

116TH CONGRESS
1ST SESSION

S. _____

To provide greater support for grandfamilies and older caretaker relatives.

IN THE SENATE OF THE UNITED STATES

Mr. CASEY (for himself, Mr. BROWN, Ms. BALDWIN, Ms. HASSAN, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To provide greater support for grandfamilies and older
caretaker relatives.

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 “Grandfamilies Act of
5 2019”.

6 **SEC. 2. INCREASING ACCESS TO SOCIAL SECURITY BENE-**
7 **FITS FOR CHILDREN WHO LIVE WITH GRAND-**
8 **PARENTS OR OTHER FAMILY MEMBERS.**

9 (a) IN GENERAL.—Title II of the Social Security Act
10 (42 U.S.C. 401 et seq.) is amended—

1 (1) in section 202(d)—

2 (A) in paragraph (1)(C), by inserting “ex-
3 cept as provided in paragraph (9),” before “was
4 dependent”; and

5 (B) by amending paragraph (9) to read as
6 follows:

7 “(9)(A) In the case of a child who is the child of an
8 individual under clause (3) of the first sentence of section
9 216(e) and is not a child of such individual under clause
10 (1) or (2) of such first sentence, the criteria specified in
11 subparagraph (B) shall apply instead of the criteria speci-
12 fied in subparagraph (C) of paragraph (1).

13 “(B) The criteria of this subparagraph are that—

14 “(i) the child has been living with such indi-
15 vidual in the United States for a period of not less
16 than 12 months;

17 “(ii) the child has been receiving not less than
18 $\frac{1}{2}$ of the child’s support from such individual for a
19 period of not less than 12 months; and

20 “(iii) the period during which the child was liv-
21 ing with such individual began before the child at-
22 tained age 18.

23 “(C) In the case of a child who is less than 12 months
24 old, such child shall be deemed to meet the requirements
25 of subparagraph (B) if, on the date the child attains 1

1 year of age, such child has lived with such individual in
2 the United States and received at least $\frac{1}{2}$ of the child's
3 support from such individual for substantially all of the
4 period which began on the date of such child's birth.”;
5 and

6 (2) in section 216(e), in the first sentence—

7 (A) by striking “grandchild or
8 stepgrandchild of an individual or his spouse”
9 and inserting “grandchild, stepgrandchild, or
10 other first-degree, second-degree, third-degree,
11 fourth degree, or fifth-degree relative of an in-
12 dividual or the individual's spouse”;

13 (B) by striking “was no natural or adop-
14 tive parent” and inserting “is no living natural
15 or adoptive parent”;

16 (C) by striking “was under a disability”
17 and inserting “is under a disability”;

18 (D) by striking “living at the time” and all
19 that follows through “, or (B)” and inserting “,
20 (B)”;

21 (E) by inserting “, or (C) the person has
22 been in the custody of such individual pursuant
23 to a court order for a period of not less than
24 12 months” before the first period.

1 (b) CONFORMING AMENDMENTS.—Section 202(d)(1)
2 of the Social Security Act (42 U.S.C. 402(d)(1)) is amend-
3 ed—

4 (1) by striking “subparagraphs (A), (B), and
5 (C)” and inserting “subparagraphs (A) and (B) and
6 subparagraph (C) or paragraph (9) (as applicable)”;

7 (2) by striking “subparagraphs (B) and (C)”
8 and inserting “subparagraph (B) and subparagraph
9 (C) or paragraph (9) (as applicable)”

10 (c) EFFECTIVE DATE.—The amendments made by
11 this section shall take effect on the first day of the first
12 fiscal year that begins after the date of enactment of this
13 Act.

14 **SEC. 3. ELIMINATING BARRIERS TO TANF FOR CHILDREN**
15 **AND OLDER CARETAKER RELATIVES.**

16 (a) BROADENING GOOD CAUSE EXCEPTION TO RE-
17 QUIREMENT TO PROVIDE INFORMATION ON NONCUSTO-
18 DIAL PARENTS.—Section 454(29)(A)(i) of the Social Se-
19 curity Act (42 U.S.C. 654(29)(A)(i)) is amended by strik-
20 ing “best interests of the child” and inserting “best inter-
21 ests of the child, including, if enforcement procedures
22 against a non-custodial parent of the child are initiated,
23 whether such procedures will impede the parent’s ability
24 to reunify with the child in the future”.

