal symptoms, or a Fetal Alcohol Spectrum Disorder, 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.**

4        This Act may be cited as the “Plan of Safe Care Im-  
5        provement Act”.

6        **SEC. 2. STATE PLANS.**

7        Section 106(b)(2)(B)(iii) of the Child Abuse Preven-  
8        tion and Treatment Act (42 U.S.C. 5106a(b)(2)(B)) is

1 amended by striking clause (iii) and inserting the fol-  
2 lowing:

3 “(iii) policies and procedures that re-  
4 quire—

5 “(I) the development of a plan of  
6 safe care for an infant born and iden-  
7 tified as being affected by illegal sub-  
8 stance abuse or withdrawal symptoms  
9 or a Fetal Alcohol Spectrum Disorder;  
10 and

11 “(II) the development and imple-  
12 mentation by the State of monitoring  
13 systems regarding the plan of safe  
14 care to—

15 “(aa) ensure the safety and  
16 well-being of children;

17 “(bb) address the health, in-  
18 cluding mental health, needs of  
19 the child and family involved; and

20 “(cc) determine whether  
21 local entities are capable of pro-  
22 viding referrals to and delivery of  
23 appropriate services for the child  
24 and family;”.

1 **SEC. 3. DATA REPORTS.**

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

5 “(18) The number of infants for whom a plan  
6 of safe care, as referred to in subsection  
7 (b)(2)(B)(iii), was developed.”.

8 (b) RULE OF CONSTRUCTION.—In section 802(b)(2)  
9 of the Justice for Victims of Trafficking Act of 2015 (Pub-  
10 lic Law 114–22; 129 Stat 264), the reference to “adding  
11 at the end” shall be considered to refer to “inserting after  
12 paragraph (16)”.

13 **SEC. 4. MONITORING.**

14 Section 106 of the Child Abuse Prevention and  
15 Treatment Act (42 U.S.C. 5106a) is amended by adding  
16 at the end the following:

17 “(g) MONITORING.—The Secretary shall conduct  
18 monitoring of States to ensure that each State is meeting  
19 the requirements of subsection (b)(2)(B)(iii) to improve  
20 outcomes among children who are most at risk for child  
21 abuse and neglect.”.

22 **SEC. 5. BEST PRACTICES FOR PLANS OF SAFE CARE.**

23 Not later than 90 days after the date of enactment  
24 of this Act, the Secretary of Health and Human Services  
25 shall issue guidance to States regarding the requirements  
26 and best practices for the development and implementa-

1 tion of plans of safe care, as referred to in section  
2 106(b)(2)(B)(iii) of the Child Abuse Prevention and  
3 Treatment Act (42 U.S.C. 5106a(b)(2)(B)(iii)). In devel-  
4 oping the guidance, the Secretary shall seek and take into  
5 consideration input from all appropriate offices within the  
6 Department of Health and Human Services, including the  
7 Administration for Children and Families, the Centers for  
8 Medicare & Medicaid Services, the Centers for Disease  
9 Control and Prevention, the Substance Abuse and Mental  
10 Health Services Administration, and the National Insti-  
11 tutes of Health, and from the Department of Education.