1 (b) DISREGARD OF NONPARENT CARETAKER REL-
2 ATIVE INCOME, ASSETS, AND RESOURCES IN CHILD-ONLY
3 CASES.—

4 (1) IN GENERAL.—Section 408(a) of the Social
5 Security Act (42 U.S.C. 608(a)) is amended by add-
6 ing at the end the following new paragraph:

7 “(13) DISREGARD OF INCOME, ASSETS, AND
8 RESOURCES FOR NONPARENT CARETAKER REL-
9 ATIVES IN CHILD-ONLY CASES.—

10 “(A) IN GENERAL.—With respect to a
11 minor child who does not reside in the same
12 household as a parent of the child, a State to
13 which a grant is made under section 403 shall
14 not take into account the income, assets, or re-
15 sources of such child’s nonparent caretaker rel-
16 ative who is not seeking assistance under the
17 State program funded under this part or any
18 other State program funded with qualified
19 State expenditures (as defined in section
20 409(a)(7)(B)(i)) on their own behalf in deter-
21 mining whether the child is eligible for assist-
22 ance under any such program, or in deter-
23 mining the amount or types of such assistance
24 to be provided to the child.

1 “(B) EXCEPTION.—Subparagraph (A)
2 shall not apply in the case of a State pro-
3 gram—

4 “(i) that is operated specifically for
5 children living with nonparent caretaker
6 relatives;

7 “(ii) that provides monthly financial
8 assistance to a child living with a non-
9 parent caretaker relative in an amount
10 that is greater than the amount of assist-
11 ance that the child would receive on the
12 child’s own behalf under the State program
13 funded under this part;

14 “(iii) that is separate from the State
15 program funded under this part; and

16 “(iv) that is described in the State
17 plan submitted under section 402.”.

18 (2) PENALTY.—Section 409(a) of the Social Se-
19 curity Act (42 U.S.C. 609(a)) is amended by adding
20 at the end the following new paragraph:

21 “(17) PENALTY FOR FAILURE TO DISREGARD
22 INCOME, ASSETS, AND RESOURCES OF NONPARENT
23 CARETAKER RELATIVE IN CHILD-ONLY CASES.—If
24 the Secretary determines that a State to which a
25 grant is made under section 403 in a fiscal year has

1 violated section 408(a)(13) during the fiscal year,
2 the Secretary shall reduce the grant payable to the
3 State under section 403(a)(1) for the immediately
4 succeeding fiscal year by an amount equal to 3 per-
5 cent of the State family assistance grant.”.

6 (c) ELIMINATING 5-YEAR CAP ON ASSISTANCE IN
7 CHILD-ONLY CASES.—

8 (1) IN GENERAL.—Section 408(a)(7) of the So-
9 cial Security Act (42 U.S.C. 608(a)(7)) is amended
10 by adding at the end the following new subpara-
11 graph:

12 “(H) NO LIMIT FOR CHILD-ONLY CASES.—
13 A State shall not limit the number of months
14 of assistance under the State program funded
15 under this part or any other State program
16 funded with qualified State expenditures (as de-
17 fined in section 409(a)(7)(B)(i)) for a family in
18 which all adults in the family—

19 “(i) are nonparent caretaker relatives
20 of a child who does not reside in the same
21 household of the parent of the child; and

22 “(ii) do not receive assistance under
23 the State program funded under this part
24 or any other State program funded with
25 qualified expenditures (as defined in sec-

1 tion 409(a)(7)(B)(i)) on their own be-
2 half.”.

3 (2) PENALTY.—Section 409(a) of the Social Se-
4 curity Act (42 U.S.C. 609(a)), as previously amend-
5 ed by this section, is amended—

6 (A) in paragraph (9), by inserting “(other
7 than subparagraph (H))” after “section
8 408(a)(7)”; and

9 (B) by adding at the end the following new
10 paragraph:

11 “(18) PENALTY FOR FAILURE TO COMPLY WITH
12 5-YEAR CAP EXEMPTIONS.—If the Secretary deter-
13 mines that a State to which a grant is made under
14 section 403 in a fiscal year has violated subpara-
15 graph (H) of section 408(a)(7) during the fiscal
16 year, the Secretary shall reduce the grant payable to
17 the State under section 403(a)(1) for the imme-
18 diately succeeding fiscal year by an amount equal to
19 3 percent of the State family assistance grant”.

20 (d) EXEMPTION FROM WORK REQUIREMENTS FOR
21 NONPARENT CARETAKER RELATIVES IN CHILD-ONLY
22 CASES.—

23 (1) IN GENERAL.—Section 408 of the Social
24 Security Act (42 U.S.C. 608) is amended by adding
25 at the end the following new subsection:

1 “(h) STATE REQUIRED TO EXEMPT NONPARENT
2 CARETAKER RELATIVES FROM WORK PARTICIPATION IN
3 CHILD-ONLY CASES.—A State shall not require an indi-
4 vidual to engage in work if the individual—

5 “(1) is the nonparent caretaker relative of a
6 child who does not reside in the same household as
7 a parent of the child; and

8 “(2) resides in a household in which no adult
9 receives assistance under the State program funded
10 under this part or any other State program funded
11 with qualified expenditures (as defined in section
12 409(a)(7)(B)(i)) on their own behalf.”.

13 (2) PENALTY.—Section 409(a) of the Social Se-
14 curity Act (42 U.S.C. 609(a)), as previously amend-
15 ed by this section, is amended by adding at the end
16 the following new paragraph:

17 “(19) PENALTY FOR FAILURE TO COMPLY WITH
18 WORK PARTICIPATION EXEMPTIONS.—If the Sec-
19 retary determines that a State to which a grant is
20 made under section 403 in a fiscal year has violated
21 subsection (h) of section 408 during the fiscal year,
22 the Secretary shall reduce the grant payable to the
23 State under section 403(a)(1) for the immediately
24 succeeding fiscal year by an amount equal to 3 per-
25 cent of the State family assistance grant.”.

1 (e) ELIMINATING 5-YEAR CAP ON ASSISTANCE FOR
2 OLDER CARETAKER RELATIVES.—

3 (1) IN GENERAL.—Section 408(a)(7) of the So-
4 cial Security Act (42 U.S.C. 608(a)(7)), as amended
5 by subsection (c)(1), is amended by adding at the
6 end the following new subparagraph:

7 “(I) NON-APPLICATION OF LIMIT TO
8 OLDER CARETAKER RELATIVES.—

9 “(i) NO LIMIT FOR OLDER CARE-
10 TAKER RELATIVES.—Subparagraph (A)
11 shall not apply and a State shall not limit
12 the number of months of assistance under
13 the State program funded under this part
14 or any other State program funded with
15 qualified State expenditures (as defined in
16 section 409(a)(7)(B)(i)) based on receipt
17 of such assistance by an individual who is
18 an older caretaker relative (as defined for
19 purposes of paragraph (14)).

20 “(ii) DISREGARD OF MONTHS OF AS-
21 SISTANCE .—In determining the number of
22 months for which a family that includes an
23 adult who has received assistance under
24 the State program funded under this part
25 or any other State program funded with

1 qualified State expenditures (as defined in
2 section 409(a)(7)(B)(i)), the State shall
3 disregard any month for which such assist-
4 ance was provided with respect to the fam-
5 ily during which such adult was an older
6 caretaker relative (as defined for purposes
7 of paragraph (14)).”.

8 (2) PENALTY.—Section 409(a) of the Social Se-
9 curity Act (42 U.S.C. 609(a)), as previously amend-
10 ed by this section, is amended—

11 (A) in paragraph (9), by inserting “or (I)”
12 after “subparagraph (H)”; and

13 (B) in paragraph (18), by inserting “or
14 (I)” after “subparagraph (H)”.

15 (f) EXEMPTION FROM WORK REQUIREMENTS FOR
16 OLDER CARETAKER RELATIVES.—

17 (1) IN GENERAL.—Section 408 of the Social
18 Security Act (42 U.S.C. 608), by subsection (d)(1),
19 is amended by adding at the end the following new
20 subsection:

21 “(i) STATE REQUIRED TO EXEMPT OLDER CARE-
22 TAKER RELATIVES FROM WORK PARTICIPATION WHERE
23 CARETAKER RECEIVES ASSISTANCE.—A State shall not
24 require an individual to engage in work, and, at the option
25 of the State and on a case-by-case basis, may disregard

1 such individual in determining the participation rates
2 under section 407(a), if the individual—

3 “(1) is an older caretaker relative (as defined
4 for purposes of subsection (a)(14)); and

5 “(2) directly receives assistance on the individ-
6 ual’s own behalf under the State program funded
7 under this part or any other State program funded
8 with qualified expenditures (as defined in section
9 409(a)(7)(B)(i)).”.

10 (2) PENALTY.—Paragraph (18) of section
11 409(a) of the Social Security Act (42 U.S.C.
12 609(a)), as added by subsection (d)(2), is amended
13 by inserting “or (i)” after “subsection (h)”.

14 (3) CONFORMING AMENDMENTS.—402(a)(1)(A)
15 of the Social Security Act (42 U.S.C. 602(a)(1)(A))
16 is amended—

17 (A) in clause (ii), by inserting “and subject
18 to subsection (h) and (i) of section 408” before
19 the period; and

20 (B) in clause (iii), by inserting “and sub-
21 ject to subsection (h) and (i) of section 408”
22 before the period.

23 (g) DISREGARD OF INCOME, ASSETS, AND RE-
24 SOURCES FOR OLDER CARETAKER RELATIVES.—

1 (1) IN GENERAL.—Section 408(a) of the Social
2 Security Act (42 U.S.C. 608(a)), as previously
3 amended by this section, is amended by adding at
4 the end the following new paragraph:

5 “(14) DISREGARD OF INCOME, ASSETS, AND
6 RESOURCES FOR OLDER CARETAKER RELATIVES.—

7 “(A) IN GENERAL.—In determining the
8 eligibility for, and amount of, assistance under
9 the State program funded under this part or
10 any other State program funded with qualified
11 State expenditures (as defined in section
12 409(a)(7)(B)(i)) for a family that includes an
13 individual who is an older caretaker relative (as
14 defined in subparagraph (B)), a State to which
15 a grant is made under section 403 shall not
16 take into account the income, assets, or re-
17 sources of that individual.

18 “(B) DEFINITION.—

19 “(i) IN GENERAL.—For purposes of
20 this paragraph, the term ‘older caretaker
21 relative’ means an individual who—

22 “(I) subject to clause (ii), has at-
23 tained age 55; and

24 “(II) is the primary caretaker for
25 a minor child who—

1 “(aa) is living with the indi-
2 vidual;

3 “(bb) does not have a parent
4 living in the home; and

5 “(cc) is a relative of the in-
6 dividual.

7 “(ii) STATE OPTION TO MODIFY AGE
8 CRITERION.—At the option of a State,
9 such term shall include an individual who
10 has not attained age 55.

11 “(iii) DETERMINATION TO BE MADE
12 BY STATE.—The determination of whether
13 an individual meets the criteria described
14 in clause (i)(II) shall be made by the
15 State.”.

16 (2) PENALTY.—Section 409(a) of the Social Se-
17 curity Act (42 U.S.C. 609(a)), as previously amend-
18 ed by this section, is amended by adding at the end
19 the following new paragraph:

20 “(20) PENALTY FOR FAILURE TO DISREGARD
21 INCOME, ASSETS, AND RESOURCES FOR OLDER
22 CARETAKER RELATIVES.—If the Secretary deter-
23 mines that a State to which a grant is made under
24 section 403 in a fiscal year has violated section
25 408(a)(14) during the fiscal year, the Secretary

1 shall reduce the grant payable to the State under
2 section 403(a)(1) for the immediately succeeding fis-
3 cal year by an amount equal to 3 percent of the
4 State family assistance grant.”.

5 (h) ENSURING EQUITABLE TREATMENT FOR OLDER
6 CARETAKER RELATIVES UNDER TANF.—

7 (1) STATE NOTIFICATIONS TO OLDER CARE-
8 TAKER RELATIVES OF CHILD TANF RECIPIENTS.—

9 (A) IN GENERAL.—Section 408(a) of the
10 Social Security Act (42 U.S.C. 608(a)), as pre-
11 viously amended by this section, is amended by
12 adding at the end the following:

13 “(15) STATE REQUIREMENTS REGARDING NO-
14 TICE TO RELATIVE CARETAKERS.—A State to which
15 a grant is made under section 403 shall—

16 “(A) ensure that the State agency respon-
17 sible for administering the State program fund-
18 ed under this part employs a resource employee
19 who is trained to provide guidance to an older
20 caretaker relative of a minor child if the child
21 is a recipient of assistance under the program
22 (or under a State program funded with quali-
23 fied State expenditures (as defined in section
24 409(a)(7)(B)(i))), on legal options regarding
25 custody and guardianship of the child, including

1 explaining to the relative caretaker how each
2 legal option corresponds to the availability of
3 benefits and services, and who serves as a liai-
4 son with other agencies and community organi-
5 zations that provide resources and assistance to
6 relative caretakers; and

7 “(B) ensure that the State agency provides
8 to any older caretaker relative of a minor child
9 if the child is a recipient of assistance under
10 the State program funded under this part (or
11 under a State program funded with qualified
12 State expenditures (as defined in section
13 409(a)(7)(B)(i))), written notice that—

14 “(i) explains the options of the older
15 caretaker relative under Federal, State,
16 and local law to participate in the care and
17 placement of the child, including the finan-
18 cial ramifications of the options and any
19 options that may be lost by choosing cer-
20 tain benefits;

21 “(ii) describes the requirements under
22 section 471(a)(10) to become a foster fam-
23 ily home and the additional services and
24 supports that are available for a child
25 placed in such a home;

1 “(iii) if the State has elected the op-
2 tion to make guardianship assistance pay-
3 ments under section 471(a)(28), describes
4 how the relative caretaker may enter into
5 an agreement with the State to receive the
6 payments;

7 “(iv) describes policies under the
8 State program funded under this part that
9 are designed to help older caretaker rel-
10 atives, including income, asset, and re-
11 source exemptions in determining program
12 eligibility, ‘good cause’ exemptions to child
13 support enforcement policies, and work re-
14 quirement exemptions;

15 “(v) provides direct contact informa-
16 tion for other agencies and community or-
17 ganizations that provide resources and as-
18 sistance, such as housing, supplemental
19 nutrition assistance, health care, and child
20 care; and

21 “(vi) provides direct contact informa-
22 tion for the resource employee described in
23 subparagraph (A).”.

24 (B) INCLUSION IN STATE PLAN.—Section
25 402(a)(1)(B) of such Act (42 U.S.C.

1 602(a)(1)(B)) is amended by adding at the end
2 the following:

3 “(vi) The document shall provide a
4 detailed explanation of how the State in-
5 tends to comply with section 408(a)(15).”.

6 (C) PENALTY.—Section 409(a) of such Act
7 (42 U.S.C. 609(a)) is amended by adding at the
8 end the following:

9 “(21) FAILURE TO NOTIFY RELATIVE CARE-
10 TAKERS.—If the Secretary determines that a State
11 to which a grant is made under section 403 for a
12 fiscal year has violated section 408(a)(15) during
13 the fiscal year, the Secretary shall reduce the grant
14 payable to the State under section 403(a)(1) for the
15 immediately succeeding fiscal year by an amount
16 equal to 4 percent of the grant.”.

17 (2) STATE TREATMENT OF RELATIVE CARE-
18 TAKERS OF CHILD TANF RECIPIENTS.—Section
19 402(a)(1)(B) of the Social Security Act (42 U.S.C.
20 602(a)), as amended by paragraph (2)(B), is further
21 amended by adding at the end the following:

22 “(vii) The document shall provide a
23 detailed explanation of the State’s treat-
24 ment of older caretaker relatives of minor
25 children, in cases in which the child is a

1 recipient of assistance under the State pro-
2 gram funded under this part (or under a
3 State program funded with qualified State
4 expenditures (as defined in section
5 409(a)(7)(B)(i))), including—

6 “(I) information regarding how
7 the State defines terms such as ‘rel-
8 ative’, ‘fictive kin’, and ‘caretaker’;

9 “(II) a description of the training
10 received by caseworkers of the State
11 agency responsible for administering
12 the program in relation to older care-
13 taker relatives of minor children, in
14 cases in which the child is such a re-
15 cipient;

16 “(III) an explanation of the ways
17 in which assistance available under
18 the program to an older relative care-
19 taker of a minor child is affected by
20 the temporary presence in the home of
21 a biological parent of the child; and

22 “(IV) an explanation of how ben-
23 efits are adjusted for older caretaker
24 relatives including income, asset, and
25 resource exemptions in determining

1 program eligibility, ‘good cause’ ex-
2 emptions to child support enforcement
3 policies, and work requirement exemp-
4 tions.”.

5 (3) ENHANCED DATA REPORTING.—Section
6 411(a)(7) of the Social Security Act (42 U.S.C.
7 611(a)(7)) is amended by adding at the end the fol-
8 lowing: “The Secretary shall also prescribe regula-
9 tions to improve the reporting of data on the eco-
10 nomic well-being and circumstances of families with
11 older relative caretakers of minor children, including,
12 to the extent practicable, information relating to—

13 “(A) all adults in the family, including
14 whether or not such adults are recipients of as-
15 sistance under the State program funded under
16 this part (or under a State program funded
17 with qualified State expenditures (as defined in
18 section 409(a)(7)(B)(i)));

19 “(B) all minor children in the family, in-
20 cluding whether any such minor child—

21 “(i) is required to be included in the
22 foster care reporting population for pur-
23 poses of the Adoption and Foster Care
24 Analysis Reporting System (AFCARS) es-
25 tablished pursuant to section 479; or

1 “(ii) is not required to be so included
2 in such foster care reporting population,
3 but—

4 “(I) is receiving services in the
5 home of the relative caretaker that
6 are supervised or administered by the
7 State agency responsible for admin-
8 istering the State plan approved
9 under part B;

10 “(II) was placed with the relative
11 caretaker to prevent the need for fos-
12 ter care as a result of an intervention
13 on behalf of the child which was car-
14 ried out or supervised by the State
15 agency administering the State plans
16 under parts B and E; or

17 “(III) was placed with the rel-
18 ative caretaker upon formal discharge
19 from the care and placement responsi-
20 bility of the State agency admin-
21 istering the plans under part B or E;

22 “(iii) all families who applied for a
23 good-cause exemption to the State’s child
24 enforcement cooperation policies; and

1 “(iv) all families who received a good-
2 cause exemption to the State’s child en-
3 forcement cooperation policies.”.

4 (i) EFFECTIVE DATE.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), the amendments made by this section
7 shall take effect on the first day of the first fiscal
8 year that begins after the date of enactment of this
9 Act.

10 (2) DELAY PERMITTED.—

11 (A) IN GENERAL.—Before the date de-
12 scribed in subparagraph (B), a State plan
13 under title IV of the Social Security Act shall
14 not be regarded as failing to comply with an ad-
15 ditional requirement imposed on the plan by
16 this section if the Secretary of Health and
17 Human Services determines that such addi-
18 tional requirement—

19 (i) requires State legislation (other
20 than legislation appropriating funds) in
21 order for the plan to meet such additional
22 requirement; or

23 (ii) could not practicably be met by
24 the plan before such date.

1 (B) DATE DESCRIBED.—For purposes of
2 subparagraph (A), the date described in this
3 subparagraph is, with respect to a State, the
4 first day of the first calendar quarter beginning
5 after the close of the first regular session of the
6 State legislature that begins after the date of
7 enactment of this section. For purposes of the
8 previous sentence, in the case of a State that
9 has a 2-year legislative session, each year of
10 such session shall be deemed to be a separate
11 regular session of the State legislature.

12 **SEC. 4. IMPROVING THE COLLECTION OF CHILD SUPPORT**
13 **FOR FAMILIES RECEIVING TANF ASSISTANCE.**

14 (a) IN GENERAL.—Section 454 of the Social Security
15 Act (42 U.S.C. 654) is amended—

16 (1) by redesignating paragraphs (30) through
17 (34) as paragraphs (31) through (35), respectively;
18 and

19 (2) by inserting after paragraph (29) the fol-
20 lowing:

21 “(30) include a description of—

22 “(A) the methods used by the State to de-
23 termine whether an individual who has applied
24 for or is receiving assistance under the State
25 program funded under part A, the State pro-

1 gram under part E, the State program under
2 title XIX, or the supplemental nutrition assist-
3 ance program, as defined under section 3(h) of
4 the Food and Nutrition Act of 2008 (7 U.S.C.
5 2012(h)), is cooperating in good faith with the
6 State in establishing paternity or in estab-
7 lishing, modifying, or enforcing a support order,
8 as provided in paragraph (29);

9 “(B) the State’s process for determining in
10 a timely manner whether such an individual
11 satisfies the cooperation requirement described
12 in subparagraph (A) due to the individual’s
13 participation in another State or Federal assist-
14 ance program;

15 “(C) the good cause or other exceptions to
16 the cooperation requirement that the State rec-
17 ognizes, including an explanation of any special
18 requirements or considerations for an older rel-
19 ative caretaker seeking to apply for such an ex-
20 ception; and

21 “(D) how the State makes clear to an indi-
22 vidual who has applied for or is receiving assist-
23 ance under a program referred to in subpara-
24 graph (A)—

1 “(i) what, if anything, the individual
2 needs to do in order to satisfy the coopera-
3 tion requirement, including explaining to
4 the individual how the individual might
5 satisfy the requirement through participa-
6 tion in another State or Federal assistance
7 program;

8 “(ii) the effect on the individual’s eli-
9 gibility to receive assistance under a pro-
10 gram referred to in subparagraph (A), and
11 under other State or Federal assistance
12 programs, if the individual fails to satisfy
13 the cooperation requirement; and

14 “(iii) the good cause or other excep-
15 tions to the cooperation requirement for
16 which the individual may be eligible, in-
17 cluding the standard of proof required to
18 qualify for each exception and an expla-
19 nation of any special requirements or con-
20 siderations for older caretaker relatives;”.

21 (b) CONFORMING AMENDMENTS.—Title IV of the So-
22 cial Security Act (42 U.S.C. 601 et seq.) is amended—

23 (1) in section 452(k)(1), by striking “section
24 454(31)” and inserting “section 454(32)”;

1 (2) in section 454, in the matter following para-
2 graph (35) (as redesignated by subsection (a)) by
3 striking “paragraph (33)” and inserting “paragraph
4 (34)”.

5 (c) EFFECTIVE DATE.—The amendments made by
6 this section shall take effect on the first day of the first
7 fiscal year that begins after the date of enactment of this
8 Act.

9 **SEC. 5. ENCOURAGING STATES TO ADOPT TEMPORARY**
10 **GUARDIANSHIP LAWS.**

11 (a) IN GENERAL.—Section 474(a)(7) of the Social
12 Security Act (42 U.S.C. 674(a)(7)) is amended by insert-
13 ing “(or, in the case of a State that has in effect for the
14 quarter a temporary guardianship law (as defined in sec-
15 tion 475(14)), 75 percent)” after “50 percent”.

16 (b) DEFINITION.—Section 475 of the Social Security
17 Act (42 U.S.C. 675) is amended by adding at the end the
18 following new paragraph:

19 “(14)(A) The term ‘temporary guardianship law’
20 means a State law that allows for the establishment, by
21 operation of such law and through an easily navigable sim-
22 ple civil process, of a relationship between a child and a
23 nonparent caretaker who has taken responsibility for car-
24 ing for the child in the absence of the child’s parents in
25 which some of the parental rights with respect to the child

1 are transferred to the caretaker for a specified period of
2 time which may be extended or renewed, except that the
3 total period of time for which such rights are transferred
4 to the caretaker (including any extensions or renewals)
5 shall not exceed a maximum period of time (as established
6 by the State).

7 “(B) Under the process established under a law de-
8 scribed in subparagraph (A)—

9 “(i) court fees shall be waived or reduced; and

10 “(ii) any court forms or filings related to the
11 process are easy enough to understand that a non-
12 parent caretaker who has taken responsibility for
13 caring for the child in the absence of the child’s par-
14 ents could reasonably complete such forms or filings
15 without legal assistance.”.

16 (c) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on the first day of the first
18 fiscal year that begins after the date of enactment of this
19 Act.

20 **SEC. 6. GUIDANCE.**

21 (a) GUIDANCE TO STATES ON ENSURING AWARE-
22 NESS OF CHILD WELFARE SYSTEM AMONG KINSHIP
23 CAREGIVERS.—Not later than the first day of the first fis-
24 cal year that begins after the date of enactment of this
25 Act, the Secretary of Health and Human Services shall

1 issue guidance to States on ways to ensure that kinship
2 caregivers who receive assistance under a State program
3 funded under part A of title IV of the Social Security Act
4 (42 U.S.C. 601 et seq.) or any other State program fund-
5 ed with qualified State expenditures (as defined in section
6 409(a)(7)(B)(i) of such Act (42 U.S.C. 609(a)(7)(B)(i)))
7 are—

8 (1) provided with information about any appro-
9 priate assistance and services available to them
10 through the child welfare system of the State, in-
11 cluding eligibility for foster care licensure and path-
12 ways to guardianship assistance programs or adop-
13 tion subsidies, and how to access such assistance
14 and services; and

15 (2) referred to any kinship navigator program
16 operated by the State.

17 (b) GUIDANCE ON COORDINATING ASSISTANCE FOR
18 CAREGIVERS.—Not later than the first day of the first fis-
19 cal year that begins after the date of enactment of this
20 Act, the Secretary of Health and Human Services shall
21 issue guidance for States identifying options for State pro-
22 grams, including programs funded under title IV of the
23 Social Security Act (42 U.S.C. 601 et seq.), programs
24 funded under the Older Americans Act of 1965 (42 U.S.C.
25 3001 et seq.), and other relevant programs that are jointly

1 funded or administered by States and the Federal Govern-
2 ment, to collaborate, coordinate, and streamline outreach
3 to, and processing of applications of assistance, for grand-
4 parents and older relative caregivers or kinship caregivers
5 caring for grandchildren and other relative children resid-
6 ing with them.

7 **SEC. 7. GRANT PROGRAM FOR GRANDFAMILY HOUSING.**

8 (a) DEFINITIONS.—In this section—

9 (1) the term “grandfamily housing” means
10 housing units dedicated to low-income—

11 (A) grandparents caring full-time for a
12 grandchild; or

13 (B) older relative caregivers caring full-
14 time for a relative child;

15 (2) the term “grandfamily resident service coor-
16 dinator” means an individual who—

17 (A) is an employee or contractor of an
18 owner of grandfamily housing;

19 (B) assists grandparents and older relative
20 caregivers with the process of applying to and
21 moving into the grandfamily housing; and

22 (C) regularly—

23 (i) assesses the needs of the residents,
24 on a collective and family basis, of the
25 grandfamily housing; and

1 (ii) plans and executes grandfamily
2 housing programming services based on
3 the assessment described in clause (i);

4 (3) the term “low-income” means income that
5 does not exceed 80 percent of the area median gross
6 income;

7 (4) the term “owner of grandfamily housing”
8 means a nonprofit or for-profit entity that develops,
9 owns, or operates grandfamily housing;

10 (5) the term “public housing” has the meaning
11 given the term in section 3(b) of the United States
12 Housing Act of 1937 (42 U.S.C. 1437a(b)); and

13 (6) the term “Secretary” means the Secretary
14 of Housing and Urban Development.

15 (b) ESTABLISHMENT.—The Secretary shall establish
16 a program to provide grants to owners of grandfamily
17 housing for grandfamily resident service coordinators to
18 support housing programming services, equipment, and
19 building structures of grandfamily housing.

20 (c) USE OF FUNDS.—A recipient of a grant under
21 this section may use the funds—

22 (1) to plan and execute grandfamily housing
23 programming services for families living in
24 grandfamily housing;

1 (2) to fund the salaries of grandfamily resident
2 service coordinators; and

3 (3) for the construction and upkeep of spaces
4 within permanent building structures of grandfamily
5 housing that are used as a place to hold events and
6 services for families living in grandfamily housing
7 and to carry out the requirement under subsection
8 (d).

9 (d) REQUIREMENT.—As a condition of receiving a
10 grant under this section, a recipient shall, through coordi-
11 nation with local kinship navigator programs, as estab-
12 lished in section 474(a)(7) of the Social Security Act (42
13 U.S.C. 674(a)(7)), engage with the larger community of
14 grandparents and older relative caretakers raising relative
15 children by performing periodic informational outreach to
16 and holding periodic events for grandfamilies living in the
17 close geographical area to the grandfamily housing but not
18 living in the building, with special attention given to
19 grandparents and older relative caretakers who care for
20 children and live in public housing.

21 (e) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to the Secretary to carry
23 out this section \$10,000,000 for each of fiscal years 2020
24 and 2021.

1 **SEC. 8. STATE SUPPORT PLANS FOR GRANDPARENTS CAR-**
2 **ING FOR GRANDCHILDREN.**

3 (a) IN GENERAL.—Not later than the first day of the
4 first fiscal year that begins after the date of enactment
5 of this Act, from amounts appropriated to carry out this
6 section, the Secretary of Health and Human Services shall
7 award grants to States for purposes of developing State
8 support plans for grandparents caring for grandchildren
9 and other relatives caring for relative children.

10 (b) REQUIREMENTS.—A State support plan for
11 grandparents caring for grandchildren and other relatives
12 caring for relative children that is funded by a grant under
13 this section shall include the following:

14 (1) An initial assessment of the state of grand-
15 parents caring for grandchildren and other relatives
16 caring for relative children in the State.

17 (2) A plan for how appropriate State agencies
18 can collaborate in their efforts to provide financial
19 support, housing services, and other services and
20 supports to grandparents caring for grandchildren
21 and other relatives caring for relative children.

22 (3) Steps that the State proposes to take over
23 the next 5 years to ensure that grandparents caring
24 for grandchildren and other relatives caring for rel-
25 ative children have necessary resources.

1 (4) A plan to simplify or combine application
2 requirements for State public assistance programs to
3 reduce administrative burdens on recipients, with a
4 focus on families consisting of grandparents or other
5 older caretaker relatives raising relative children.

6 (c) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated \$10,000,000 to carry
8 out this section.

9 **SEC. 9. NATIONAL TECHNICAL ASSISTANCE CENTER ON**
10 **GRANDFAMILIES.**

11 (a) IN GENERAL.—Not later than the first day of the
12 first fiscal year that begins after the date of enactment
13 of this Act, the Administrator of the Administration for
14 Community Living shall establish a National Technical
15 Assistance Center on Grandfamilies (in this section re-
16 ferred to as the “Center”) to conduct the activities de-
17 scribed in subsection (b).

18 (b) ACTIVITIES OF CENTER.—The Center—

19 (1) shall engage experienced experts to identify
20 model practices or programs, related to health, nu-
21 trition, housing, and other related issues, to help
22 serve children, parents and caregivers in
23 grandfamilies;

24 (2) may develop guidelines for States to encour-
25 age best practices to support grandfamilies impacted

1 by parental substance use, including ways to help
2 caregivers meet children's health, development, and
3 wellbeing needs (including promotion of safe sleep
4 practices), support birth parents' access, engage-
5 ment, and success in treatment, support birth par-
6 ents' formation of a healthy attachment with their
7 children, and promote positive parenting (including
8 co-parenting support) skills for both relative care-
9 givers and birthparents;

10 (3) may facilitate learning across States and
11 provide technical assistance and resources to individ-
12 uals and entities that directly work with all 3 gen-
13 erations in grandfamilies.

14 (c) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated \$5,000,000 to carry out
16 this section.